

MINUTES
REGULAR MEETING OF THE VALDOSTA CITY COUNCIL
5:30 P.M., THURSDAY, MARCH 7, 2013
COUNCIL CHAMBERS, CITY HALL

OPENING CEREMONIES

Mayor John Gayle called the regular meeting of the Valdosta City Council to order at 5:30 p.m. Council members present were: Joseph "Sonny" Vickers, Tim Carroll, Ben Norton, Alvin Payton, Jr., and Robert Yost. Councilwoman Deidra White arrived at 5:36 p.m. and Councilman James Wright was absent. The invocation was given by Rev. Dr. Willie J. Harris, Pastor of Macedonia First Baptist Church, followed by the Pledge of Allegiance to the American Flag.

AWARDS AND PRESENTATIONS

PRESENTATION OF THE MARCH, 2013 EMPLOYEE OF THE MONTH AWARD

Battalion Chief Frank McMillan presented the March, 2013 Employee of the Month Award (Jeffrey Talley, Fire Department).

Jeffrey Talley began his employment with the City of Valdosta Fire Department in January, 2000 as a Firefighter. In June, 2006, he was promoted to Sergeant and then to Lieutenant in May, 2009, which is the position he currently holds. Lt. Talley is responsible for responding to emergency alarms as the commanding officer of the firefighting apparatus and assumes command of an incident when his engine company is first on scene. He is also responsible for maintaining all station records and log books. Recently, for the 15th straight year, Lt. Talley went above and beyond his regular duties and produced the Valdosta Fire Department Apparatus Check-Off Books. In order to accomplish this task, he had to print, cut, and bind over 1,500 pieces of paper. This project takes him hours to complete on his own time and he does it year after year. Lt. Talley also volunteers his time in training with all things medical. He oversees the Department's CPR and First Responder Recertification and the Medical Standard Operating Procedure Manual. Lt. Talley has played a leading role in hydrant management and partnered with the Southern Georgia Regional Commission in order to GPS every hydrant in the City. The Fire Department also benefits from his hobby of photography. During each rookie class, Lt. Talley photographs the new recruits during their training classes and shares the pictures in an amazing slide show at their graduation. Lt. Talley completes all of these extra tasks and does not ask for extra pay or rescheduled time. His goal is to make the Valdosta Fire Department stand out in the State of Georgia as one of the best. For these reasons and many others, the Employee Relations Committee nominated Lt. Jeffrey Talley as Employee of the Month.

APPROVAL OF MINUTES

The minutes of the February 21, 2013 Regular Meeting were approved by unanimous consent (6-0) of the Council.

PUBLIC HEARINGS

ORDINANCE NO. 2013-2, AN ORDINANCE TO AMEND THE LAND DEVELOPMENT REGULATIONS

Consideration of an Ordinance to rezone 0.5 acres from Single-Family Residential (R-6) zoning to Multi-Family Residential (R-M) zoning as requested by Jim Sineath (File No. VA-2013-01). The property is located at 411 West Mary Street. The Greater Lowndes Planning Commission reviewed this request at their February Regular Meeting and recommended approval (7-0 vote).

Matt Martin, Planning and Zoning Administrator, stated that Turner Brooks LLC, represented by Jim Sineath, is requesting to rezone approximately 0.5 acres from Single-Family Residential (R-6) to Multi-Family Residential (R-M). The property is located at 411 West Mary Street which is at the southeast corner of West Mary Street and West Street. This is directly across the street from the Sunset Hill Cemetery and the Valdosta State University (VSU) Athletic Facility. The property contains an existing single-family residence and the applicant is

proposing to redevelop the property as a Phase 3 expansion of the Brooks Trace apartment complex which is located immediately to the east. This new phase would consist of one, two-story building with eight dwelling units. The applicant is proposing to expand his existing multi-family complex onto the subject property and develop it the same architectural style as Phases 1 and 2. The property is located within a Transitional Neighborhood Character Area on the Future Development Map of the Comprehensive Plan which allows the possibility of R-M zoning. The property is also located within the local Historic District. The applicant is scheduled to seek approval for both the relocation/demolition of the existing residence and the new construction from the Historic Preservation Commission (HPC) on March 4, 2013. This portion of West Mary Street has been transitioning to that of an institutional and multi-family development corridor. The property is one of the last remaining parcels that is not already one these uses. The neighboring property to the east (Phase 2) was rezoned to R-M on June 9, 2011, and this followed the rezoning of Phase 1 in 2009. The proposed additional multi-family development fits in well with the surrounding development pattern, and it will be beneficial for such development to be within walking distance of VSU. The Comprehensive Plan supports infill development and quality growth that is associated with a regional economic engine such as VSU. It also supports the protection of established residential neighborhoods. Given the orientation of the proposed development toward West Mary Street, and the existing land use pattern of the area, this rezoning request meets both of these objectives. Staff found the request consistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP), and recommended approval to the City Council. The Planning Commission reviewed this at their February 25, 2013 meeting, found it consistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP), and recommended approval (7-0 vote).

No one spoke in favor of the request.

No one spoke in opposition to the request.

A MOTION by Councilman Vickers, seconded by Councilman Norton, was unanimously adopted (6-0) to enact Ordinance No. 2013-2, an Ordinance to rezone 0.5 acres from Single-Family Residential (R-6) zoning to Multi-Family Residential (R-M) zoning as requested by Jim Sineath, the complete text of which will be found in Ordinance Book XII.

BIDS, CONTRACTS, AGREEMENTS, AND EXPENDITURES

Consideration of a request to approve the 2014 Southern Hospitality Group Workcamp Agreement.

Mara Register, Assistant to the City Manager, stated that the City of Valdosta and Co-Sponsor Lowe's Distribution Center has hosted the Southern Hospitality Workcamp minor homeowner repair program since 2005. Since that time, 255 owner occupied homes have been repaired in the Designated Revitalization Area through this State and National award winning program. All Workcamp Co-sponsors are required to approve and execute a Co-Sponsor Agreement/Memorandum of Agreement in order to be considered as a host site. This document is consistent with previously reviewed and approved agreements. The Valdosta City School System has approved the 2014 Lodging Agreement and the Camp will be held June 22-28, 2014. Participants in the Workcamp will be housed at Valdosta Middle School. The Co-Sponsor cost to the City is \$9,500 and local churches and other funds assist with the camp expenses, hospitality for the campers, and other incidental costs of the camp. Mara Register recommended that Council approve the 2014 Southern Hospitality Group Workcamp Agreement.

A MOTION by Councilman Vickers, seconded by Councilman Carroll, was unanimously adopted (6-0) to approve the 2014 Southern Hospitality Group Workcamp Agreement.

LOCAL FUNDING AND REQUESTS

Consideration of a request to approve the Community Development Block Grant (CDBG) Fiscal Year 2013 Annual Action Plan.

Mara Register, Assistant to the City Manager, stated that the City of Valdosta is an Entitlement Community as designated by the U. S. Department of Housing and Urban Development (HUD). HUD requires the City to

adopt an Annual Action Plan, which outlines the City's proposed use of funds allocated under the CDBG program. Funds must be utilized to meet one of the three national objectives of the program which are: (1) Provide a benefit to low and moderate income persons, (2) Prevent or eliminate slum and blight, and (3) Meet an urgent community need that threatens the health or welfare of the residents. The City's CDBG allocation has been cut by more than 23% over the past two years. HUD Staff cannot provide an exact amount of the proposed FY 2013 allocation at this time due to the fact the Transportation/HUD Bill has not been approved by Congress and the potential sequestration issue has not been resolved. The proposed funding is \$418,363 for a single-family homeowner occupied rehabilitation and of that \$10,000 will go to support the efforts of the Fair Housing Committee. The total projected allocation at this time for the fiscal year is \$522,953; however, this is not a confirmed number due to sequestration. They are dealing with furloughs of Federal Staff and are unsure how that is impacting the Program. Mara Register recommended that Council approve the Community Development Block Grant (CDBG) Fiscal Year 2013 Annual Action Plan.

A MOTION by Councilman Yost, seconded by Councilman Payton, was unanimously adopted (6-0) to approve the Community Development Block Grant (CDBG) Fiscal Year 2013 Annual Action Plan.

Consideration of bids for the Georgia Department of Transportation Local Maintenance and Improvement Grant Program (LMIG) for street resurfacing.

Pat Collins, City Engineer, stated that the Georgia Department of Transportation (GDOT) previously used the popular Local Assistance Road Program (LARP) and City/County contracts to help local governments with some of their transportation projects. They are now using the Local Maintenance and Improvement Grant (LMIG) Program which allocates transportation funding from the State based on a formula that includes population and street mileage (paved or unpaved). Most communities will use the funds to resurface streets. The City has received a Grant in the amount of \$408,706.66. The City submitted a list of streets for resurfacing to GDOT for their review and 13 streets were selected from the list for this year's LMIG program based on funding availability and conditions of the roads. Bids were received and opened publicly on March 7, 2013 at 2:00 p.m. The low bid was submitted by The Scruggs Company in the amount of \$538,442.65. The Engineering estimate was \$566,082.00. The SPLOST VI resurfacing account will be used to pay the amount over the GDOT commitment level. Pat Collins recommended that Council approve the low bid submitted by The Scruggs Company in the amount of \$538,442.65 plus a 10% contingency to handle any unforeseen circumstances.

A MOTION by Councilman Carroll, seconded by Councilman Payton, was unanimously adopted (6-0) to approve the low bid submitted by The Scruggs Company in the amount of \$538,442.65 plus a 10% contingency to handle any unforeseen circumstances for the Georgia Department of Transportation Local Maintenance and Improvement Grant Program (LMIG) street resurfacing.

CITY MANAGER'S REPORT

Larry Hanson, City Manager, stated that the application deadline for the City Government 101 Class is next Friday, March 15, 2013. Council members are encouraged to reach out to citizens in their District and encourage them to sign up if they are interested in this very informative program.

There will be a Ribbon Cutting Ceremony for the J. L. Lomax Park improvements on March 23, 2013 at 9:00 a.m. This has been a partnership with Macedonia Church and the Valdosta-Lowndes County Parks and Recreation Authority. Council members are encouraged to attend.

The Mayor/Council Retreat will be held next weekend and Council members should receive the Retreat Packet tomorrow.

Larry Hanson welcomed the City of Valdosta's new Police Chief, Brian Childress, and stated that we are proud to have him serving in that position and we look forward to working with him. There will be a Swearing-In Ceremony before Judge Tunison on March 20th at 10:00 a.m. in the Judicial Building.

Larry Hanson, City Manager, stated that the events of last week related to the flood and the sewer overflows are painful to many citizens and the City will continue to work to address those issues and the underlying causes and to reach out to other Agencies who are necessary in resolving the problems. We all feel for those who have been affected by the situation and we extend our condolences to those who are struggling with that issue. Also, many thanks to the volunteers and the City employees who helped with the clean-up. They worked extremely hard in very cold weather and under challenging circumstances. Larry Hanson stated that Henry Hicks, Utilities Director, has a presentation he would like to make regarding this issue and to share some information with the Mayor and Council.

Henry Hicks stated that the presentation pertains to the efforts the City has made regarding the Withlacoochee Wastewater Treatment Plant (WWTP). The City adopted a water and Sewer Master Plan some time ago and the Plan recommended the following significant projects: (1) expansion of the Water Treatment Plant, (2) expansion and rehabilitation of the Mud Creek Wastewater Treatment Plant, and (3) rehabilitation of the Withlacoochee Wastewater Treatment Plant. In 2006, the Mayor and Council authorized the following professional contracts: (1) Mud Creek Project to CDM, and (2) Withlacoochee Project to Metcalf and Eddy (AECOM). Mud Creek became a priority at the time because it was out of capacity and CDM established an aggressive schedule to move the expansion project forward. In addition, Mud Creek was having numerous overflows and it was continually in violation of the permit due to the capacity issues. Subsequently, the City worked with both firms to pursue the necessary funding in order to perform critical work on both the Mud Creek and Withlacoochee Plants. The City executed a GEFA loan agreement in the amount of \$24,097,000 on December 5, 2007. The City obtained a GEFA loan to complete the following critical work: (1) new 30" water transmission main, (2) Savannah/Fry Street elevated storage tank, (3) water and sewer service to annexed islands, (4) rehabilitation of the Withlacoochee WWTP influent pump stations, and (5) Other small projects. In July, 2008, the Mayor and Council authorized a contract with Metcalf and Eddy for engineering, construction, construction management, and project management services to complete the following improvements to the influent pump stations at the Withlacoochee Plant: (1) replacement of bar screens and associated electrical equipment and controls, (2) ventilation and air handling systems, (3) accessibility improvements to the pump station structure, and (4) miscellaneous additional repairs. The design work was completed, equipment was purchased, and installation was scheduled August, 2009. The total cost of this work was \$2,712,303. In April, 2009, the City experienced a flood which occurred on Palm Sunday. All proposed pump station improvements had to cease due to the immediate initiation of the post-flood FEMA claim process. In January, 2010, CDM completed the following two critical reports: (1) Sanitary Sewer Condition Assessment and Rehabilitation Program Plan, and (2) Sewer System Modeling and Capacity Evaluation Report. These two Plans set forth a detailed analysis of the condition of all segments of the City's sanitary sewer system outside the two Treatment Plants as well as setting forth a 30-year Capital Improvement Plan (CIP) for the system. The \$190 million CIP serves as the basis for the proposed rehabilitation projects relating to the sanitary sewer system. The CIP does not list the relocation of the Withlacoochee Plant due to the ongoing FEMA claim process at that time. The assessed level of damage to the Withlacoochee Plant was key in sustaining and retaining the Federal disaster declaration by the President. On June 25, 2009 CDM was selected by the Mayor and City Council to serve as the Project Manager to prepare the necessary Project Worksheet for the relocation of the Withlacoochee Plant. It was determined early in the process that the Plant could not be repaired as provided by the Lowndes County Unified Land Development Code (ULDC) due to the fact that the Plant is located in a Specialized Flood Hazard Area (SFHA) which is defined as "the land covered by floodwaters of the base flood on National Flood Insurance Program maps." The ULDC, Section 3.01.04 B-3, prohibits the reconstruction of any critical facility in a SHFA. The City received a letter on August 2, 2010 from Michael B. Fletcher, P.E., Lowndes County Engineer, stating that according to the CDM study of the Withlacoochee Plant, a large portion of the current Treatment Plant is located at or below the 100-year flood elevation. A Project Worksheet was submitted to FEMA in June, 2009 in the amount of \$33 million for a concrete dike surrounding all of the Plant that was flooded earlier in the year. The City was never notified of the denial in writing as required by the FEMA rules. A revised Project Worksheet was submitted to FEMA in October, 2010 which included four alternatives. We received a denial letter on this Project Worksheet in December, 2010. The City immediately appealed this decision, the first appeal, within the 60-day prescriptive timeline as required by FEMA in February, 2011. The City did not receive a denial of that appeal until 240 days later in November, 2011 even though FEMA was to respond within 90 days per their regulations. The City worked closely with our Congressional delegation throughout the process and secured a commitment from the State for the 10% match in the amount of \$9.4 million. City Staff worked directly with FEMA Region IV internal and external experts to develop four alternatives. Three of these alternatives were rejected as none were allowed by

County Code and were not feasible or cost effective. The only remaining option was to relocate the Plant and it was determined to be feasible, cost effective, and eligible. The City proceeded with the acquisition of 75 acres 60 feet higher in elevation uphill from the existing site to construct the new Plant. The second and final appeal as allowed by FEMA was subsequently submitted within the 60-day prescriptive timeline as mandated by FEMA in February, 2012. The denial of the second appeal was not received by the City until August, 2012. During the FEMA Project Worksheet and appeal process, the City was prohibited from completing significant improvements to the Plant due to the location of the facility in the SFHA. On August 1, 2010 a draft Consent Order was forwarded to the City from the EPD due to the ongoing spills occurring as a result of the damage to the transmission system and Plant. The EPD agreed to withhold official issuance of the Consent Order due to the ongoing FEMA process and the fact that the Consent Order would render the City ineligible to seek Federal assistance from FEMA. Since the flood, the City has expended \$7,833,968 completing repairs in order to maintain compliance with the requirements of the EPD permit. Of that amount, \$4,859,968 has been expended on repairs to the Withlacoochee Plant and steps to relocate the facility.

Henry Hicks stated that specific Plant and System Repairs have been made as follows: (1) July, 2009 - implemented computerized Maintenance Management Software throughout the Utilities Department, (2) April, 2010 - implemented Fats, Oil and Grease Prevention Program, (3) September, 2010 - completed final FEMA repairs on biosolids conveyor and multi-media filters, (4) September, 2010 - authorized contract for 30% design on new force main, pump stations, headworks and equalization basin to replace 54-inch gravity main to the Withlacoochee Plant and flood prone influent pump station, (5) October, 2010 - cleaning and CCTV evaluation of Mud Creek and Knights Creek main trunk lines found lines and manholes in good shape, (6) October, 2010 - cleaning of Withlacoochee influent pump station wet well including bypass pumping to complete work authorized, (7) December, 2010 - City purchased the 75-acre tract for \$1,012,500 for relocation of the Plant, (8) December, 2010 - replacement of four problematic lift stations (Ponderosa, Big Country Club, Mack Drive and Eastwind) and implementation of SCADA system authorized, (9) March, 2011 - authorized replacement of equipment at the Withlacoochee Plant which included both sludge pumps, roughing tower controllers, nitrification pumps, three influent pump station impellers, and six RAS pump impellers and RAS controllers, (10) April, 2011 - implemented Phase I of multi-year manhole replacement or rehabilitation program completing work on 30 manholes based on priority, (11) July, 2011 - designed and constructed new sewer lift station on Tucker Road, (12) July, 2011 - awarded Rate Sufficiency Study Contract to PRMG (Professional Resources Management Group), (13) October, 2011 - completed major repairs to belt press equipment at Plant, (14) February, 2012 - Phase 2 of manhole replacement or rehabilitation implemented addressing an additional 30 manholes, (15) May, 2012 - Goodyear lift station overhauled and upgraded, (16) July, 2012 - adopted Rate Study Recommendations (to include rate increases for five years, base charge increases, and elimination of winter averaging in order to support the department CIP) as an Ordinance, (17) August, 2012 - second and final appeal denied by FEMA, (18) August, 2012 - Mayor and Council approved the 100% design of new force main, pump stations, headworks and equalization basin project, (19) August, 2012 - the City initiated emergency repairs to the Withlacoochee influent pump station including replacement of broken 20-inch valve, (20) Additional 2012 projects underway included upgrade or replacement of four additional lift stations and Phase 3 of the manhole replacement or rehabilitation program, (21) Proposed 2013 projects include piping and blower replacement at the Plant, upgrade or replacement of four lift stations, Phase 4 of manhole program, acquisition of easements for the force main project route, develop bid and specification documents for force main, pump stations, headworks and EQ basin project, and replacement of primary clarifiers at the Withlacoochee Plant. Other important sewer related projects underway during this time frame include the expansion and rehabilitation of the Mud Creek Wastewater Treatment Plant and significant recovery efforts at the Withlacoochee Plant following the 2009 flood event. All of this presentation addresses efforts pertaining to the City's Wastewater Plants and sanitary sewer system. During this time, substantial funds and progress has been made to improving water quality through the development of new wells and redeveloping wells, construction of a new 30" transmission main, construction of a new 2 million gallon elevated storage tank, as well as numerous other projects listed in the CIP for the water system.

Events leading up to the recent flood are as follows: (1) Thursday, February 21, 2013, 9:31 a.m. - First release from the National Weather Service (NWS) to Lowndes County Emergency Management Agency (EMA) detailing total expected rain impact of three inches and forecast mentions only minor flooding potential from the Withlacoochee River. No significant action is necessary, but the situation will continue to be monitored. (2) February 22, 2013, 11:30 a.m. - NWS briefing released citing conditions are setting up that could be favorable to

some flooding impacts along rivers the middle of the next week. (3) February 24, 2013, 8:28 p.m. – NWS briefing released showing four to six inches of rain over the next 36-48 hours. Fortunately, we should still have enough capacity to allow the water to recede fairly quickly once the rainfall intensity lessens or stops. Latest river forecast at the Skipper Bridge Road over the Withlacoochee River calls for a crest of just over 15 feet late this week. (4) February 25, 2013, 10:20 a.m. – Not much update since previous briefing packet. Rainfall forecast lowered slightly from close to six inches to around five but areas to our north still expected to see heavy rains. The NWS issued a flood warning for the Withlacoochee at Skipper Bridge Road due to an expected crest of just over 16 feet tomorrow (Tuesday) evening. At that level we would not see any significant flooding to homes or local roads. (5) February 25, 2013, 4:13 p.m. – Total rainfall calculated of up to 10 inches. Updated projections increased the forecasted crest of over 2 feet. Remarkably our storm drainage infrastructure has been able to handle the associated run off. (6) February 26, 2013, 1:45 p.m. – Based on the NWS forecast the river should crest in the northern part of the County later tonight (Tuesday). If that forecast holds true then we should not experience any major issues, but past history has shown us that these forecasts are not always 100% accurate. (7) February 27, 2013, 10:48 a.m. – Levels are several feet below what they were in 2009 and some of the other factors that influenced the severe flooding then are not present at this event. So we do not anticipate any flooding reaching the magnitude that we saw previously. (8) February 27, 2013, 11:40 a.m. – Skipper Bridge Road closed from Griffin Drive to Coppage Road due to the flood waters of the Withlacoochee River. (9) February 27, 2013, 5:31 p.m. – Morven Road Closure at the bridge over the Little River announced. (10) February 27, 2013, 6:43 p.m. – NWS notice advised water levels have continued to rise throughout the day and the Withlacoochee River has exceeded forecasts and continues to rise slowly despite a reported crest earlier in the day. The Withlacoochee River is currently expected to crest on Friday at Hwy. 84 at an elevation of 30 feet. This would have an impact on the Withlacoochee Treatment Plant which also currently has water infringing on its property. (11) February 28, 2013, 9:00 a.m. – City issued press release stating the Withlacoochee Plant was taken off line as the river continued to rise and began flooding critical buildings and structures at this facility. (12) March 3, 2013, 5:05 p.m. – City issued press release stating that the Withlacoochee Plant was brought back online and returned to normal operations as of 1:30 p.m. that day.

Henry Hicks stated that the City was required to monitor the Withlacoochee River and take samples upstream at Highway 133 West and downstream at Highway 84 West. Samples were taken for seven days beginning on February 26, 2013. The City is required to monitor include Dissolved Oxygen (DO), temperature, pH, and fecal coliform. The fecal coliform above the Withlacoochee Plant were higher than what was leaving the Plant. One of things to consider is that fecal coliform was washing off into the Withlacoochee River from within 1,500 square miles of the River Shed Basins of both the Little River and the Withlacoochee River.

The City learned many lessons from the 2009 flood event. The City installed bypass pumps, pipes, and valves to utilize in the event of an emergency or act of God. The berm, which was constructed over multiple days only protected the pump station and did not prevent flooding of the chemical building, the chlorine contact building, the filters, and the belt presses. The Plant's electrical and control systems for these buildings and structures were destroyed in the flood waters and rendered inoperable. In this recent flood event, the electric system, chlorine cylinders, de-chlorination system, and all flooded areas were turned off to avoid the damage that was experienced in 2009. Also, the biological, natural occurring bacteria that are used in the treatment process were saved so that the system could treat wastewater immediately when it was returned to operation. In 2009, the natural occurring bacteria were washed out of the Plant as a result of the continuous pumping during the event. In this recent event, the Plant was fully operational in three days. In 2009, the Plant had a complete loss of function for nine days and was not fully operational for over a month. The construction of the earthen berm that took place due to the 2009 event was a temporary emergency measure to protect the influent pump station. It took three days to build the berm during that event and FEMA would not approve any additional improvements or reinforcements to the berm under the Hazard Mitigation Program. In fact, FEMA wanted to fund the removal of the berm due to contamination of the soil and the fact that it was a temporary measure. Since that time, the berm has significantly deteriorated due to erosion. During the construction in 2009, the potential for failure of the berm increased as the height of it was raised. This also added to potential safety concerns for Staff during the event, which could have resulted in drowning, electrocution, and catastrophic failure of the pump station.

Current and future efforts are being made regarding the relocation of the Withlacoochee Plant. Though the FEMA claim was denied on August 1, 2012, Mayor and City Council approved a contract on August 9, 2012 with Parsons Water and Infrastructure, Inc. in the amount of \$1,381,448 for the 100% design of the Withlacoochee Plant

pump stations, force main, EQ basin, and headworks. The design is now approximately 70% complete with a bid date to commence the work in July, 2013. The City secured a GEFA loan commitment in January, 2013 in the amount of \$32 million to fund the proposed scope of work. The Utilities Department receives monthly progress reports from Parsons Water and Infrastructure, Inc. regarding the progress of design to ensure the project stays on schedule for bidding and construction. The City will issue a Design/Build RFP for the relocation of the Withlacoochee Plant within the next few months. Regional flood control efforts include the following: (1) February, 2009 - the update to the city's Master Stormwater Management Plan began, (2) August, 2009 - USGS published the Historic Flooding in South Georgia, March 27-April 3, 2009 Fact Sheet, (3) December, 2009 - presentation at State Legislative Delegation Luncheon at City Hall Finance Conference Room, (4) June, 2010 - letter to Community Leaders inviting them to the Suwannee-Satilla Regional Water Planning Council Meeting in Tifton, (5) November, 2010 - Stormwater Master Plan (SWMP) adopted by Council and is available on the City website at www.valdostacity.com/stormwater, (6) December, 2010 - presentation at the Suwannee-Satilla Regional Water Planning Council Meeting in Douglas, (7) January, 2011 - 80 letters sent out to flood residents on the status of key activities, (8) February, 2011 - annual mail-out to all utility customers on the SWMP update, (9) June, 2011 - submitted public comments to EPD in response to the Suwannee-Satilla Recommended Regional Water Plan, (10) September, 2011 - presentation to Governor Nathan Deal and Staff in Valdosta, (11) November, 2011 - presentation at the Suwannee-Satilla Regional Watershed Meeting in Tifton (hosted by the Southern Georgia Regional Commission), (12) June, 2012 - presentation at the Withlacoochee, Willacoochee, Alapaha, and Little River (WWALS) Meeting in Adel.

Henry Hicks stated that he was not downplaying that there was sewage discharged into Withlacoochee River, but using the USGS flow data for the River during the flood, USGS predicts that at a flood stage that we just went through the River flows at 30,000 cubic feet a second. There are 7.48 gallons of water in a cubic foot, and 86,400 seconds in a day. When you multiply each one of those you get 19,388,160,000 gallons per day. When you compare 6 million gallons of estimated discharge to the Withlacoochee River that means that 99.97% of the water flowing in the Withlacoochee River at that time was stormwater and .03% was sewage.

Councilman Yost stated that it was reported by the Valdosta Daily Times in one of their editorials that the City allowed sewage to flow untreated from 80% of the City into the Withlacoochee River and inquired as to how much of the City the Withlacoochee Wastewater Treatment Plant serves. Henry Hicks stated that the Plant serves approximately 67% of the City. Councilman Yost stated that he would like to have a presentation on Sugar Creek and the millions of dollars that have been spent to prevent the flooding of Sugar Creek and into the Withlacoochee River, as well as flooding along Park Lane, Wood Valley, and Meadowbrook Drive.

Councilman Carroll stated that the presentation was very impressive and a great review. The Utilities Staff has been working 20-hour days and Council appreciates all of their hard work. The Fire Department, the Police Department, Engineering, and other City Departments also stepped up to the plate as well and their efforts are very much appreciated.

Councilman Vickers stated that it was a wise decision to take the Withlacoochee Wastewater Treatment Plant off line. It treats about 6 million gallons of water a day. Henry Hicks stated that if they had left it on line it would not have been on line for long and it was not going to be treating anything. Councilman Vickers stated that the solution to this issue is to move the Treatment Plant. From 2009 to last year we have been waiting on FEMA and we could not do anything until we got a response from them. We now know what we need to do and as the funds become available we will move the Plant. Larry Hanson stated that Henry Hicks, Utilities Director, will be making a presentation on the relocation of the Withlacoochee WWTP at the Mayor/Council Retreat next week.

Councilwoman White congratulated Henry Hicks, Utilities Director, and thanked him for making a wise decision in the middle of a crisis that has turned out to be the right decision. She was never aware that we have so many qualified Utilities Directors in the community to speak on behalf of all the work that was done. Councilwoman White also thanked all of the City employees who participated in keeping this from being another devastating crisis like we had in 2009.

Councilman Yost thanked the City Manager and Staff for the hiring of our new Personnel Director and Chief of Police. There were many qualified people for those positions and we hired the best. We have the best in the City of Valdosta and he is excited about what the City has to look forward to with those two employees. Councilman Yost stated that his District was hit hard by the flood for the second time. Families had to move all their belongings out of their homes and their yards were damaged by the flooding and the overflowing of the sewer system. The response by our City Staff was excellent. He has heard from many people in his District that experienced the flooding and they wanted to thank the City Staff for coming out to clean and disinfect yards. Councilman Yost stated that he wanted to say something about the accuracy of Valdosta Daily Times, the Reporter who reported on the flooding, and the Editorial Staff. Approximately one year ago he talked about the Editorial Staff and that maybe they needed to be replaced. His thoughts have not changed on that; however, he wanted to point out a few things in the following Editorials from the last week and what they had to say about the City: "The City has tried to obtain grant money to move the Plant and improve the sewer infrastructure but has done little to ensure the repeat of the 2009 event. There was no attempt to rebuild the berm so urgently built four years ago. There has been no statement concerning potential health effects from the millions of gallons of raw sewerage poured into the river. So this year they let the waters into the Plant and didn't try to stop the river from encroaching and let the sewage flow untreated from 80% of the City, including the hospital, into the Withlacoochee River. Perhaps if more of the Plant is damaged now FEMA will approve the funding to move and rebuild it." Councilman Yost stated he is speaking on behalf of Robert Yost and not the rest of the Council or any other Staff. The other Editorial, "Planning for a Little Rain" stated the following: "While we can all consider that old saying about a little rain falling into each life as a warning that troubles are inevitable, City leaders should have long ago grasped that it also serves as cautionary advice. Through experience, the City should have known that areas flooded in 2009 may flood again at some future date when faced with similar conditions. These conditions returned this week but nothing has been done in the past four years to halt a repeat of the 2009 flooding. A better plan may not have resolved the issues faced by the City and within the City this week, but better planning may have had officials and residents better prepared for an occasion when more than a little fell." Councilman Yost stated that the presentation by Henry Hicks, Utilities Director, shows that the City has been planning, working, and spending millions of dollars to protect this City from flooding. We have worked very hard to fix our infrastructure and our water lines and sewers, and he can guarantee every person in his District that he has beat the doors and talked to every member of Council at every single Retreat they have had since he has been on Council about the flooding and possible flooding, the infrastructure, and Sugar Creek. He did not have it on the Retreat Agenda for this year because he knew the City was working hard and planning and did not think that a 100-year flood would happen again in four years. He was wrong because it did happen again though not as severe. The newspaper tends to write without doing certain things and he wanted to discuss the following six items for planning for accurate newspaper article: (1) Listen to the answers when you ask someone a question and print the entire answer and not a portion of it. (2) Please use your own newspaper articles as resources when researching a follow-up story. You can learn a lot from your own stories. (3) Do not contradict yourself in your own Editorials. Either we planned or we did not plan but our planning wasn't good enough. (4) Please use sources for your stories who know what they are talking about. (5) Do not apologize for printing inaccurate stories unless you are willing to do so publicly. (6) Hire competent people to run and work at the newspaper from the beginning. Councilman Yost stated that he apologized if he offended anybody but he believes he just editorialized a little and maybe the Valdosta Daily Times can learn a few things.

CITIZENS TO BE HEARD

Von Shipman, 3312 Britain Drive, stated that he retired from the City in 2010 as City Engineer and he wanted to echo what the City Manager had previously said. His heart is broken whenever someone's property is damaged and he hated to see the river rise the way it did and the sewer system impacted the way it was. Sometimes there is not a lot anyone can do and we rely on what happens to us and hope to learn from it. The City did learn from the 2009 flood. When he came to work with the City in 1997, he did not really know what the City had until he got here. He could remember very vividly riding with the City Manager and different Department Heads when there would be a heavy rain. They saw extensive flooding throughout the City. There were other infrastructure issues and a need for improvement due to the growth the City was experiencing. Mr. Shipman stated that he was thankful we had the SPLOST tax to work on infrastructure projects. He is proud of what they have been able to do as a team to make improvements to the quality of life and it is unfortunate when we do have situations like this. Mr. Shipman stated that he hopes and prays that we have a SPLOST vote this November and he is 100% in support

of it as it deals with improvements to infrastructure. We cannot forget about infrastructure or it will take over us. When he was City Engineer he presented a map to the Council showing the entire basin and how little the portion of Valdosta drains into the Withlacoochee basin. While we do not have a perfect drainage system, the Master Plan is addressing problems that have not been discussed. It will take time and he encouraged all citizens to support the next round of SPLOST as he will.

Leigh Touchton, 610 Mack Drive, thanked the Council for their vote on the Solar Plant and for all the efforts that were made with the Withlacoochee Wastewater Treatment Plant. She has been speaking to the Mayor and the City Manager about Wiregrass Activists for Clean Energy meeting with Council about the Plant and answering their questions because they are really good with community education. She would also like to defend the Valdosta Daily Times because she read several of the articles and followed up with the City Manager. She got a really good education on what had happened. Though we may not always agree on the editorials that the Valdosta Daily Times presents, they try their best. If you are not a Science Major then it is really hard to navigate what Mr. Hicks was talking about. She is an environmental Scientist and Biologist so it is easy for her, but she appreciated what the City has done. Councilman Tim Carroll came to her neighborhood because some of her good friends were flooded. She may not agree with him on biomass or consolidation, but she appreciated the fact that he helped her friends. Ms. Touchton stated that she also wanted to talk about diversity. She has been the former President of the NAACP and she is not representing any organization tonight but only herself. The City selected Brian Childress as the new Police Chief and obviously he is a white man and this has nothing to do with him personally. When talking to Chief Childress, he came to them and listened to them about their concerns. One of the things that he shared with them is that they have a process called CALEA certification and all accredited Police Departments have to go through this. Basically it is a diversity standard and they have to show the efforts that they have made in good faith to diversify their force to represent the community in terms of the number of ethnicities. He is a monitor for other Police Departments so he assesses their accreditation. Ms. Touchton inquired as to whether the City could adopt something like this because it is her understanding that records are never kept on race or gender when the City hires, fires, or promotes people. Our City is 55% black and at this in time we should be seeing at least 55% African-Americans on Council and a higher percentage in our City government than we currently do. Ms. Touchton stated that she wanted to make it clear to the white people in the audience that no civil rights organization, including the NAACP, ever expects a black person to be hired because they are black. We have always said that the process needs to be fair and transparent. We expect good people to be hired whether they are black or white, but they also expect a City government to take the steps like Chief Childress' Department to reach out to historically black colleges and universities like Fort Valley State and FAMU and he recruits at both of these. He is to be commended for that and she anticipates having a great working relationship with Chief Childress. They had a good working relationship with Chief Simons as well; however, this was really beneficial for her personally to hear this from our new Chief and understand that there is a State and Federal sanctioned guideline or process for a group to achieve diversity. They would like to see this repeated throughout our government in Valdosta. We are 55% African-American and 53% female and she would like to see more diversity in our City government and especially the people who are representing the majority/minority districts. Council should be coming to their organization and networking with them and bringing the registration for the leadership forms. They should be mentoring and targeting young people that you can then show as good potential employees for the City and that is what she wanted to ask Council tonight.

Floyd Rose, representative of the Valdosta-Lowndes County Chapter of the Southern Christian Leadership Conference, stated that in a fair and just system all human rights for all human beings must be measured by the same yardstick. Democracy cannot mean majority rule when the majority is white and minority rule when the majority is black. In 1984, in anticipation of the time when the City's black population would exceed that of the white population, whites devised a scheme whereby they would maintain control of City Hall. It is called the At Large seat and no black person, male or female, has ever occupied that seat either in City Hall or the Valdosta School Board. The scheme has resulted not only in a white dominated Council but in a white dominated administration. Even though the City is 55% black, the City Manager is white, the Assistant City Manager is white, two of the three Deputy City Managers are white, the City Clerk is white, the head of Community Development is white, the Information Director is white, the Director of Utilities is white, the Finance Director is white, the Director of Engineering is white, the Police Chief is white, the City Attorney is white, and everybody who appeared before Council tonight to make a report was white. If the City's population was 55% white, I ask you and those who are seated behind me, would the Mayor be black? Would the City Manager be black? Would the Assistant to

the City Manager be black? Would two of the three Deputy City Managers be black? Would the City Clerk be black? Would the Police Chief be black? Would the head of Community Development be black? Would the Information Director be black? Would the Utilities Director be black? Would the Finance Director be black? Would the Director of Engineering be black? Would the Police Chief be black? Would the City Attorney be black? That would never happen. I know it, you know it, and everyone behind me knows it. If 55% of the population was white and blacks devised a scheme like the whites did whereby they would control City Hall and there were only three whites on a dominated City Council there is no way that whites would accept it and they shouldn't. Since 55% of the population is black, the three blacks on this Council should not accept a white dominated administration. Mr. Rose stated that he is aware of blacks who hold important positions in City government. The Fire Chief is black, one of the Deputy City Manager's is black, the Municipal Court Judge is black, and the new Human Resources Director is black. The Fire Chief's two major responsibilities are to prevent and put out fires and we do not minimize the importance of his job. The Deputy Manager of Public Works is black and we certainly don't minimize his gifts or his responsibilities. He too is an exceptionally smart man and perhaps more than 80% though of his employees are black which would not be unexpected because black folks have been picking up trash ever since the days of slavery. If we do not challenge this system it will never change. Mr. Rose stated that he knew they were watching the clock and he may be done in the next 20 seconds or he may not. Nothing changes unless it is challenged and he would hope that the blacks who are on this Council will think about the people. Mayor Gayle advised Mr. Rose that his time was up. Mr. Rose stated that there were three options. You can have me arrested and I am prepared for that, you can have me escorted out and I am prepared for that, but I will not just go back to my seat. Mayor Gayle stated that we are prepared for that also. He appreciated Mr. Rose addressing the Council and motioned for Mr. Rose to be escorted out of the Council Chambers.

Sam A. Robinson, Jr., stated that he had a question for Mayor Gayle. Would it be possible to hear the rest of Rev. Rose's presentation if he yields his five minutes to him. Mayor Gayle stated no. It is only five minutes for each individual.

George Boston Rhynes, 5004 Oak Drive, stated that he arrived in Valdosta in 1975 and watched the hostilities between the races not only in City government but in the Valdosta School Board of Education. The Department of Justice identified that we had a problem in the School System and 50 years later it still has not been resolved. We still have an issue of equality for all citizens here in Valdosta. He put his life on the line for over 20 years. He heard the Mayor on Radio Station 105.9 this morning but he did not hear anything on any of the other radio stations. The Mayor gave a beautiful analogy of what would happen today at this meeting, but the majority of citizens did not hear anything from the Mayor or any other elected official. Professors from Valdosta State University (VSU) have asked this Council over and over again that all citizens should be notified equally. Maybe the City could put a camera in the ceiling or maybe a person from VSU could record these meetings so the citizens would not have to use their little cameras. The City could put it on television and maybe give a CD or DVD to all the radio and television stations. Council may wonder why he is asking for that. That is because he put his life on the line to die in foreign nations for freedom of speech, freedom of the press, and freedom of religion in particular. He sees people coming to the microphone repeatedly and it is as if the Attorney General put out the little red pamphlet and open government and the sunshine law does not mean the paper that it is written on. In the library, they have citizens in a 9' x 4' oblong square for them to stand with their cameras. At the County Commission meetings, they put them in a little pyramid square and Ms. Gretchen can barely get her camera in. Something is wrong in Valdosta and they have been saying it. Mr. Rhynes stated that he has been saying it for at least 16-20 years and he is wondering what we are waiting on. What are we waiting on to see that we have a race problem in this community? People know it but people are not talking about it. White people who are in positions of leadership talk about it with him because he would not know what he knows. The things he puts on Boston GBR You Tube would not be put on there unless somebody in these positions gave him the information. They are afraid just like black folks are afraid. The reason he does what he does is because of the love that Jesus talked about. Jesus said for us to love one another. You cannot love me if you look around and go to the City Annex and you do not see someone that looks like him in there. There is something wrong in this community and it does not matter how much we look good and pump ourselves up and say this is a beautiful place to live. The Valdosta Daily Times will not even report what we do at these meetings. There were three meetings at Valdosta Board of Education and nothing from those meetings that Rev. Rose said, that Leigh Touchton said, that Mr. Robinson said, or that he said was ever reported. It was like a tree fell in the forest and we were all sitting under the tree but they told us that the forest did not even exist.

Mayor Gayle entertained a motion for adjournment.

A **MOTION** by Councilman Carroll, seconded by Councilman Yost, was unanimously adopted (6-0) to adjourn the March 7, 2013 Meeting of the Valdosta City Council at 6:47 p.m. to meet again in Regular Session on Thursday, March 21, 2013.

City Clerk, City of Valdosta

Mayor, City of Valdosta