

**CITY GOVERNMENT
OFFICIAL PROCEEDINGS OF CITY COUNCIL
SAVANNAH, GEORGIA
March 21, 2013**

The regular meeting of Council was held this date at 2:00 p.m. in the Council Chambers of City Hall. The invocation was given by Pastor Steve McGuire of Aldergate United Methodist Church followed by the Pledge of Allegiance to the Flag.

PRESENT: Mayor Edna Jackson, Presiding
Alderman Van Johnson, II Mayor Pro-Tem
Alderman Tony Thomas, Chairman of Council
Alderman Mary Osborne, Vice-Chairman of Council
Aldermen Carol Bell, Tom Bordeaux, Mary Ellen Sprague,
John Hall and Estella Shabazz

Acting City Manager Stephanie S. Cutter
City Attorney W. Brooks Stillwell
Assistant City Attorneys William W. Shearouse and Lester B. Johnson, III.

MINUTES

The minutes of the following meetings were approved upon a motion by Alderman Johnson, seconded by Alderman Thomas and unanimously carried:

- Approval of the Summary/Final minutes of the City Council Work Session/City Manager's briefing of March 7, 2013; and
- Approval of the City Council Summary/Final Minutes of March 7, 2013.

PRESENTATIONS

The winners of the 3rd Annual Creative Writing Challenge for grades K - 8 held by Leopold's Ice Cream and Live Oak Public Library were recognized:

K-2

1st Place - Elijah Vaz, age 6; 2nd Place - T. Simmons Key age 6;
3rd Place - Elijah Vaz age 6

3-5

1st Place - Faith Lynn Mask age 10; 2nd Place - Jacob Andrew Woodcock age 9
(acknowledged but not present); 3rd Place - Zion S. Green age 9

6-8

1st Place - Patrick Hightower age 14; 2nd Place - Aisling Hill age 11
(Acknowledged but not present); 3rd Place - Annie Lillian Bordeaux age 12

Mayor Jackson thanked the Leopolds and Ms. Christy Devine of Live Oak Public Library for their participation.

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William Usher of the Park and Tree Department was recognized for grabbing and holding in a headlock a loose pit bull that was charging a woman walking her small dogs, until she could get help. Keith Ford is the crew chief who reported the incident. Bureau Chief Joe Shearouse said Mr. Usher went above and beyond the call of duty. Council members and Mayor Jackson thanked him and said the City has many workers who go beyond the call of duty.

LEGISLATIVE REPORTS

ALCOHOL BEVERAGES LICENSE HEARING

As advertised, the following alcoholic license petitions were heard. No one appeared in objection to the issuance of the licenses. Upon a motion by Alderman Johnson, seconded by Alderman Sprague and unanimously carried the petitions were approved per the City Manager's recommendations:

Harry Smith Mathews, Jr. for Southbound Brewing Co, LLC t/a Southbound Brewing Co., requested a beer (brewer) license at 107 E. Lathrop Avenue, which is located between Bay and Kane Streets in Dist. 1.

Timothy M. Strickland for River Street Restaurant Group, LLC t/a The Shrimp Factory, requested to transfer a liquor, beer and wine (drink) license with Sunday sales from Cheryl Power at 313 E. River Street, which had a 2013 liquor, beer and wine (drink) license with Sunday sales and is located between Lincoln Street Ramp and East Broad Street Ramp in Dist. 1.

ZONING HEARINGS

As advertised - Darcey O'Conner for Firefly Café (13-000478-ZA), requested a text amendment to Section 8-3134(l)iii and 8-3134(l)iv to repeal the provisions that require wine to be served or dispensed from a preparation area or service station not available to patrons and to change the hour at which wine service can begin from noon to 11:00 a.m. The Metropolitan Planning Commission (MPC) recommended approval to repeal the requirement that wine be served or dispensed from a preparation area or service station not available to patrons. MPC also recommended changing the hour at which wine service can begin from noon to 11:00 a.m. except on Sundays when the service beginning time shall be 12:30 p.m. (State law does not permit Sunday sales of alcohol, including wine, until 12:30 p.m.) These changes and retaining the remaining conditions will provide protection to the surrounding area.

Marcus Lotson with MPC presented their position. Dr. Nick Henry stated the Downtown Neighborhood Association had no issues with any of the Zoning petitions presented this date. Upon a motion by Alderman Johnson, seconded by Alderman Osborne and unanimously carried, the public hearing was closed. Upon a motion by Alderman Johnson, seconded by Alderman Sprague and unanimously carried the request was approved. Ordinance to cover at the next meeting of Council.

As advertised - Harold Yellin, Agent for Richard Mika, Petitioner/Owner (13-000506-ZA), requesting to rezone 1800 E. 63rd Street from R-6 (Single Family Residential – 6 units per net acre) to P-RM-6 (Planned Multi-Family Residential – 6 units per net acre). MPC recommends

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approval subject to the petitioner receiving perpetual access on Ruben Clark Drive from the Chatham County Hospital Authority prior to final approval by the Mayor and Aldermen. The proposed rezoning is consistent with the Tri-Centennial Comprehensive Plan Future Land Use Map. The proposed P-RM-6 classification would create an opportunity to provide a needed medical service to the community while maintaining a residential density the same as the density allowed within the current zoning R-6 classification. It is the policy of the City of Savannah to ensure that residential areas are protected from potential adverse impacts from adjoining non-residential development by requiring appropriate mitigating measures such as landscape buffering, fencing, and access limitations. The proposed institutional use and the implementation of these safeguards will ensure that the residential properties will not be adversely impacted. Recommend approval of the MPC recommendation. (The agent for the petitioner has requested continuing the hearing to April 18, 2013 to resolve an easement issue with an adjoining property owner.)

Upon a motion by Alderman Johnson, seconded by Alderman Bell and unanimously carried the request was granted to continue to the April 18, 2013 meeting.

As advertised - Phillip McCorkle, Agent for Pruitt Properties, Inc., Owner (12-002055-ZA), requesting an amendment to the Tri-Centennial Comprehensive Plan Future Development Map to allow modifications to an existing health care facility at 12815 White Bluff Road and to rezone the property from R-6 (Single Family Residential) to PUD-IS (Planned Unit Development-Institutional). MPC recommends approval of an amendment to the Tri-Centennial Comprehensive Plan Future Development Map to change this property from the Residential Single Family classification to the Civic/Institutional classification and approval of the request to rezone the property from R-6 (Single Family Residential) to PUD-IS (Planned Unit Development- Institutional). The subject property is zoned R-6. A parcel adjacent to the subject property contains a healthcare facility constructed in 1982 and is zoned PUD-IS. The PUD-IS zoning classification is intended to accommodate professional offices and institutional uses as well as residential townhomes and condominiums. Developments within this zoning district are required to consist of a minimum of three acres. The Tri-Centennial Comprehensive Plan Future Land Use Map designates the subject property as Residential Suburban Single Family and the adjacent parcel as Civic/Institutional. If a zoning change is recommended to the Mayor and Aldermen, an amendment to the future land use designation of the subject property will also be required. Recommend approval of the MPC recommendation.

Marcus Lotson with MPC presented their position. Alderman Thomas asked Nick Williams Vice President of Pruitt Properties, what the present and future use is of the property. Mr. Williams said currently it is an empty lot and the intended use is to expand the current facility so that people are no longer living in 3-bed rooms but in private and semi-private rooms. Alderman Thomas said there was controversy about the project based upon the removal of a 200-year old oak tree. He addressed Mr. McCorkle stating he had called the office one day asking if Alderman Thomas had any issue with the project and he told Mr. McCorkle he needed to see the plan as it looked somewhat different. He also said Mr. McCorkle testified at the MPC meeting that he had no issues with the site, which was not true and he was going on the record to ask Mr. McCorkle to never do that again. He said he did have concerns and he still had concerns about the development of the property. Mr. McCorkle apologized for mis-speaking. Alderman Thomas asked Mr. McCorkle not to speak for him again unless he was there to represent himself.

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He addressed Mr. Williams saying they had met and Mr. Williams said his company was an environmentally sensitive company, yet hundreds of trees were taken down on this site. There was a significant oak tree that came down and at the time Alderman Thomas asked Mr. Williams to provide a landscape plan to replace the tree taken down. Alderman Thomas said he lived on that street and he knew how many trees had been taken down, and there was almost zero buffers left on both sides of the property. He questioned the drainage, traffic issues, and how his site fit in with the site to the north of them. Mr. McCorkle said Park and Tree Department approved that the tree in question be taken down. The buffer requirements have been fulfilled and some trees would need to be removed for the intended expansion. Alderman Thomas said he questioned the way the property was posted for the rezoning and asked when the site plans had been approved. Mr. McCorkle said it was a year ago. Alderman Thomas said he was bother by the amount of buildup they did, the amount of traffic, water retention and flooding.

Ms. Beth Vega with Pruitt Properties stated she met with Karen Jenkins this day at Savannah Tree Foundation and gave Ms. Jenkins an unrestricted contribution for their educational program. They reviewed the current site and discussed the possibility of a tree planting. Mayor Jackson said this sends a bad message that they made a contribution on the same day that the zoning hearing came before Council. Mr. McCorkle said they did not mean to send the wrong message and that City departments reviewed and approved the plans. They made the donation to show everyone they are trying to be good citizens. Dolores Engle representing the Savannah Tree Foundation said once a tree has been taken down they have no control over it. Alderman Thomas said many trees came down on the development site and now they are asking to rezone a site that is a wooded lot north of it. No one will give him an idea of how many trees will be taken off this site. The large oak that was taken down was a big issue for many people on the south side of town. It was a significant imprint to the area and a part of the heritage to the citizens who live in the Coffee Bluff and White Bluff area. There should have been more discussion about it and he was disturbed that this company is stripping the trees from this lot.

Alderman Osborne stated the City expects new store owners to meet with neighborhood associations and that a developer should meet with them also, especially when it involves trees. Alderman Sprague said this is an issue that continues to come back to them and clearly the tree ordinance needs tightening. She requested the staff research it and come back with a better ordinance. Alderman Bordeaux said he hated being in this position because he does not like what has been done to the lot. He said Alderman Thomas has informed the Council for weeks and months of the tree issue. In fairness to the attorney and developer they have complied with the legal steps. However, he did want to know why the tree had to be cut down. Mr. Williams said the tree was on top of the building that was planned. Alderman Bordeaux asked the amount of the donation to Savannah Tree Foundation and Ms. Vega said it was \$2,500. Mr. Williams stated they would do whatever they needed to do. They have been trying to follow the rules and their entire goal was to improve conditions for the patients of the existing facility.

Upon a motion by Alderman Johnson, seconded by Alderman Thomas and unanimously carried the hearing was closed. Upon a motion by Alderman Johnson, seconded by Alderman Shabazz and carried the request was approved with Aldermen Bell, Johnson, Hall, Sprague, Shabazz and Mayor Jackson voting in favor and Aldermen Bordeaux, Osborne and Thomas voting no. Ordinance to cover at the next meeting of Council.

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As advertised - Metropolitan Planning Commission (12-000277-ZA), recommended to add a “Street Classification Map for Announcement Signs” and to amend Sections 8-3112(c)(5)c, 8-3112(d)(3) and 8-3112(q) of the Savannah Zoning Ordinance to allow announcement signs in specified zoning districts, subject to limitations. Provided that certain limitations and conditions are part of the Ordinance requirements, manual changeable copy and electronically controlled announcement signs can be an effective means of communication for the travelling public and the community as well. The proposed amendment has such limitations and allows for a new type of signage within additional zoning districts consistent with other commercial districts as well as for certain nonresidential uses in other zoning districts.

Amanda Bunce presented the MPC’s position and gave a brief PowerPoint presentation. Alderman Thomas was concerned about existing businesses incurring additional expenses. Existing signs would be “grandfathered” but would conform to the new ordinance should they change their sign. Alderman Sprague requested examples, and Alderman Johnson suggested a work session for this issue. Council Members had more concerns therefore Mayor Jackson suggested continuing the hearing. Citizen Ardis Woods commended the Council for tabling the issue until they could see more graphically what is at stake.

Upon a motion by Alderman Hall, seconded by Alderman Bell and unanimously carried the public hearing was closed. Upon a motion by Alderman Bell, seconded by Alderman Shabazz and unanimously carried the hearing was continued until April 18, 2013 work session.

PETITIONS

Neil Dawson of Dawson Architects, Representing Bob Turner of Savannah River Properties LLC (Property Owner) – Petition 120390, requested approval for encroachment within Factors’ Walk right-of-way for the installation of mechanical equipment, supporting structures, and screening in relation to the restaurant (Barracuda Bob’s) which is being planned for 19 E. River Street. In response to the City’s efforts to clean up Factors’ Walk, Mr. Turner along with Dawson Architects met with City and MPC staff to determine the best plan to locate the units with the least impact to existing Factors’ Walk. Mr. Turner has also agreed to screen the units where applicable per the City’s Historic District Ordinance.

This request has been reviewed by Public Works and Water Resources, Sanitation, Park and Tree, Development Services and the City’s Preservation Officer and Tourism Administrator with the following stipulations for approval: all construction and installation of mechanical units must meet the City’s permitting process and adhere to building codes and ordinances, an existing City light fixture impacted by the proposed location of the mechanical equipment will be relocated at the petitioner/property owner’s expense and as approved by Traffic Engineering, the property owner will agree to be responsible for all maintenance of the mechanical units and their associated screening and support structures, a professional structural engineer (GA) must certify that the existing and proposed supporting structures will handle the load of the mechanical units, and the petitioner must seek separate approvals from the Historic District Board of Review for the proposed screening of the mechanical equipment.

Approval of the request to allow encroachment within Factors’ Walk right-of-way at 19 E. River Street for the installation of mechanical equipment as requested by Neil Dawson through Petition

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120390. Approval is subject to the stipulations as stated above and the property owner's assumption of responsibility for injuries or damages to third parties as a result of the encroachment. The petitioner and the property owners alike should be advised that such encroachment grants no ownership rights to the property and that, if ever required, the mechanical units must be removed at the petitioner's or property owner's expense.

Upon a motion by Alderman Johnson, seconded by Alderman Thomas and unanimously carried the petition was approved.

Angela Bean of Doug Bean Signs Inc., Representing Anonymous Tattoo (Tenant/Business) – Petition 120447, requested the City allow an encroachment within the E. Bay Street right-of-way for the installation of a hanging sign over the pedestrian sidewalk. The subject property is 9 E. Bay Street, located on the southern side of Bay between Bull and Drayton Streets. The sign, approximately 2'-0" wide x 5'-0" high, is designed to project approximately 30" from the building façade on a metal decorative bracket, and will provide a minimum of 10'-0" vertical clearance. The request was reviewed by Public Works and Water Resources and Development Services with no objections offered. All City construction guidelines must be followed, and the sign installation must meet all federal, state and local codes. The proposed sign has already received approval from the MPC. The petitioner has also provided a signed owner's agreement from Robert Troch of RWT SAV LLC. (Property owner), indicating acknowledgement of the petition and acceptance of all associated responsibility and liability for the encroachment

Approval of Petition 120447 in which Angela Bean, representing Anonymous Tattoo, requests permission to encroach onto City right-of-way at 9 E. Bay Street for the installation of a hanging sign over the sidewalk. Approval is subject to the property owner's assumption of responsibility for injuries or damages to third parties as a result of the encroachment. The petitioner and the property owners alike should be advised that such encroachment grants no ownership rights to the property and that, if ever required, the sign must be removed at the petitioner's or property owner's expense.

Upon a motion by Alderman Johnson, seconded by Alderman Thomas and unanimously carried the petition was approved.

Angela Bean of Doug Bean Signs Inc., Representing Southern Urgent Care (Tenant/Business owner) – Petition 120448, requested the City allow an encroachment within the Whitaker Street right-of-way for the installation of a hanging sign over the pedestrian sidewalk. The subject property is 10 Whitaker Street, located on the east side of Whitaker between W. Bay and W. Bryan Streets. The sign is designed to be 4'-0" wide by 4'-0" in height and hang from an existing mastarm bracket; providing 10'-0" of vertical clearance. The request was reviewed by Public Works and Water Resources and Development Services with no objections offered. All City construction guidelines must be followed, and the sign installation must meet all federal, state and local codes. The proposed sign received approval from the MPC. The petitioner also provided a signed owner's agreement from Jeff Notrica of 10 Whitaker Street LLC (property owner), indicating acknowledgement of the petition and acceptance of all associated responsibility and liability for the encroachment(s).

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Approval of Petition 120448 in which Angela Bean, representing Southern Urgent Care, requests permission to encroach onto City right-of-way at 10 Whitaker Street for the installation of a hanging sign over the sidewalk. Approval is subject to the property owner's assumption of responsibility for injuries or damages to third parties as a result of the encroachment. The petitioner and the property owners alike should be advised that such encroachment grants no ownership rights to the property and that, if ever required, the sign must be removed at the petitioner's or property owner's expense.

Upon a motion by Alderman Johnson, seconded by Alderman Thomas and unanimously carried the petition was approved.

Matthew Allan of J. Leander, LLC (Property Owner) – Petition 120430, requested the City allow encroachment within the 500 block of E. McDonough Street, located at the corner of E. McDonough and Price Streets, for the construction of entry stoops. The petitioner plans to develop three vacant parcels on the north side of the street and construct four new single-family residences numbering 502, 504, 506 and 508. The petitioner requested the encroachment in order to provide the necessary entry stairs and landings from the sidewalk elevation to the first floor of the homes. The design has already been reviewed and is recommended by the Historic Review Board to be consistent with the neighboring structures.

This request has been reviewed by Public Works and Water Resources, Park and Tree, and Development Services with several stipulations noted as follows: the development shall be submitted through the City's standard review process (SPR) and all sidewalk improvements, additions and/or modifications must meet the latest ADA (Americans with Disabilities Act) requirements per Traffic Engineering and Streets Maintenance. All City permitting and construction guidelines must be followed, and the entry stoops must meet all federal, state and local codes.

Approval of the request to allow encroachment at 502, 504, 506 and 508 E McDonough Street for the construction of stoops as requested by Matthew Allan through Petition 120430, subject to the property owner's assumption of responsibility for injuries or damages to third parties as a result of the encroachment. The petitioner should be advised that such encroachment grants no ownership rights to the property and that, if ever required, the improvements must be removed at petitioner's and/or property owner's expense.

Upon a motion by Alderman Johnson, seconded by Alderman Thomas and unanimously carried the petition was approved.

ORDINANCES
Second Readings

Double-Deck Tour Buses. An ordinance to amend the Tour Service for Hire Ordinance to permit tour service vehicles having double-deck passenger compartments. The Tourism Advisory Committee (TAC) was charged by Council to review and make a recommendation on the proposal from Live Oak Trolley LLC to strike language from the Tour Service Ordinance, Section 6-1502 (p) which reads "shall not have double-deck passenger compartments". After vetting the request, the TAC unanimously recommended in a vote of 12 to 0 that Council support

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the existing ordinance. Key issues associated with the TAC's recommendation include public safety and liability concerns, maintenance of the quality of life, stress on infrastructure, damage to tree canopy and urban forest, negative impact on tourism and recognition that the community vetted the issue in 1996 and approved the text amendment prohibiting this type of vehicle. Recommend denial.

Attorney Julie Wade of Attorney Jonathan's Hart's Office gave a five minute PowerPoint presentation.

Alderman Sprague pointed out that the people residing inside the outlined area would be impacted by the double decker buses. Alderman Shabazz said the survey came back with negative statements and the emails received were from persons living outside the bus route. Ms. Wade said the survey was commissioned by TAC early December, 2012. Alderman Bordeaux pointed out it was not a valid survey. Alderman Hall asked if the attorneys consulted the City's Park and Tree Department with issues. Ms. Wade said she met with the Director of Traffic Engineering and he had no problem with their proposal and they also met with the staff of Park and Tree.

Vaughnette Goode-Walker, Chairman of TAC said the map was not correct and the motor coaches and buses all getting along is not reality. She said for three months, TAC asked for pictures of the buses coming to Savannah and has not received them. TAC worked diligently for over three months investigating the proposal and they stood by their original decision not to change the ordinance to allow the double decker buses.

The following citizens spoke against changing the ordinance to allow the buses: William Hansill, Dolores Engle, Catherine Kostilnik, Melissa Witherspoon, John Watson, Esther Shaver, Gay Stevens, Catherine Alphin, Steven Martin, Phillip Parone, John Kohner, Daniel Carey, Enoch Hendrix, Robbie Noel, and Bob McAlister.

Upon a motion by Alderman Osborne, seconded by Alderman Thomas and unanimously carried the public hearing was closed.

Mayor Jackson thanked the citizens for their comments, concerns, and participation because this was how the Council made their decisions. She pointed out that Savannah was an urban forest. She previously asked Live Oak Trolley to bring one of the buses to the City for the Council to view, but they did not. She was also concerned the present ordinance was not being enforced. She thought a moratorium was necessary and she did not think the buses were a good fit for the community. Alderman Thomas said there was a phrase mentioned "infestation of tourism" and he wanted to clarify that they were very fortunate that tourists come to this City. They were very fortunate that they chose Savannah to spend their time and money; providing the two-billion dollars and jobs makes an economic impact. Not to say that it shouldn't be managed more efficiently, but the City would be in serious trouble without that boost to the economy; tourism is not an evil or bad thing. Attorney Hart thanked the Council for allowing them to be heard.

Ordinances read for the first time in Council February 21, 2013. Upon a motion by Alderman Osborne, seconded by Alderman Bell and carried the request was denied, with Aldermen Bell,

Bordeaux, Osborne, Thomas, Johnson, Sprague and Mayor Jackson voting no and Aldermen Hall and Shabazz voting in favor.

First and Second Readings

Ordinances read for the first time in Council March 21, 2013, then by unanimous consent of Council read a second time March 21, 2013, placed upon its passage, adopted and approved upon a motion by Alderman Johnson, seconded by Alderman Thomas and carried. In caption form only.

Rezone 4524 Ogeechee Road. An ordinance to rezone 4524 Ogeechee Road from B-G (General Business), C-A (Agriculture Conservation), PUD-B-R (Planned Unit Development Business Regional), P-B-C (Planned Community Business), and P-I-L (Planned Light Industrial) to P-B-C and P-I-L. MPC recommended approval because rezoning the majority of the site to a P-I-L classification will create a unified zoning district that will allow the expansion of existing light industrial uses. Such uses would be compatible with the established development pattern in the general area. Consolidation of zoning will also avoid any future questions as to use and appropriateness of the businesses on the site. (The zoning hearing was held and approved on May 17, 2012.)

RESOLUTIONS

A RESOLUTION SUPPORTING AN AMENDMENT TO THE UNITED STATES CONSTITUTION TO REVERSE THE HOLDING OF THE UNITED STATES SUPREME COURT IN THE *CITIZENS UNITED* CASE. THE AMENDMENT WOULD ENSURE THAT CORPORATIONS ARE NOT ENTITLED TO THE ENTIRETY OF PROTECTIONS OR “RIGHTS” OF HUMAN BEINGS, SPECIFICALLY SO THAT THE EXPENDITURE OF CORPORATE MONEY TO INFLUENCE THE ELECTORAL PROCESS IS NO LONGER A FORM OF CONSTITUTIONALLY PROTECTED SPEECH.

WHEREAS, the U.S. Supreme court’s 5-4 ruling in *Citizens United v. the Federal Election Commission* rolled back legal restrictions on corporate spending in the electoral process, allowing unlimited corporate spending to influence elections, candidate selection, and policy decisions, thereby threatening the voices of “We the People” and the very foundation of our democracy; and

WHEREAS, the *Citizens* decision supersedes state and local efforts to regulate corporate activity in their elections; and

WHEREAS, corporations do not bear the same responsibilities for their actions as do natural persons;

NOW THEREFORE, BE IT RESOLVED, that by the adoption of this Motion, the Mayor and Aldermen of the City of Savannah hereby includes in its 2013-2014 Federal and State Legislative Programs SUPPORT for Legislative actions ensuring corporations are not entitled to the entirety

of protections or “rights” of human beings, specifically so that the expenditure of corporate money to influence the electoral process is no longer a form of constitutionally protected speech, including a constitutional amendment based on the attached language.

ADOPTED AND APPROVED THIS 21ST DAY OF MARCH, 2013, upon a motion by Alderman Johnson, seconded by Alderman Thomas and carried, with Aldermen Bell, Bordeaux, Osborne, Johnson, Hall, Shabazz and Mayor Jackson voting in favor; Aldermen Thomas and Sprague voting no.

AMENDMENT

Section 1. Congress shall have power to regulate the raising and spending of money and in kind equivalents with respect to Federal elections, including through setting limits on--

- (1) the amount of contributions to candidates for nomination for election to, or for election to, Federal office; and
- (2) the amount of expenditures that may be made by, in support of, or in opposition to such candidates.

Section 2. A State shall have power to regulate the raising and spending of money and in kind equivalents with respect to State elections, including through setting limits on--

- (1) the amount of contributions to candidates for nomination for election to, or for election to, State office; and
- (2) the amount of expenditures that may be made by, in support of, or in opposition to such candidates.

Section 3. Congress shall have power to implement and enforce this article by appropriate legislation.

Fact Sheet • *Citizens United v. Federal Election Commission*

Citizens United v. Federal Election Commission U.S. 08-205 (2010)

- In *Citizens United v. Federal Election Commission (Citizens United)*, the U.S. Supreme Court gave corporations the same rights of free speech accorded humans under the First Amendment of the Constitution. This effectively defines money as the equivalent of speech.
- The ruling also allows corporations to spend an unlimited amount of money to support or defeat a particular political or judicial candidate. Furthermore, corporations can make contributions through organizations that aren't required to disclose their donors.

"Slavery is the legal fiction that a person is property. Corporate personhood is the legal fiction that property is a person." - *David Korten, former Professor of the Harvard University Graduate School of Business*

- Corporations are not people. They are entities created by the law of states and nations, with more rights and protections than individuals.
- Corporations don't represent all the people who have a stake in them—only those with the greatest share of ownership.

Citizens United Gives Special Interests an Unfair Advantage over Citizens

- Individuals don't have the financial resources of corporations. In fact, Fortune 100 companies alone had combined revenues of \$13 trillion and profits of \$605 billion during the

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last election cycle. Under *Citizens United*, corporations with deep pockets, including pharmaceutical companies, oil companies, financial entities and telecommunication companies, are given free rein to influence elections.

- According to Jamie Raskin, professor of constitutional law at American University and Maryland State Senator, a number of the new political action committees (PACs and Super PACs) are front groups for the energy, tobacco, healthcare and insurance industries.
- A *ThinkProgress* investigation revealed that the country’s largest trade organization funnels revenue from government contractors and foreign businesses into elections across the nation.

The Impact of Citizens United is Substantial — and Growing

- In 2010, outside groups spent nearly \$295 million on federal elections, compared to \$70 million in 2006. In 60 of 75 congressional races, the candidates benefiting the most from outside spending won the race.
- In the 2010 election cycle, half of all outside spending, \$138.5 million, came from 10 groups.

Eighty Percent of Americans Oppose *Citizens United*

- ABC News and *Washington Post* polls show that 80 percent of Americans oppose the *Citizens United* decision. This response was consistent among Republicans, Democrats and Independents.
- Of those polled, 72 percent said they supported congressional action to reverse the ruling.
- The cities of Los Angeles, Oakland, Albany, Boulder, Portland and New York represent a fraction of the over 300 cities that have issued resolutions favoring the repeal of *Citizens United*.
- Montana was the first state to legally challenge the ruling. The attorneys general from 22 states and D.C. filed an amicus brief supporting Montana Attorney General Steve Bullock's challenge.
- State Legislatures of 11 states including Hawaii, New Mexico, Vermont, Rhode Island, Maryland, California, Massachusetts, New Jersey, Colorado and Montana have passed resolutions calling for an amendment to overturn the *Citizens United* decision.

A RESOLUTION TO AUTHORIZE EXECUTING A RIGHT-OF-WAY DEED TO THE DEPARTMENT OF TRANSPORTATION FOR THE PURCHASE OF A 0.018 ACRE PARCEL OF LAND ADJACENT TO GULFSTREAM ROAD TOGETHER WITH A TEMPORARY (DRIVEWAY) EASEMENT.

WHEREAS, pursuant to O.C.G.A. §36-37-6(e), the City is authorized to sell or transfer property to another governing authority or government agency for public purposes; and

WHEREAS, the Georgia Department of Transportation (GDOT) has notified the City of Savannah of the need for a 0.018 acre parcel of land as part of the improvements to Gulfstream Road; and

WHEREAS, on March 7, 2013, Council approved granting an Option for Right-of-Way for the purchase of said land together with a temporary construction easement (“Driveway Easement”) required for the project; and

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WHEREAS, said Option was executed by the Acting City Manager; and

WHEREAS, final plans for the project have been approved and GDOT is now requesting the execution of the Right-of-Way Deed for said property; and

WHEREAS, the Mayor and Aldermen of the City of Savannah approved said request on March 21, 2013;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Aldermen of the City of Savannah in regular meeting of Council assembled, that the Acting City Manager be authorized and directed to execute the Right-of-Way Deed to the Department of Transportation.

ADOPTED AND APPROVED THIS 21st day of March, 2013, upon a motion by Alderman Thomas, seconded by Alderman Shabazz and carried.

MISCELLANEOUS

Alderman Thomas stated the Council had discussed this issue many times before and asked the City Manager where the staff stood on the Protective Tree Ordinance. Ms. Cutter said Park and Tree Department was reviewing the ordinance and she would report back to Council as to when they could expect an update. Alderman Osborne suggested placing in the tree ordinance that any petition that came before the City for development that is treed or has any type of forestry on it, must meet the requirements of the Park and Tree, the Tree Foundation, and the residents of the area. The intent is not to incumbent business from coming to the City, only properties that involve forestry. Attorney Stillwell said this is one of the changes proposed in the Unified Zoning Ordinance (UZO) and he suggested Council ask MPC to address the issue. Alderman Osborne said she did not want to relay on MPC and asked the City Manager to continue the proposed ordinance amendment. Alderman Thomas suggested doing something now and not waiting on UZO's passage.

Request to Declare Property Surplus – 1601 Bull Street. In 2005, the City purchased property located in the Thomas Square neighborhood for the construction of a public safety center. The property, legally described as Lots 2-10, Falligant Ward, is bounded by 32nd Street on the north, Bull Street on the east, 33rd Street on the south, and Whitaker Street on the west. The lot size is 31,130 square feet (.71 acres) of which approximately 20,460 square feet was vacant land at the time of purchase. The improvements, at 1601 and 1603 Bull Street, included a two-story historic structure (former site of Gottlieb's Bakery) and a one-story cinder block addition which served at various times as an indoor retail mall and a private academy.

The original plan for the property was the construction of a Public Safety Center to include a fire station and a police precinct facility. It was later determined the lot size was insufficient for a combined facility. Savannah Fire and Emergency Services (SFES) conducted a feasibility study to determine options and cost estimates for the construction of a fire station on the site, taking into consideration the need to retain the existing historic structure. Ultimately, the new fire station was constructed on the vacant eastern portion of the lot (Whitaker Street frontage). A

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small portion of one of the existing buildings was demolished as part of the project, but SFES has no use for the remaining vacant buildings on Bull Street.

Staff recommended offering the unneeded property for sale to the public for redevelopment. Real Property Services has been approached by realtors and developers with inquiries about the availability of the property, and staff believes that there are interested purchasers with potentially viable plans for the redevelopment of the Bull Street frontage buildings. If the property is declared surplus, staff will draft a Request for Proposals for purchase of the property. The City will seek proposals for redevelopment that are compatible with the Thomas Square guidelines and which maintain the historic character of the building.

Request approval to declare surplus a portion of the property located at 1601-1603 Bull Street not needed by SFES for the construction of a fire station. The surplus portion will be offered for sale via a Request for Proposal. Preference will be given to proposals for redevelopment which are consistent with the design guidelines and character of the Thomas Square neighborhood.

TRAFFIC ENGINEERING REPORTS

Intersection of East 52nd and Reynolds Streets. A resident of E. 52nd Street submitted a request that a traffic study be performed at the Intersection of E. 52nd and Reynolds Streets to determine if multi-way stop control is warranted. The resident's concern is that there have been a number of accidents at this location, and that the volume of traffic poses a hazard to children crossing the intersection, which is currently only controlled by stop signs for E. 52nd Street. Traffic Engineering performed traffic studies at the intersection, and based on the results and previous accident history, the intersection warrants multi-way stop signs to control traffic in a positive and safe manner. Recommend that multi-way stop signs and appropriate pavement markings be installed at the intersection of E. 52nd and Reynolds Streets.

Upon a motion by Alderman Sprague, seconded by Alderman Shabazz and unanimously carried the report was approved. Ordinance to cover at the next meeting of Council.

BIDS, CONTRACTS, AND AGREEMENTS

Upon a motion by Alderman Osborne, seconded by Alderman Thomas and unanimously carried, the following bids, contracts and agreements were approved per the City Manager's recommendations:

Technical Assistance for Coastal Workforce Services – Annual Contract – Event No. 986. Awarded an annual contract to procure Technical Assistance Services from Dicky M. Liphtratt in the amount of \$66,300.00. The contractor will provide technical assistance with financial and programmatic administration of Workforce Investment Act funds granted to the nine county coastal region for Coastal Workforce Services. The method used for this procurement was the Request for Proposal (RFP) which evaluates criteria in addition to costs. The criteria evaluated for this RFP were qualifications, experience and fees. Delivery: As Needed. Terms: Net 30 Days. Funds are available in the 2013 Budget, Coastal Workforce-Program Expenditure, Official/Administration Purchase Service, WIA Grants (Account No. 211-3369.-51237).

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Computerized Maintenance and Asset Management Software – Event No. 1006. Approval to procure computerized maintenance and asset management software (CMMS) from Wolpert, Design, Geospatial, Infrastructure, Inc. in the amount of \$384,091.00. The software system will be utilized by Sewer Conveyance for compliance with the Corrective Action Plan (CAP) of the City's recent State Environmental Protection Division Consent Order. The violations occurred from sewage spills that entered the waters of the state from the city's sewer conveyance system. The CMMS software recommended for purchase is the City Works software which is a GIS-centric asset management and maintenance solution that integrates with the City of Savannah's GIS (SAGIS) system to manage the City's infrastructure assets and the asset data management repository. This will allow for a more intelligent and cost-effective inspection, monitoring, and condition assessment to minimize the total cost of owning, operating and maintaining assets for sustainable and acceptable levels of service. Its use will be expanded in the future to include Water Resources departments and Public Works, along with other City departments. The system is being evaluated and considered to replace the existing 311 work order system.

The recommended proposer has extensive experience with this software and will implement and integrate with the City IT systems and train staff on its use. They will further develop an asset management program by focusing on strategic planning and geospatial technology services to more efficiently manage the City's infrastructure assets. The recommended proposer has also teamed with the local firm of Hussey, Gay, Bell and DeYoung (HGBD) who will provide local field surveys, GIS staff and field engineering, while bringing their knowledge of the City project management processes and water and sewer operations.

The method used for this procurement was the Request for Proposal (RFP) which evaluates criteria in addition to costs. The criteria evaluated as part of this RFP were: project management/project plan, previous project experience, staff qualifications and technical expertise, availability, firm background, references, and costs. Because of the system's specialized requirements very few software systems exist that can meet specifications. For this RFP, only a single response was received from the recommended firm. The evaluation committee, consisting of staff from all involved departments including IT, SAGIS, 311 and Water Resources, reviewed the submittals and participated in a demonstration of the system. The recommended proposer has extensive experience with this software system. Terms: Net 30 Days. Funds are available in the 2013 Budget, Capital Improvement Project/Other Costs/Sewer and Lift Station Maintenance System Rehabilitation (Account No. 311-9207-52842-SW0721).

Pump Station Breakers – Event No. 1179. Approval to procure four pump station breakers from Siemens Industry in the amount of \$65,500.00. The pump station breakers will be utilized by Stormwater Management to replace existing breakers that are no longer functional. Delivery: As Requested. Terms: Net 30 Days. Funds are available in the 2013 Budget, Stormwater Management/Equipment Maintenance (Account No.101-2104-51250).

Street Repair and Resurfacing – Annual Contract Renewal – Event No. 1247. Renewed an annual contract to procure street repair and resurfacing services from Savannah River Utilities in the amount of \$505,100.00. The services will be utilized by Streets Maintenance for both minor street repairs (pot holes and utility cuts) and street resurfacing. This is an annual contract and as such contains line item pricing for most of the services that the using department may need during the upcoming year for this type of repair work. Not all of the line items or estimated

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quantities listed on the contract will necessarily be utilized during this contract period. This is the first of two renewal options available. Delivery: As Requested. Terms: Net 30 Days. Funds are available in the 2013 Budget, Street Maintenance/Other Contractual Services/Construction Supplies and Materials (Account No. 101-2105-51295/51340).

Tree Root Damage Repair – Annual Contract Renewal – Event No. 1254. Renewed an annual contract to procure tree root damage repair services from Savannah River Utilities (Primary) and Savannah Paving (Secondary) in the amount of \$202,300.00. The services will be utilized by Streets Maintenance to repair sidewalks and streets damaged by the intrusion of tree roots. This is an annual contract that contains line item pricing for most of the services that the user department may need during the year for this type of repair work. Not all of the line items or estimated quantities listed on the contract will be utilized during this contract period. This is the first of two renewal options available. Delivery: As Needed. Terms: Net 30 Days. Funds are available in the 2013 Budget, Street Maintenance/Other Contractual Services/Construction Supplies and Materials (Account No. 101-2105-51295/51340) as well as various Capital Improvement Projects.

Fire Hydrants and Repair Parts – Annual Contract – Event No. 1161. Approval to award an annual contract to procure fire hydrants and repair parts from Consolidated Pipe and Supply (Items 1 & 2) in the amount of \$52,256.00 and to HD Supply (Items 3-26) in the amount of \$48,560.07 for a total of \$100,816.07. The fire hydrants are maintained in inventory at the Central Warehouse and are used to replace failing fire hydrants in the water distribution system. The low bid for each item was selected for award. Delivery: As Needed. Terms: Net 30 Days. Funds are available in the 2013 Budget, Internal Service Fund/Inventory-Central Stores (Account No. 611-0000-11330).

Records Management System for Savannah Fire and Emergency Services – Event No. 1189. Approval to procure a records management system from Fire House Software Inc. in the amount of \$34,376.25. The records management system will be “Cloud” based and will provide the Savannah Fire and Emergency Services Bureau the ability to track all fire incidents and facilitate reporting to the state (GFIRS) and national fire incident reporting system (NFIRS). The proposed system is a comprehensive information management solution that promotes accuracy and efficiency of documentation as well as decision support in the field of operations. Cost includes the first year's site license fee, implementation services, and on-site training.

The method of procurement used for this purchase was the Request for Proposal (RFP) which evaluates other criteria in addition to costs. The criteria evaluated as part of the RFP were qualifications and experience, technical capability, references and fees. Savannah Fire and Emergency Services selected for recommendation the Records Management System Proposal from Firehouse Software. In all, 5 vendors provided proposals which were reviewed and evaluated by a committee from SFES. The following is a summary for each of the proposals.

1. Firehouse - Selected for recommendation by SFES meeting all the requirements of the RFP with the highest total points.
2. Image Trend - Proposal does not include an adequate staff scheduling module for auto fill in NIFRS, or personnel roster and shift cycles for management. An additional / Optional module

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will be available for an additional price. This will make the price in year one comparable to Fire House Software.

3. Emergency Technologies – Software is comparable Fire House and Image Trend, however the proposal does not address an analytical module as SFES moves toward accreditation; the implementation time is approximately 200 days and does not address immediate needs for 2013; and is required further negotiation for a site license at the end of the contract.

4. American Documents Security – The lowest bidder and the least qualified vendor due to little or no experience with Fire Service records management; software requires lengthy build and implementation coordination; and does not address an analytical module.

5. Compupro – Extremely high priced. Requires custom build and implementation. No analytical module.

Delivery: 30 Days. Terms: Net 30 Days. Funds are available in the 2013 Budget, Fire Administration/Computer Hardware/Software (Account No. 101-5101-51510).

Low Voltage Cabling Services – Annual Contract Renewal – Event No. 1270. Renewed an annual contract to procure installation of low voltage cable from NetPlanner Systems in the estimated amount of \$150,000.00. This work will include installation, termination, certification and documentation of cable to support connectivity to user endpoint locations in new City facilities, or renovations to existing City facilities. Projects planned for 2013 include continuing work at the SCMPD Administrative Services Center, Bradley Point Fire Station, and other new facilities or renovations as they become identified. This is the second of two renewal options available. Delivery: As Needed. Terms: Net 30 Days. Funds are available in the 2013 Budget, Capital Improvements Fund/Capital Improvements Projects/Other Costs/Various Projects (Account No 311-9207-52842-various accounts).

Fiber Optic Cable and Installation Services – Annual Contract – Event No. 1272. Renewed an annual contract for installation of fiber optic cable from Turnkey Project Management in the estimated amount of \$100,000.00. The work will include underground fiber optic cable installation, terminations and documentation for planned projects and emergency repairs in the case of damage to existing fiber due to accidents, storms or equipment failures and will be used by the Information Technology Department and Traffic Engineering Department. Projects planned for 2013 include Fire Station 5, SCMPD Administrative Services Center, Critical Workforce Shelter, and other new facilities as they become identified. This is the second of two renewal options available. Delivery: As Needed. Terms: Net 30 Days. Funds are available in the 2013 Budget, Capital Improvements Fund/Capital Improvements Projects/Other Costs/Various CIPs and General Fund/Traffic Engineering/Equipment Repair Parts (Account No. 311-9207-52842-various accounts and Account No.101-2103-51335).

Wireless Services – Annual Contract Renewal – Event No. 1273. Renewed an annual contract to procure wireless services from Verizon Wireless in the estimated annual amount of \$581,349.00. This is the last of four renewal options available. This renewal is valid through 12/31/2013. Verizon offers the City discount pricing based on contracts between Georgia

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Technology Authority (GTA) and Verizon. The current contractual obligation between GTA and Verizon will expire on 12/31/2013. A new RFP will be issued at the end of the year to continue wireless services in 2014. Delivery: As Needed. Terms: Net-30 Days. Funds are available in the 2013 Budget, Various Departments/Cell Communications (Account No. Various 51211).

Network Hardware Equipment and Software Support – Sole Source – Event No. 1275. Approval to procure Juniper network equipment, Aruba wireless points and related equipment, and software maintenance and support for both from Layer 3 in the amount of \$128,314.00. The equipment will be installed at the Critical Workforce Shelter and will allow connectivity to the city's data network, operation of the SCADA system, phone system, access control, and provide wireless access in various parts of the building. The reason why a sole source vendor is required is that Layer 3 Communications was awarded contracts for Juniper network equipment in 2007 and for Aruba wireless equipment in 2008. The City has standardized on these two manufacturers for these applications. Pricing is based on the same discount structure (50% off list) offered through those contracts. Delivery: As Needed. Terms: Net-30 Days. Funds are available in the 2013 Budget, Capital Improvement Fund/Capital Improvement Projects/Other Costs/Critical Workforce Shelter (Account No.311-9207-52842-WT0228).

VMWare Software Annual Maintenance Agreement – Sole Source – Event No. 1276. Approval to procure annual software maintenance for VMWare from Technology Integration Group in the amount of \$31,240.00. The software is used by IT to manage server operation on the City's network. The software virtualizes the servers therefore allowing multiple servers to exist on one piece of equipment. This supplier is the current supplier for VMware and pricing submitted for this equipment is based on pricing discount schedules provided for in the original bid. Delivery: As Needed. Terms: Net 30 Days. Funds are available in the 2013 Budget, Internal Service Fund/Information Technology/Data Processing Equipment Maintenance (Account No.611-1140-51251).

Protective Coatings – Annual Contract – Event No. 795. Approval to award an annual contract to procure protective coating services from Dun-Right Services, Inc. in the amount of \$264,085.00. The services will include all labor, materials, and equipment required for protecting and/or rehabilitating the interior of concrete sanitary sewer structures at various lift stations. Application of coatings protects the concrete structure from hydrogen sulfide acid generated by microbiological sources present in the municipal wastewater environment. The protective coating will also eliminate infiltration, repair voids, and enhance the structural integrity of the sanitary sewer structure. This bid was advertised, opened and reviewed. Delivery: As Needed. Terms: Net 30 Days. Funds are available in the 2013 Budget, Water Capital Improvement Projects/Lift Station Rehabilitation (Account No. 311-9207-52842-SW0520).

LaRoche/DeLesseps Avenue Corridor Improvement – Event No. 716. Approval to award a contract for engineering consulting services from Thomas and Hutton in the amount of the City's portion of the project cost of \$89,000.00. The services will be used for engineering and various design services for the LaRoche/Delesseps Avenue Corridor Improvement. GDOT is providing 80% funding through federal funds for this estimated \$445,000.00 engineering project. The consultant will provide concept development, field surveys, database preparation, environmental studies, preliminary and final plans for construction, drainage, utility, erosion control, signing, pavement markings, signs and right-of-ways, final design and supplemental specifications. The

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improvements include adding sidewalks, a curb and gutter section, minor lane widening, and pedestrian signals along the corridor. The method used for this procurement was the Quality Based Selection (QBS) proposal which evaluates criteria that does not include costs. This project is funded by Federal funds requiring the selection to be based solely on qualifications, experience and understanding of the project. Once the most qualified proposer was selected, negotiations between the City, the GDOT, as distributor of the federal funds, and the selected proposer were conducted to arrive at the proposed contract amount. The proposed fee appears to be in line with the required tasks for each phase as well as the number of staff hours assigned for each phase. Terms: Net 30 Days. Funds are available in the 2013 Budget, Capital Improvements Projects/LaRoche Delesseps Avenue Corridor Improvements (Account No. 311-9207-52842-TE0708).

63rd Street Drainage Relief Line Improvements (DR0911) – Contract Modification No. 1. Approval of Contract Modification No. 1 to Golder Associates in the amount of \$24,910.00. The original contract was for geotechnical consulting services in support of the design engineer for the 63rd Street Drainage Relief project. The work to be completed includes preliminary evaluations of anticipated ground movements, soil subsidence, and construction vibrations. This contract modification includes additional services associated with the project including preparation of an addendum to the original November, 2012 report, development of project specifications and performance criteria for installation and use of shoring systems, assistance with evaluation of geotechnical aspects of construction bids, and development of a monitoring and instrumentation program to evaluate compliance with shoring system performance criteria.

The cumulative total of the agreement requires Council approval of this modification. The original contract was approved by the City Manager in June, 2012 for \$24,685.00. The total of all contract modifications to date including this modification is \$24,910.00 making the contract total price \$49,595.00. This contract was originally awarded as a sole source contract.

Recommend approval of Contract Modification No. 1 to Golder Associates in the amount of \$24,910.00. Funds are available in the 2013 Budget, Capital Improvement Projects/Other Costs/Casey South Drainage Phase II (Account No. 311-9207-52842-DR0911).

Martin Luther King, Jr. Phase II Streetscape Improvements (SQ0804) – Summary Contract Modification No. 1 – Bid No. 10.204. Approval of Summary Contract Modification No.1 to JHC Corporation in the amount of a reduction of \$29,138.00.

The original contract was for the reconstruction of Martin Luther King, Jr. Boulevard from Gwinnett Street to Exchange Street. The work consisted of removing old sidewalks and replacing with brick with ADA ramps, stamped concrete pedestrian crosswalks, boardwalks in designated areas where tree roots are excessively exposed and the relocation of storm drainage.

This contract modification is to adjust the contract quantities to those as built and resulted in a reduction in the total contract price. The cumulative total of the agreement requires Council approval of this modification. The original contract approved by the Council in November, 2011 was for \$2,786,939.60. The total of all contract modifications to date including this modification is a reduction of \$29,138.00 making the final contract total price \$2,757,801.60. The second low bidder for this contract was in the amount of \$2,866,000.00.

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Recommend approval of Summary Contract Modification No. 1 to JHCCorporation in the amount of a reduction of \$29,138.00. Funds are available in the 2013 Budget, Capital Improvement Projects/Other Costs/MLK Improvements Phase II (Account No. 311-9207-52842-SQ0804). Recommend approval.

Bacon Park Reuse Water Reclamation Facility (SW0023) – Contract Modification No. 1 - Event No. 58. Approval of Contract Modification No. 1 to Hussey, Gay, Bell and DeYoung in the amount of \$5,000.00. The original contract was for the engineering and design of a water reuse facility at Bacon Park which will use a membrane treatment technology to treat 0.5 – 1 million gallons per day of wastewater. Treated water will be stored in the irrigation pond at the golf course and utilized for irrigation as needed.

This contract modification is for the second phase of an odor control study which will include the sizing, cost estimates, preliminary schematics and technical specifications of an odor control system which was not included in the original request for proposal response.

The cumulative total of the contract requires Council approval of this modification. The original contract was approved by Council in February, 2012 for \$394,750.00. The total of all contract modifications including this one is \$5,000.00 making the contract total now \$399,750.00. The second low bid was \$544,971.00. Recommend approval of Contract Modification No. 1 to Hussey, Gay, Bell and DeYoung in the amount of \$5,000.00. Funds are available in the 2013 Budget, Capital Improvement Projects/Other Costs/Bacon Park Water Reuse Facility (Account No. 311-9207-52842-SW0623).

License Agreement for Force Main Crossing of Central Georgia Railroad Company Right-of-Way (SW0624). Approval of a license agreement with Central Georgia Railroad Company (Norfolk Southern) allowing the City to utilize a right-of way to install, maintain, operate and remove a 20 inch PVC wastewater pipe in a 30 inch steel pipe. The right-of-way is located near Milepost PW-0.84 on the Port Wentworth Line at or near Savannah, Chatham County, Georgia, and as located in accordance with and limited to the installation shown on print of drawings marked Sheet 1, 2 and 3 last revised October 2012, and Pipe Data sheet for the fee of \$26,000 for the occupancy fee and \$1,000 for the risk financing fee for a grand total of \$27,000.00.

The improvements to the Crossroads force main and pump station require a 20 inch PVC force main crossing in the Norfolk Southern right-of-way. This license agreement must be approved in order to use the right-of-way for this project.

Approval of the license agreement with Central Georgia Railroad Company in the amount of \$27,000.00. Funds are available in the 2013 Budget Capital Improvement Projects/Other Costs/Crossroads Force Main and Pump Station (Account No. 311-9207-52842-SW0624).

Higher Ground Recording System Service Contract – Sole Source – Event No. 1267. Awarded an annual service and maintenance contract for the Higher Ground Recording System from DECA AMR Business Products, Inc in the amount of \$27,510.40. This contract is for the annual upkeep and maintenance of the system associated with the telephone lines and radios in the 911 center in the Chatham County Annex and the Emergency Command and Control Center located at the Civic Center. This service contract will be utilized by the Public Safety Communications

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Department. The reason for the sole source is this is an additional item to be used with existing equipment that is available only from this source. Funds are available in the 2013 Budget, Equipment Maintenance (Account No. 241-4251-51250).

Security Services for City Lot – Annual Contract – Event No. 940. Awarded an annual contract to procure security services from AP Security in the amount of \$163,375.00. The services will be used to provide security at the City Lot located at 706 Stiles Avenue. The services include two guards to cover two posts on Monday through Friday between the hours of 5:00 p.m. and 7:00 a.m. and 24 hour service per day on Saturday, Sundays, and City holidays. Delivery: As Needed. Terms: Net 30 Days.

Building 760 Grinder Pump System – Event No. 1117 – Savannah/Hilton Head International Airport. The Savannah Airport Commission received approval of contract with BRW Construction Group, LLC, in the amount of \$36,605.00 for Building 760 Grinder Pump System Project. This project consists of providing all labor and materials to fully install a grinder pump system to tie-in to the City of Savannah Sanitary Sewer System. The job includes removal of the existing septic tank system, electrical service to the grinder pump, and all other items referenced on the plans.

Construct Midfield RVR – Event No. 1118 – Savannah/Hilton Head International Airport. The Savannah Airport Commission received approval of contract with Brooks-Berry-Haynie & Associates, Inc. in the amount of \$249,204.00 for the Construct Midfield RVR Project. The scope of work shall include the installation of an additional RVR provided by the FAA. An RVR (Runway Visual Range) is an instrument that measures visibility on the runways for use by pilots. The additional RVR will allow for visibility readings to mitigate delays in landing and taking off. Electrical power and communication to the new RVR location will be required along with grading, drainage, sodding, and paving at the new RVR site.

Participation in the Visit Savannah Advertising Campaign – Savannah/Hilton Head International Airport. The Savannah Airport Commission received approval to participate in the Visit Savannah Advertising Campaign in the amount of \$120,000 and has entered into an agreement with Travelocity for a spring/summer co-op advertising campaign. The campaign will highlight the Airport and will be marketed to nonstop destinations. Visit Savannah has found the Travelocity partnership is one of their highest return on investment expenditures offering measurable results. The campaign is scheduled to launch the end of May and will run 4 to 6 months.

Georgia Department of Transportation Land Purchase for an Option for Right of Way – Savannah/Hilton Head International Airport. The Georgia Department of Transportation (GDOT) is in the process of purchasing property from the Savannah Airport Commission and the Mayor and Aldermen of the City of Savannah to improve Robert B. Miller Road. In order to make this project possible, 0.096 acres or 4,190.82 square feet of Savannah Airport Commission property in fee simple and 6,074.04 square feet of permanent easement will be needed. The property has been valued by qualified appraisers who after careful consideration have found the Fair Market Value of the property and/or rights to be purchased, and damages to the remainder if any, to be \$15,970.00 and the easement to be \$11,000.00. It was approved by the Airport Commission.

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Extension of Norfolk Southern Right of Entry Agreement. Norfolk Southern Corporation is requested an extension of the Right of Entry Agreement for the City of Savannah property containing the Fell Street Stormwater Pump Station. Since 2001, Norfolk has been involved with the monitoring and cleanup of soil and groundwater contamination in and around the pumping station, an effort mandated by the Georgia Environmental Protection Division. Extension of this agreement will allow Norfolk continued access to the property for the purpose of installing, monitoring and subsequent decommissioning of sample collection pumps. The original agreement has previously been extended three times, making this the fourth extension which will remain effective until January 15, 2018. The agreement has been reviewed and approved by the City Attorney and the Public Works and Water Resources Bureau.

Alderman Bordeaux said at times the Council groups together the bids, contracts, and agreements, but some items were important to young men who stay around at a Council meeting to hear nothing more than a contract to be voted on. Sometimes these items have a great deal of interest to particular citizens and sometimes young men really like hearing about railroads. There is a ten year old young man here today named Thomas Bordeaux and he has hung around all afternoon just to hear the vote of the railroad issue. Upon a motion by Alderman Bordeaux, seconded by Alderman Bell and unanimously carried the request was granted.

Mayor Jackson recognized School Board Member Connie Hall's presence.

Clerk of Council Dyanne Reese secured a meeting of the International Institute of Municipal Clerks Educational Foundation in November of this year. There will be approximately 50 people with their families. Alderman Thomas serves on the NLC Summit and it will be held in Savannah also.

Alderman Thomas personally commended the City staff and all of the resources who were involved in the St. Patrick's Day festivities. Ellis Square was sparkling clean at 6:30 am and it was unbelievable how clean downtown was at that time of the morning. It was amazing how the crews clean the City at night while everyone sleeps. It is a testament to the City workers and he hoped to be able to thank the workers at the next meeting. He also thanked Marty Johnston for her work. Alderman Bell said she dittos Alderman Thomas' statements. It was amazing how clean the City was and the Sanitation employees are miraculous in the work they do. Everyone is to be commended but particularly Sanitation employees. Alderman Bordeaux echoed everything that was said. Alderman Osborne said the City has a stingy Mayor when it comes to spending tax payers' dollars. She had the City build a float for Council to avoid renting one each time. She also thanked staff Edith Gregory and Carol LaSalle for decorating the float. Alderman Shabazz thanked the City employees and staff for making the Council comfortable on the float for the parade; it was a wonderful experience for her.

Alderman Sprague said on Saturday Delta Sigma Theta Sorority, Inc., Delta Nu Chapter, and Tau Alpha Chapter would sponsored a reenactment of the 1913 Women's Suffrage March. She also announced the Savannah Music Festival and the Spring Tour of Homes to be held this same weekend.

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Alderman Hall once again recognized Park and Tree employee Mr. Usher.

Alderman Shabazz asked the public to save the date of April 23rd between 3:00 and 7:00 pm for a drop-in at Savannah Technical College for Project DeRenne. There will be a public information open house and input from the public. There is also a new concept map available.

Alderman Osborne announced Tuesday, April 2nd at 6:00 pm at the W W Law Center there will be a Second District Town Hall Meeting. There will be an update on the Waters Avenue Corridor, CAT, update on the Romano Riley School and its future and Family Research Center which is being converted to a classical academy as a private school.

Mayor Jackson said the members of Council attended the National League of Cities meeting in Washington, DC.

There being no further business, Mayor Jackson declared this meeting of Council adjourned.

A handwritten signature in cursive script, reading "Dyanne C. Reese", is displayed on a light-colored rectangular background.

Dyanne C. Reese, MMC
Clerk of Council