

MINUTES
REGULAR MEETING OF THE VALDOSTA CITY COUNCIL
5:30 P.M., THURSDAY, JUNE 25, 2009
COUNCIL CHAMBERS, CITY HALL

OPENING CEREMONIES

Mayor John Fretti called the regular meeting of the Valdosta City Council to order at 5:30 p.m. Council members present were: Sonny Vickers, Tim Carroll, Alvin Payton, Jr., Willie Head, Jr., John Eunice, Robert Yost, and James Wright. The invocation was given by Father Dan O'Connell, St. John Catholic Church, followed by the Pledge of Allegiance to the American Flag led by Boy Scout Troop 491.

PRESENTATION OF THE JUNE, 2009 EMPLOYEE OF THE MONTH AWARD

Consideration of the June Employee of the Month Award (John Dereck Willis - Fire Department). Mayor/Council postponed this at the June 11, 2009 regular Council meeting.

Mayor Fretti entertained a motion for the June, 2009 Employee of the Month Award.

A MOTION by Councilman Carroll, seconded by Councilman Vickers, was unanimously adopted (7-0) to approve the June, 2009 Employee of the Month Award.

Mayor Fretti presented the June, 2009 Employee of the Month Award to Dereck Willis (Fire Department).

John Dereck Willis began his employment with the City of Valdosta as a Firefighter in January, 1997. In December, 2008, he was promoted to the rank of Lieutenant in the Fire Inspections Division where he currently serves. Working in Fire Inspections requires Lt. Willis to be well-versed in all aspects of life safety with a special emphasis in code enforcement and hazard identification. His duties include enforcing fire safety laws as they apply to new and existing buildings as well as conducting inspections to ensure compliance. His knowledge of the construction industry has proven valuable not only to the Fire Department but to the citizens of Valdosta as well. Recently, some areas of Valdosta experienced severe flooding. During and after this event, Lt. Willis volunteered after his shift at the Fire Department ended to assist the victims as they worked to salvage flooded property and prevent further damage. Many times Lt. Willis worked well past midnight helping to relocate residents and their property and used his own personal pick-up truck to assist with debris removal. When someone skilled in the use of a front-end loader was needed to move heavy debris, Lt. Willis volunteered to operate the equipment. He also found time to cook some meals for the residents who had no way to prepare food for their families due to the flooding. This was a great comfort to many in a time of distress. While many made great sacrifices during this time of great tragedy in our community, Lt. Willis' efforts stood out. The renowned labor leader Walther Reuther once stated, "There is no greater calling than to serve your fellow man... no greater satisfaction than to have done it well." Lt. Willis' hard work and commitment to those in need made a difference in the lives of many and he is to be commended for his efforts. For these reasons and many others, the City of Valdosta Employee Relations Committee recognized John Dereck Willis as Employee of the Month.

SPECIAL PRESENTATION BY THE AMERICAN CANCER SOCIETY

Mayor Fretti stated that Cheryl Germany, Customer Service Department, was the Chairman for this year's American Cancer Society Relay for Life and Debbie White, Utilities Department, and Brenda Helms, Human Resources Department, served as Co-Chairs for the event. There were over 200 City employees and their families who participated in the event. The goal this year was \$5,000 and employees raised over \$6,004. The top three Departments were: (1) 1st Place – Utilities Department - \$2,052, (2) 2nd Place – Community Development - \$1,672.35, and (3) 3rd Place – Finance - \$1,461.51.

Ashley Braswell, Director of the American Society in Valdosta, thanked the City of Valdosta employees for their participation in the event and noted that the money raised by the City's team will help over 1,000 people. The City of Valdosta leads the way in the community in for the fight against cancer. Ms. Braswell presented Mayor Fretti with the trophy for the Utilities Department and commended the City for their efforts in saving lives.

The minutes of the June 11, 2009 Regular Meeting were approved by unanimous consent (7-0) of the Council.

CITIZENS TO BE HEARD

Floyd Rose, 4001 Foxborough Boulevard, stated that he wanted to share an experience that he had several years ago with the Mayor and Council. He received a telephone call one night from a mother whose son was 16 years old and who was in the Child Detention Center. He was placed in a room with a 19 year old who had been shot 13 times by the Police and then died of a self inflicted wound to the head. The mother of the 16 year old asked Mr. Rose to go visit her son which he did. He came out of his preacher's bag and told the boy how much he had hurt his mother and how he should have known better. The boy stated that Mr. Rose had a nice suit on and alligator shoes. Mr. Rose told him it was a suit and shoes. The boy asked whether he lived in Inverness Village and drove a Cadillac. Mr. Rose stated that he did live there and the Cadillac was just a car. The boy told him that he did not understand. When you are the oldest of six children and you are 16 years old, your mother is on welfare, the food stamps are gone, and the money has run out you do whatever you have to do to survive. Without giving Mr. Rose an opportunity to respond, the young boy got up and motioned for the Officer to take him back to his cell. Mr. Rose stated that after that visit, he sold his house and car and moved into the heart of the ghetto in Toledo trying to understand the people who were trapped in a tight cage of poverty with no way out. Mr. Rose stated that he was not given an opportunity to respond to Councilman Yost's comments last week based on the rules but he could not allow for those comments to go unchallenged. He was disappointed but not surprised by Councilman Yost's comment that a funeral would have been cheaper in regards to the self inflicted wound of the man who shot the Police Officer and was taken to jail and then hospitalized. Mr. Rose stated that he never said Councilman Yost was a racist or make any reference to the man's race. In fact, he did not know whether the man was black or white. A prominent County official who called to tell him about the incident was white. Although Councilman Yost did not say that it would have been cheaper if the Police had shot and killed the man, his comment clearly implied as much. The Police Officer is not the judge or the jury and unless his own life and the lives of others are at stake, he must do everything in his power to arrest the suspect with the least amount of force necessary. If a suspect is wounded while in the custody of the Police, the City is responsible for his medical care whether it is self inflicted or other. It is well known in our community that Councilman Yost has rarely if ever attended a function in the black community including the annual Martin Luther King, Jr. Memorial Program and the Juneteenth Celebration, or that he has given to any cause sponsored by or on behalf of the black community which may be more revealing about him. At no time has the Valdosta Chapter of the Southern Christian Leadership Conference (SCLC) condoned criminal activity of any kind. The SCLC is a non-violent civil rights organization which rejects violence even as a means to achieve a peaceful end. Dr. King founded the group on the principle of non-violent resistance and they urge all citizens, whatever their color, to obey the law. If they determine that a law is unjust and unconstitutional and decide to challenge it by breaking it, then they accept the consequences with our protest. At no time did they applaud what this man did. The kind of crimes that frighten them the most are those committed by poor people. People who have good wages rarely if ever rob convenience stores, knock old ladies in the head and take their purses, or break into homes to steal television sets, computers, or other marketable goods. Usually what is stolen is sold for just enough money to buy drugs. Former New York Police Commissioner Patrick Murphy once said that we lost the war on drugs when we stopped fighting the war on poverty. While poverty must not be accepted as a justification for stealing, more often than not it is an explanation for it. Mr. Rose stated that when he was in high school, carpentry, plumbing, and brick masonry were trades which gave young men who were not necessarily interested in going to college or not financially able to go an opportunity to learn and practice a trade which provided them a good living. For reasons unknown, all that has changed and all that is left are minimum wage jobs at fast food restaurants. In closing, Mr. Rose stated that Roy Taylor, who followed him to the podium two Thursdays ago, patted his right hip pocket and said that he carried a gun without a permit. He also stated that even though he was not in Councilman Yost's district he had some money for his campaign. Mr. Rose inquired as to what would have happened if he had patted his hip pocket and told Council that he had a gun without a permit.

George Boston Rhynes, 5004 Oak Drive, stated that he had a letter for Mayor Fretti concerning televising the Council meetings. The issue that Rev. Rose brought up could possibly have been eliminated if these meetings had been televised to all the people of Valdosta and Lowndes County so that they can see what goes on at these meetings. Last week nothing was said in the newspaper about his comments on having these meetings televised but he would love to see that in the newspaper because the citizens need to see and hear it. Having the meetings

televised will move Valdosta into the realm of some of the other larger cities. Mr. Rhynes stated that if this was his first time at a Council meeting, he would not know who the Councilmen were because he could not read the signs. It would also help to have the District numbers under the names of the Council members. There are also times that you can hardly hear due to the microphones. Mr. Rhynes stated that he noticed the gentleman who patted his pocket about having a gun at the last Council meeting and he personally did not like some of the things he said but we live in a democratic society and people have the right to say things just as he has the right to say things now.

PUBLIC HEARINGS

ORDINANCE NO. 2009-28, AN ORDINANCE FOR ADOPTION OF THE FISCAL YEAR 2010 BUDGET

Public Hearing for the adoption of Fiscal Year 2010 Budget (Second Hearing).

Mark Barber, Deputy City Manager of Administration, stated that the preparation of this year's budget was extremely challenging but it is a balanced budget and one that is physically sound. Some of the highlights include: (1) no millage rate increase, (2) no cuts or services to the citizens, (3) any new positions will be funded through grant stimulus funding or a vacant position left open due to a recent retirement, (4) a 2.5% merit increase, (5) one week of sick leave buy back, (6) no cost of living increase for employees, (7) the City's match for up to 3% for the Deferred Compensation plan has been suspended for the next 12 months, (8) a 5% water/sewer rate increase on the consumption side, and (9) small increases to Zoning fees. Overall, the operating expenses and revenue increased 2% and there will be a slight increase in Capital expenditures because we are now into the SPLOST VI money. In accordance with Georgia Code §36-81-3, each local government shall adopt and operate under an annual balanced budget for the General Fund, each Special Revenue Fund, and each Debt Service Fund in use by the City of Valdosta. The annual balanced budget shall be adopted by ordinance or resolution. Larry Hanson, City Manager, stated that a lot of work has gone into preparation of the budget because it is zero-based budgeting. There was no elimination or reduction of any level of service and once the economy bounces back they will look at those things that were removed. Mayor Fretti thanked all of the Department Heads for their input into the budget because they were asked to do more with less.

Mayor Fretti called for the Public Hearing portion of this request for adoption of the Fiscal Year 2010 Budget (Second Hearing). There being no citizen comments, Mayor Fretti closed out the public hearing.

A MOTION by Councilman Head, seconded by Councilman Eunice, was unanimously adopted (7-0) to enact Ordinance No. 2009-28, an Ordinance for the adoption of Fiscal Year 2010 Budget, the complete text of which will be found in Ordinance Book XI.

ORDINANCES AND RESOLUTIONS

Mayor Fretti asked that Agenda Item 8(a), Consideration of a request to file an application with the U. S. Department of Energy to fund the Energy Efficiency and Conservation Block Grant (EECBG), be moved to this portion of the Agenda due to a submission deadline of 8:00 p.m. tonight.

A MOTION by Councilman Vickers, seconded by Councilman Wright, was unanimously adopted (7-0) to move Agenda Item 8(a) to this portion of the Agenda due to a submission deadline.

RESOLUTION NO. 2009-22, A RESOLUTION TO FILE AN APPLICATION WITH THE U. S. DEPARTMENT OF ENERGY TO FUND THE ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT (EECBG)

Consideration of a request to file an application with the U. S. Department of Energy to fund the Energy Efficiency and Conservation Block Grant (EECBG).

Mara Register, Assistant to the City Manager, stated that they were notified in the spring of this year that the City would receive an allocation of \$221,600 from the U. S. Department of Energy under the Energy Efficiency

and Conservation Block Grant (EECBG). These are stimulus funds that have come out of the program under the Energy Independence and Security Act of 2007. These funds may be utilized to implement programs or projects that result in establishing energy efficiency and conservation strategies. There are 14 eligible activities under the EECBG program and the City is applying under 6 of the 14 eligible activities. One of the mandatory activities requires the development of an Energy Efficiency and Conservation Strategy (EECS) within the first 120 days of receipt of the grant. A Technical Consultant will be acquired in order to prepare the EECS. This strategy will include funded activities as set forth in the proposed budget and the development of a plan to identify potential Distributed Energy Technologies. The bulk of the funds will go toward the implementation of the energy audits. In 2008, Georgia Power conducted an energy audit on each of the Municipal buildings at no cost to the City of Valdosta. The audits projected a minimum annual savings in energy costs of approximately \$29,000. Staff has reviewed the audits and estimated that it will take approximately \$75,000 to implement those tasks under the Energy Audits. Also under the proposed budget is development and implementation of transportation programs in the amount of \$120,000. These funds will be utilized for a signal timing project. The City was divided into four quadrants and they looked at where the highest traffic counts and accidents were which was in the northwest quadrant of the City. This project will impact 25 traffic signals within that quadrant. Mr. John Funny, Consultant with Grice & Associates, estimated that it would cost approximately \$4,800 per signal to do a signal timing project. This will need to be done quadrant by quadrant and not road by road which would have a domino effect. Finally, there is \$15,600 to replace traffic signal lighting and traffic device lighting with LED lights which will impact three intersections and take care of the remaining school crossing areas, overhead lights, four way stops, and caution lights. Mara Register recommended that Council approve the Resolution which authorizes the Mayor to execute the documents and then proceed with the activities if approved by the U. S. Department of Energy and complete the submission by 8:00 p.m. tonight.

A **MOTION** by Councilman Carroll, seconded by Councilman Head, was unanimously adopted (7-0) to enact Resolution No. 2009-22, a Resolution to file an application with the U. S. Department of Energy to fund the Energy Efficiency and Conservation Block Grant (EECBG), the complete text of which will be found in Resolution Book IV.

AN ORDINANCE FOR BODY ART ESTABLISHMENTS AND OPERATORS (FIRST READING)

Consideration of an Ordinance for Body Art Establishments and Operators. (First Reading)

Mark Barber, Deputy City Manager of Administration, stated that in an effort to strengthen enforcement of body art establishments, the Lowndes County Board of Health contacted the City to establish an Ordinance. The proposed Ordinance mirrors the current policy followed by the Health Department. The one exception is that the Ordinance now allows for the assistance of Community Protection Officials of the City. Because the Ordinance allows for Community Protection involvement, any unresolved violations with body art establishments can be heard in the City of Valdosta Municipal Court. According to the Lowndes County Health Department, many times violations were adjudicated in Atlanta. Mark Barber stated that this is the First Reading for the Ordinance and no action is necessary.

ORDINANCE NO. 2009-29, AN ORDINANCE AMENDING THE PURCHASING ORDINANCE

Consideration of an Ordinance Amending the Purchasing Ordinance.

Mark Barber, Deputy City Manager of Administration, stated that the Purchasing Ordinance for the City of Valdosta instructs personnel on how to spend City funds. The Ordinance was last revised in 1994 and the dollar thresholds were raised to better match the economy during that time period. Pricing on most commodities and services have increased significantly during this time frame making the dollar thresholds of the Ordinance outdated. The proposed changes to the current dollar thresholds are as follows: (1) Construction Authorization - Current amount is \$25,000 and the new amount will be \$50,000, (2) Sealed Bid Amount - the current amount is \$10,000 and the new amount will be \$25,000, and (3) Department Discretion - the current amount is \$300 and the new

amount is \$1,000. Another change in the Construction Authorization is that now any Department Head can request the Construction Authorization from the City Manager and not just the Engineering Department. Also, the City now uses Purchasing Cards and this has also been added to the Ordinance. The overall functionality of the Ordinance with regards to how City funds are to be spent is sufficient to assure personnel are being financially responsible. Computer hardware and software purchases are being addressed for the first time as well as State and other governmental contracts. Mark Barber recommended that Council approve an Ordinance Amending the Purchasing Ordinance.

A **MOTION** by Councilman Payton, seconded by Councilman Head, was unanimously adopted (7-0) to enact Ordinance No. 2009-29, an Ordinance amending the Purchasing Ordinance, the complete text of which will be found in Ordinance Book XI.

RESOLUTION NO. 2009-19, A RESOLUTION FOR IMPLEMENTATION OF THE VALDOSTA-LOWNDES COUNTY PUBLIC TRANSIT SERVICE PLAN AND SERVICE DELIVERY STRATEGY

Consideration of a Resolution for Implementation of the Valdosta-Lowndes County Public Transit Service Plan and Service Delivery Strategy.

John Leonard, Executive Director of the South Georgia Regional Development Center (RDC), stated that he serves on the Valdosta-Lowndes County Metropolitan Planning Organization (MPO) as Chairman along with City and County representatives, Georgia Department of Transportation representatives, and Federal Highway representatives. The Resolution of support is the next step in moving forward with the implementation of a transit system. Approximately two years ago, the City hired a consultant to conduct a feasibility study for an urban fixed route transit system and the study was found to be feasible. Another consultant was then hired and they have now proposed a service plan and an operation strategy for the implementation of the urban fixed route public transit system. There were extensive public hearings and attempts to gain public support. The Valdosta-Lowndes County MPO Transit Steering Committee is now asking Council to support the following: (1) a service plan that consists of five bus routes all converging toward a centralized point somewhere in the north central Valdosta area, (2) an operating strategy that states the South Georgia RDC, acting as the Valdosta MPO, will use a third party provider to operate the system on behalf of the City, and (3) the South Georgia RDC, acting as the Valdosta-Lowndes County MPO, will be the governing body for a period of at least three years and during that time they will be looking at how many others will become partners and to turn it over to an Authority driven by that group. The Resolution states that unless the funding is made available from all the parties and partners this will not move forward. John Leonard asked Council's consideration in approving the Resolution for implementation of the Valdosta-Lowndes County Public Transit Service Plan and Service Delivery Strategy.

Councilman Yost inquired about a timeline. John Leonard stated that a timeline is not included in the Resolution because it is contingent upon the funding from all parties. Councilman Yost stated that the timing is very important. John Leonard stated that they do have a timeline based upon everything falling into place. Corey Hull, MPO Transportation Planner, stated that the timeline currently states that it would be fully operational in April, 2010. Councilman Yost stated that he was in favor of a transit system but there needs to be a timeline in order to know where to go, when to get there, and when they will have the full funding to start this. April is unrealistic at this point with the budget. We need to look a little further out on the timeline because he would hate for Council to approve this tonight knowing that for another year they will not have the money due to the economy and the County will not have the money. Councilman Yost stated that we are not even close to having enough for the \$6 to \$8 million to start the system and to get through the first year from the entities that are going to come on board with the transit system. Mayor Fretti inquired as to whether Councilman Yost was looking for a "no later than" timeline because if the MPO could do it by April or June they are allowed to do it because the timeline is open; however, if you give them a "no later than March, 2011" it might be more realistic. Councilman Yost stated that this is a large amount of money and a large endeavor for the City to get involved in but it is a necessary endeavor. If they could tell him that the transit system would be up and running by April and if they could tell him where the money is coming from then he would be happy with the April start. Larry Hanson, City Manager, stated that the Resolution is for support of the transit plan that has been presented to the Council. At the time the budget was prepared, the best number that the Committee and Consultant had was that it would operate at an annual

\$600,000 net loss. He did not think that even with the best intentions and the best plans that the transit system could not open in April; however, assuming that it does, the City budgeted \$300,000 for one quarter which is three months out of twelve assuming that others would pick that up one quarter of a year of \$300,000 which is \$75,000. The Resolution clearly states that Council is not approving a financial plan and implementing this plan is contingent and dependent upon the availability of local funds from partner agencies and stakeholders. The Resolution also clarifies a broader area where the transit system hub would be located and specifically states where it will not be located which is on Pendleton Drive between Ashley Street and Patterson Street. It is difficult to move forward on a plan of this magnitude without a commitment from the stakeholders that they support the concept of the plan. Corey Hull stated that the Federal Transit Administration wants to see formal support from the stakeholders like the City and County. The financing and funding will be the next step. The Service Plan had to be in line first to even know how much money it would cost. Councilman Yost inquired as to whether any of the money that we will be receiving from the government is tied to a timeline where it has to be spent by a certain time. He also inquired as to how much money is committed to date. Corey Hull stated that the \$1.4 million that we have been asked by the Georgia Department of Transportation to budget for will expire September 1, 2009. If the application is not submitted they will lose the money. Mayor Fretti asked for a cost benefit analysis on the transit system even though they have already presented the cost to the City and County. Councilman Head stated that the City is not alone in this endeavor and he was in support of moving forward with the Resolution. There has been a need for transportation for a long time and we need to give them authority to proceed with the project. John Leonard stated that this will be a three step process and the Resolution of support will be for the third step in applying for money.

A **MOTION** was made by Councilman Carroll to approve the Resolution for Implementation of the Valdosta-Lowndes County Public Transit Service Plan and Service Delivery Strategy and submit it to the Federal Transportation Administration (FTA) and the Valdosta-Lowndes County MPO. The motion was seconded by Councilman Head. Councilman Yost inquired as to when this would be brought back before Council to approve the full funding of the City's share. Larry Hanson, City Manager, stated that it would be either August or September and then either John Leonard or John Funny, Grice & Associates, could inform Council as to where the funding is at and what the numbers are for capital and operation. They are not going to make a commitment to the magnitude of millions of dollars of equipment without coming back before the City and County and informing them of what the share would be. Councilman Yost inquired as to what would happen if all the partners gave everything they have and they are short \$250,000 and whether they would cut a bus, a route, or if the City would provide their portion of the \$250,000. Larry Hanson stated that there were several options. They could delay the implementation of some routes rather than eliminating them or phase them in. Councilman Wright stated that they are too far along to stop now because there is \$1.4 million in Stimulus Funds for a capital project that has to be done within a certain time and if they are not ready then they could lose that money. Larry Hanson stated that there has been a lot of time, effort, and energy put into this transit system in order to avoid any major pitfalls and everyone is hopeful that it will be successful. Councilman Head stated that he was not excited about some of the routes and he expressed that to the Consultant and it is not too late for others to express their concerns. This is a new venture and we need to move forward with the project. The motion was unanimously adopted (7-0) to enact Resolution No. 2009-19, the complete text of which will be found in Resolution Book IV.

BIDS, CONTRACTS, AGREEMENTS, AND EXPENDITURES

Consideration of bids for a new Utilities Administration Building.

Jim Martinez, Engineering Project Manager, stated that the contract was awarded to McCall and Associates, Inc. for the design of a new Utilities Administration Building to house the Water & Sewer and Drainage Departments. The new building will be located at the current site on Myrtle Street and it will include a Command Center to be used during all emergency storms. The project will be funded with SPLOST V and VI funds and utility user fees. Bids were received on June 9, 2009 with five companies bidding on the project. The low bid was submitted by Cauthan Construction in the amount of \$1,007,519. Jim Martinez recommended that Council approve the bid submitted by Cauthan Construction in the amount of \$1,007,519 plus a 10% contingency to handle unforeseen issues during construction.

A **MOTION** by Councilman Yost, seconded by Councilman Wright, was unanimously adopted (7-0) to approve the low bid submitted by Cauthan Construction in the amount of \$1,007,519 plus a 10% contingency to handle unforeseen issues during construction of a new Utilities Administration Building.

RESOLUTION NO. 2009-20, A RESOLUTION FOR THE FEDERAL AVIATION ADMINISTRATION'S GRANT AGREEMENT AND REHABILITATION OF AIRFIELD LIGHTING AND SIGNAGE, CONSTRUCTION, AND ASSOCIATED WORK

Consideration of a request from the Valdosta-Lowndes County Airport Authority to accept and execute the Federal Aviation Administration's Grant Agreement and Resolution for rehabilitation of airfield lighting and signage, construction, and associated work (Airport Project #AIP-25).

Larry Hanson, City Manager, stated that this Airport Project will replace existing airfield lighting and associated signage which will significantly increase the safety of Airport operations as well as install a much more cost effective LED type lighting. Associated work will include removal of paved shoulders on Taxiway "C" and Runway 4/22. The City administers these grants on behalf of the Airport Authority. Larry Hanson recommended that Council approve the request to accept and execute the Federal Aviation Administration's Grant Agreement and Resolution for airfield lighting and signage rehabilitation, construction, and associated work.

A **MOTION** by Councilman Payton, seconded by Councilman Carroll, was unanimously adopted (7-0) to enact Resolution No. 2009-20, a Resolution to accept and execute the Federal Aviation Administration's Grant Agreement and for rehabilitation of airfield lighting and signage, construction, and associated work (Airport Project #AIP-25), the complete text of which will be found in Resolution Book IV.

RESOLUTION NO. 2009-21, A RESOLUTION TO PRE-APPROVE AND ACCEPT A CONTRACT WITH THE GEORGIA DEPARTMENT OF TRANSPORTATION FOR REHABILITATION OF AIRFIELD LIGHTING AND SIGNAGE, CONSTRUCTION, AND ASSOCIATED WORK

Consideration of a Request from the Valdosta-Lowndes County Airport Authority to Pre-Approve and Accept a Contract with the Georgia Department of Transportation for Rehabilitation of Airfield Lighting and Signage, Construction, and Associated Work (Airport Project #AIP-25).

Larry Hanson, City Manager, stated that many of these grants are primarily funded through Federal funding with a portion of State funding and in some cases a requirement for a local match. This is for the identical Airport Project but is for the Georgia Department of Transportation Grant Funds. Larry Hanson recommended that Council approve the request to pre-accept the contract/grant from Georgia Department of Transportation, adopt the Resolution, and authorize the Mayor to accept/execute the contract/grant when it is received.

A **MOTION** by Councilman Carroll, seconded by Councilman Payton, was unanimously adopted (7-0) to enact Resolution No. 2009-21, a Resolution to pre-accept the contract/grant from Georgia Department of Transportation, adopt the Resolution, and authorize the Mayor to accept/execute the contract/grant when it is received, the complete text of which will be found in Resolution Book IV.

Consideration of a preliminary Engineering Agreement with CSX Transportation, Inc. for the St. Augustine Road CSX transportation switching station project.

Larry Hanson, City Manager, stated that the City of Valdosta was successful in securing \$1 million from the Georgia Legislature for either a switching yard relocation or an appropriate resolution of the switching that exists. The City also has some SPLOST funds that we have been holding for this project. They met with the Georgia Department of Transportation and had several conference calls with the CSX officials in order to proceed with this project. The approach is to extend the existing rails to allow CSX to switch either underneath or west of I-75 which would remove any switching that would occur and block St. Augustine Road. This Agreement outlines who would do what in regards to having preliminary engineering done and CSX would hire a contractor and secure bids for the work. They would design it, provide cost estimates, and then it would be brought back before Council

so that an informed decision can be made based upon an approved design and what it would cost to conduct the work. The CSX representative had already solicited three proposals and there was some confusion among the vendors and clarification was needed on the scope of the work. The scope was revised and sent back out last week. He then had a family emergency and has been out of the office and was unable to provide a number for the estimated cost. In discussions with CSX, they felt that the planning and design work cost estimate would be between \$30,000-\$50,000. SPLOST proceeds that are designated for this project would be used for funding. Larry Hanson recommended that Council approve the preliminary Engineering Agreement with CSX Transportation, Inc. for the St. Augustine Road CSX transportation switching station project.

A MOTION by Councilman Vickers, seconded by Councilman Wright, was unanimously adopted (7-0) to give the City Manager authority to approve up to \$50,000 for the preliminary Engineering Agreement with CSX Transportation, Inc. for the St. Augustine Road CSX transportation switching station project.

Consideration of a Ground Lease Agreement between the City of Valdosta and the Central Avenue Church of Christ.

Larry Hanson, City Manager, stated that the City of Valdosta has been working with the Central Avenue Church of Christ for five years to meet the needs of all parties. The goal was to acquire property to build a 259-car parking lot that would serve the needs of all the parties. The Church would prefer to enter into a long range lease that converts to an option to sale the property which the City plans to exercise. This Agreement memorializes the term for a 20-year lease with a lease rate of \$3,000 per month and gives the City the right to build a parking lot. This Agreement gives the City the right to purchase the property at the end of it as well as the right of first refusal for the City to acquire all the remaining Church property in the future if they choose to sell it. The City is also working with the County to enter into a Sub-Lease Agreement. There were some very minor comments on the Ground Lease Agreement that were mentioned this afternoon. Larry Hanson recommended that Council approve the Ground Lease Agreement and give the City Manager, City Attorney, and the Mayor some editorial latitude to work through the language issues that do not affect the integrity of the Agreement.

A MOTION by Councilman Head, seconded by Councilman Carroll, was unanimously adopted (7-0) to approve the Ground Lease Agreement between the City of Valdosta and the Central Avenue Church of Christ and give the City Manager, City Attorney, and the Mayor some editorial latitude to work through the language issues that do not affect the integrity of the Agreement.

Consideration of an Option Agreement between the City of Valdosta and the Central Avenue Church of Christ.

Larry Hanson, City Manager, stated that the Option Agreement gives the City the right to purchase the property at the end of the 20-year Lease Agreement. The City would be buying the property at an appraised value from a MAI Certified Appraiser. At the end of 20 years the improvements made would be fully depreciated and this will serve the needs of the City.

A MOTION by Councilman Carroll, seconded by Councilman Head, was unanimously adopted (7-0) to approve the Option Agreement between the City of Valdosta and the Central Avenue Church of Christ and give the City Manager, City Attorney, and the Mayor some editorial latitude to work through the language issues that do not affect the integrity of the Agreement.

Consideration of a Sub-Lease Agreement between the City of Valdosta and Lowndes County.

Mayor Fretti stated that Lowndes County Chairman Ashley Paulk asked for additional time to review the Sub-Lease Agreement and look at some financial information. Larry Hanson, City Manager, stated that the City reached consensus with the Church on June 11, 2009 and prior to leaving for the Georgia Municipal Association Conference last Friday a three-page letter was delivered to the County Manager summarizing this so there has been very little time for the County to review it. Larry Hanson recommended that Council postpone the request.

A MOTION by Councilman Vickers, seconded by Councilman Eunice, was unanimously adopted (7-0) to postpone consideration of a Sub-Lease Agreement between the City of Valdosta and Lowndes County for 30 days.

Consideration of a request for selection of a Disaster Recovery Service Consultant.

Henry Hicks, Utilities Director, stated that the City advertised for the hiring of a Disaster Recovery Service Consultant to assist the City with the coordination of Federal and State funding, project management, design, and the potential construction management at risk delivery services for facilities as required by FEMA/GEMA regulations. Only two firms, Camp Dresser & McKee (CDM) and Jordan, Jones & Goulding (JJG) submitted qualifications by the deadline of June 12, 2009. Both made presentations to a Selection Committee on June 17, 2009 that was comprised of John Whitehead, Deputy City Manager of Operations, Mara Register, Assistant to the City Manager, Henry Hicks, Director of Utilities, Councilman Sonny Vickers, and Von Shipman, City Engineer. While both firms made excellent presentations the unanimous choice was CDM. It should be noted that fees related to this disaster event are eligible for recovery from FEMA/GEMA according to their guidelines. Henry Hicks recommended that Council approve the selection of CDM as the Disaster Recovery Service Consultant.

A **MOTION** by Councilman Payton, seconded by Councilman Yost, was unanimously adopted (7-0) to Council approve the selection of CDM as the Disaster Recovery Service Consultant.

CITY MANAGER’S REPORT

Larry Hanson, City Manager, stated that the total flood expense to date is \$696,813.88 and we are well within the limits that Council established.

The Georgia Municipal Association Conference in Savannah was a success and there were a lot of good sessions and speakers.

Larry Hanson, City Manager, stated that Ms. Mildred Hunter, who was a tremendous treasure to the community, passed away this morning. There will be a visitation service next Thursday, July 2, 2009 at 6:00 p.m. at the Mildred Hunter Center and the funeral service will be held on Friday, July 3, 2009 at 11:00 a.m.

COUNCIL COMMENTS

Councilman Vickers inquired about the status of the flood victims on Park Lane. Councilman Yost stated that some of the residents are still in the process of restoring their homes. The FEMA money has been allocated but it will not pay for all of the costs. Councilman Carroll stated that most of the residents in his district are back in their homes but some are not.

Councilman Head inquired about the status of the VSEB program. Larry Hanson stated that the City re-advertised for the position and it has been closed out. There were 42 applicants and two have been selected for an interview which will be conducted in the very near future.

Councilman Payton stated that there was a meeting on June 17, 2009 regarding the McKey Tennis Center. They are planning to change the number of courts from 8 to 12 which will open up more opportunities to host tennis tournaments. There was also discussion about lighting and construction challenges. Drawings will go to the Committee on July 8, 2009.

ADJOURNMENT

Mayor Fretti entertained a motion for adjournment.

A **MOTION** by Councilman Vickers, seconded by Councilman Carroll, was unanimously adopted (7-0) to adjourn the June 25, 2009 meeting of the Valdosta City Council at 8:12 p.m. to meet again in regular session on Thursday, July 9, 2009.