

Amendment No. 1 to HB2395

Todd
Signature of Sponsor

AMEND Senate Bill No. 2361

House Bill No. 2395*

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Chapter 683 of the Private Acts of 1951, as amended by Chapter 28 of the Private Acts of 1987, and any other acts amendatory thereto, is amended by deleting Article IV in its entirety and by substituting instead the following:

ARTICLE IV

Section 1. Nonpartisan elections shall be conducted by the Hardin County Election Commission under the general election laws of the state.

Section 2. A candidate for the officer of Commissioner must be a qualified voter who has resided within the municipality for at least one (1) year preceding the date of the election. All registered voters of the city are eligible to vote in municipal elections.

Section 3. A municipal election shall be held in the city on the second Thursday of August, 2011, to elect two (2) commissioners to succeed those whose terms expire on the first Monday of September, 2011. The terms of the two (2) commissioners elected in August, 2011 shall expire at noon on the first Monday in December, 2014.

A municipal election shall be held in the city on the second Thursday of August, 2013 to elect three (3) commissioners to succeed those whose terms expire on the first Monday of September, 2013. The terms of the three (3) commissioners elected in August, 2013 shall expire at noon on the first Monday in December, 2016.

A municipal election shall be held in the city at the regular November election on the first Tuesday after the first Monday in November, 2014 to elect

two (2) commissioners to succeed those whose terms expire at noon on the first Monday of December, 2014. The terms of the two (2) commissioners elected at the regular election November, 2014 shall expire at noon on the first Monday in December, 2018.

A municipal election shall be held in the city at the regular November election on the first Tuesday after the first Monday in November, 2016 to elect three (3) commissioners to succeed those whose terms expire at noon on the first Monday of December, 2016. The terms of the three (3) commissioners elected at the regular election November, 2016 shall expire at noon on the first Monday in December, 2020.

Thereafter a municipal election shall be held at the regular November election in even numbered years on the first Tuesday following the first Monday. The terms of the commissioners shall be for four (4) years following the election conducted in 2014.

The terms of all Commissioners elected shall begin at the first regular meeting following the date of their election.

Section 4. No informalities in conducting any election held under this charter shall invalidate such election if it is conducted fairly and in substantial conformity with the requirements of this Article.

Section 5. The City of Savannah, Tennessee, at the majority vote of the City Commission, at a duly called meeting may, by resolution, direct the County Election Commission to place certain questions on the ballot to be submitted to the voters of the City of Savannah, on matters of general and vital concern in order to obtain the advice and direction of the voters as to such matters. Such referenda shall be advisory and nonbinding.

SECTION 2. Chapter 683 of the Private Acts of 1951, and any other acts amendatory thereto, is amended by deleting Section 1 of Article VIII in its entirety and by substituting instead the following:

Section 1. The Board of Commissioners shall appoint and fix the salary of the City Manager who shall serve at the will of the Board of Commissioners; provided, however, that said Board may make a contract with such person for a period not exceeding thirty-six (36) months, and during such period he shall not be removed, except for incompetence, malfeasance, misfeasance, or neglect of duty. In case of the City Manager's removal within such period he may demand written charges at a public hearing thereon before the Board of Commissioners prior to the date upon which his removal was to take effect, but the decision and action of the Commission on such hearing shall be final, and pending such hearing the Commission may suspend him from duty. During the absence or disability of the City Manager the Commission shall designate some properly qualified person to perform his duties.

SECTION 3. Chapter 683 of the Private Acts of 1951, as amended by Chapter 3 of the Private Acts of 1977, Chapter 226 of the Private Acts of 1984, and any other acts amendatory thereto, is amended in Article IX, Section 2, by deleting subdivisions (i) and (j) in their entirety and by substituting instead the following:

(i) MAXIMUM EXPENDITURES BY CITY MANAGER.--The Board of Commissioners shall prescribe by ordinance the maximum expenditure which the City Manager may make without specific authorization of the Board, and shall prescribe rules and regulations for competitive bidding, but no purchase shall be made at any one time in an amount which in the aggregate will exceed ten thousand dollars (\$10,000), unless bids shall have been requested through public advertisement and an award made to the lowest bidder.

(j) OTHER DUTIES.--To perform such other duties as may be prescribed by this charter, or required of him by resolution or ordinance of the Board of Commissioners.

SECTION 4. Chapter 683 of the Private Acts of 1951, and any other acts amendatory thereto, is amended by deleting Section 1 of Article XXIII in its entirety and by substituting instead the following:

Section 1. Be it further enacted, That any public works or improvement costing more than four thousand dollars (\$4,000) shall be executed by contract except when a specific work or improvement is authorized by the Board of Commissioners and approved by the City Manager to be done by the city's own employees.

All contracts for more than four thousand dollars (\$4,000) shall be awarded to the lowest responsible bidder, after such publication, advertisement and competition as may be prescribed, by ordinance; but no contract or any public work or improvement shall be awarded except on condition that the contractor gives bond with some bonding company authorized to transact business in the State of Tennessee as surety, in a sum equal to at least fifty per centum of the contract price of the particular work or improvement for the faithful performance of such contract.

But the City Manager shall have the power to reject all of the bids and to perform the work with the city's own forces, and all advertisements shall contain a reservation of this right.

SECTION 5. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of the City of Savannah. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body and certified to the Secretary of State.

SECTION 6. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 5.