



**August 16, 2018
City Council Regular Meeting**

CITY GOVERNMENT

OFFICIAL PROCEEDINGS OF CITY COUNCIL

SAVANNAH, GEORGIA

PRESENT: Mayor Eddie W. DeLoach, Presiding

Aldermen Julian Miller, Brian Foster, Bill Durrence, Van Johnson, II, Tony Thomas, John Hall and Estella E. Shabazz

Rob Hernandez, City Manager

Bret Bell, Assistant to the City Manager

Brooks Stillwell, City Attorney

William Shearouse, Assistant City Attorney

ABSENT: Mayor Pro-Tem Carol Bell (out of town)

The regular meeting of Council was held this date at 2:00 p.m. in the Council Chambers of City Hall. The Pledge of Allegiance was recited in unison followed by the Invocation by Christopher King, End Time Commission Church.

Upon motion of Alderman Miller, seconded by Alderwoman Shabazz, unanimous approval was given for the Mayor to sign an affidavit and resolution on Real Estate for an Executive Session held today where no votes were taken.

A RESOLUTION OF THE MAYOR AND ALDERMEN OF THE CITY OF SAVANNAH AUTHORIZING THE MAYOR TO SIGN AFFIDAVIT OF EXECUTIVE SESSION.

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

At the meeting held on the 16th day of August, 2018 the Council entered into a closed session for the purpose of discussing Real Estate. At the close of the discussions upon this subject, the Council reentered into open session and herewith takes the following action in open session:

1. The actions of Council and the discussions of the same regarding the matter set forth for the closed session purposes are hereby ratified;
2. Each member of this body does hereby confirms that to the best of his or her knowledge, the subject matter of the closed session was devoted to matters within the specific relevant exception(s) as set forth above;
3. The presiding officer is hereby authorized and directed to execute an affidavit, with full support of the Council in order to comply with O.C.G.A. §50-14-4(b); 17
4. The affidavit shall be included and filed with the official minutes of the meeting and shall be in a form as required by the statute.

ADOPTED AND APPROVED: AUGUST 16, 2018 upon motion of Alderman Miller, seconded by Alderwoman Shabazz, and unanimously carried.

Upon motion of Alderman Miller, seconded by Alderman Hall, the agenda was amended to withdraw Item 35 per the City Manager's recommendation, and move Items 16, 17, and 18 under Presentations.

APPROVAL OF MINUTES

- [1. Motion to Approve the Summary/Final Minutes for the City Council Meeting of August 2, 2018](#)

[08.02.18 Minutes.pdf](#)

Approved upon motion of Alderman Miller, seconded by Alderwoman Shabazz, and unanimously carried.

[2. Motion to Approve the Summary/Final Minutes for the City Council Work Session and City Manager's Briefing of August 2, 2018](#)

[08.02.18 WS minutes.pdf](#)

Approved upon motion of Alderman Miller, seconded by Alderwoman Shabazz, and unanimously carried.

PRESENTATIONS

[3. Presentation of a Resolution Honoring the Life of Ernestine J. Jones](#)

A Resolution was presented to Former Alderman Clifton Jones and son Edwin Jones honoring the life of Mrs. Ernestine J. Jones. The resolution was read by Alderwoman Shabazz.

Former Alderman Jones thanked the Mayor and Council for honoring his wife, stating he appreciates everything they do. He acknowledged his friends on Council that he served with, Aldermen Thomas and Johnson. He commended Council for the job they are doing and stated he knows the City is moving along well and urged them to continue moving in the direction they are going. Edwin thanked Council on behalf of his siblings for all the calls, gifts and well wishes.

Alderman Johnson stated it is good to see former Alderman Jones and reminded him that Mrs. Jones was a phenomenal woman who believed in excellence and did everything in an excellent way. He stated anyone who came in contact with her was better immediately. He is appreciative for all the love she showed and he has shown to all of us since and during his service on City Council.

[4. Appearance by Community Housing Services Agency, Inc. to Present a Donation of \\$5,000 for the Savannah Affordable Housing Fund](#)

Alderman Durrence briefly described the purpose of the donation stating it came from a meeting he had with a constituent about some private issues with her home. Because it wasn't something the City could assist with, a 2nd District Property Improvement Initiative was created. Two anonymous donors contributed \$5,000 to provide small amounts up to about \$500 for residents in the 2nd District. The funds can be used to help with small repairs on their homes or it can also be used as GAP funding, made available to the City's Housing Department as part of their toolbox when they find out about an issue within the neighborhood of someone's property.

Martin Fretty, Housing Director, stated the Community Housing Services Agency (CHSA) has administered the Savannah Affordable Housing Fund since it was established and this is a great opportunity. The donors have provided money to CHSA for a deposit into the Savannah Affordable Housing Fund and staff will work together to ensure that money is properly spent on the types of activities that have been described.

Stephanie Pendleton, CHSA Board Chair, presented the City with a check for \$5,000 which was accepted by Mayor DeLoach.

Alderman Durrence asked that this be done in memory of the contribution of Brenda Scott Walker, President of the Live Oak Neighborhood Association, who passed on Tuesday. He stated she was very instrumental in the creation of this fund and very helpful in putting the idea together.

Kerri Reid, Director of Human Services, stated they are pleased to have this additional resource. The department staffs six neighborhood coordinators that work closely with all of the neighborhoods to ensure that they're in tune with what's going on with the City of Savannah. She stated one main function is to ride the communities, to identify issues, and be able to assist individuals that may have a needed access to services. Ms. Reid stated application assistance is provided as they do partner with the Housing Department.

[5. Appearance by Senior Citizens Inc. and the United Way of the Coastal Empire to Announce Senior Home Repair Partnership and Donation](#)

Patti Lyons, Executive Director of Senior Citizens, Inc., presented a check in the amount of \$1,500.00, and Deb Thompson, Director of the United Way of the Coastal Empire, presented a check in the amount of \$1,000.00 for the Senior Home Repair Partnership. Mayor DeLoach accepted the checks on behalf of the City of Savannah.

ALCOHOLIC BEVERAGE LICENSE HEARINGS

[6. Motion to Approve Alcohol License for Alton Brecker of Fourth State Cellars](#)

[Measurement Report - Fourth Sate Cellars.pdf](#)

[Density Report - Fourth Sate Cellars.pdf](#)

[Alcohol Documents - Fourth State Cellars \(rev\).pdf](#)

A public hearing was held. No persons came forward to speak either for or against the item.

Hearing closed upon motion of Alderman Durrence, seconded by Alderman Miller, and unanimously carried.

Approved upon motion of Alderman Durrence, seconded by Alderman Foster, and unanimously carried.

[7. Motion to Approve Alcohol License for Judy Damron of The Tailgate Sports Bar and Grill](#)

[Alcohol Documents -The Tailgate Sports Bar.pdf](#)

[Density Report - The Tailgate Sports Bar.pdf](#)

[Measurement Report - The Tailgate Sports Bar.pdf](#)

A public hearing was held. No persons came forward to speak either for or against the item.

Hearing closed upon motion of Alderman Thomas, seconded by Alderman Miller, and unanimously carried.

Approved upon motion of Alderman Thomas, seconded by Alderman Miller, and unanimously carried.

[8. Motion to Approve Alcohol License for Tom Worley of Lone Wolf Lounge](#)

[Alcohol Documents - Lone Wolf Lounge20180810_08034882.pdf](#)

[Density Report - Lone Wolf Lounge20180810_08023200.pdf](#)

[Measurement Report - Lone Wolf Lounge20180810_15201724.pdf](#)

Alderman Durrence: Mr. Worley, this location that you're talking about it's in the 2nd District and let me preface my remarks by saying that I have, I think at least four bars within two blocks of my house. So, I'm not automatically opposed to alcohol beverages within what's essentially residential areas, but the location that you're looking at has no other real commercial activity adjacent or within a block or two of that activity, it's all predominantly residential or a little bit of office space or that sort of thing. But the kind retail business that you're going to operate is a little different for that space, and there has been no community objection that I'm aware of. I'm not concerned about that. But I just want to kind of affirm with you your intent to be a good neighbor. In a place like that one of the issues that we run into sometimes with alcohol consumption is some litter and some late night noise issues and that sort of thing and I just wanted to be proactive in talking to you about that ahead of time. I don't have any particular objections to the license, but I just wanted to touch base on that a little bit. It's very important when you're in a neighborhood like that, it's important anywhere, but particularly when you're in something that has such a high residential component to it that you'd be really sensitive to that. So I would just like for you to affirm that you understand and agree with me.

Tom Worley: We affirm and agree.

Scott Cleveland, Vice President Baldwin Park Neighborhood Association: I'm here representing the board of our neighborhood association. We are not opposed. We come to actually say that many of us participate in the Congress of New Urbanism. We believe that there needs to be small places like a good British village where there's a pub, there's a post office, there's a shop all within walking distance and we believe that's what the future wants and so we support as long as you said you're a good neighbor, we just want to see City Council do more of these kind of pedestrian friendly, neighborhood friendly things which means we don't have to drive all over town. We can get our bike, walk two blocks and enjoy, purchase, socialize, whatever else. So that's all we want to offer. Thank you.

Hearing closed upon motion of Alderman Durrence, seconded by Alderman Miller, and unanimously carried.

Approved upon motion of Alderman Durrence, seconded by Alderman Miller, and unanimously carried.

[9. Motion to Approve Alcohol License for Ryan Shaw of Liberty Food Mart](#)

[Alcohol Documents - Liberty Food Mart.pdf](#)

[Density Report - Liberty Food Mart.pdf](#)

[Measurement Report - Liberty Food Mart.pdf](#)

Alderwoman Shabazz: In reference to this particular license, there's been really heavy conversation in the community in reference to this particular item. One being that I'm clear on what the voice of the community has spoken on this. In the neighborhood meeting, the neighborhood residents overwhelmingly stated in the discussion that there is an oversaturation of City Council approving these types of licenses in the area. Now this has come before us and it is recommended for approval by the City Manager and staff. Now, I told the community that when this came up on the agenda and we're talking about the Liberty Food Mart, am I correct?

Mayor DeLoach: That is correct.

Alderwoman Shabazz: Alright, I told the owners and everyone majority who is in the Chamber today, they were in the meeting and I told them on that evening that it's not going to be a surprise to you what I will be doing today and what I'm getting ready to do now. The City Manager and staff, they recommend approval to this but my motion is the motion and voice of the people and that is a motion to deny. Based on the saturation of these types of alcohol licenses that we are approving here on the City Council. So, that is the motion and I do have representatives from the community who are here. I don't know if they've given you cards on this item that probably want to speak on this, but it is my motion that I recommend that we deny this license.

Alderman Johnson: I'll second for purpose of discussion.

Donna Myers Oliver: Thank you for allowing me to come before you. I am a lifelong resident of Liberty City and I am in opposition to another establishment that sells beer and wine in the Liberty City community. Our community was made aware of this intent at our August meeting, which was only a week or so ago. We were told at that meeting if we had any concerns that we should come before Council. There is a sign that is posted in the door advertising the intent to sell beer and wine. However, it's not posted in a way that the community can see it unless you are deliberately going into that building, into that establishment. So, you are not aware of the intent to apply for this license. My concerns are those for the community. Within less than a half mile area we already have five places that sell beer, wine, and one also liquor. We're also concerned about the oversaturation of this in the community. We're concerned about the presence that is brought to the community by so many places that sell beer and wine. In addition to the oversaturation it's right across the street from a church, from a house of worship. There is a barbershop in this little strip mall, the mothers are concerned about sending their sons on Saturday to get their haircut and they're not willing to do that anymore because they're afraid about their sons being right next door to this place. It's across the parking lot from a bank where a lot of women, particularly elderly women, are concerned about being approached by the people who hang out, hang around, and the element that is brought to this type of establishment. We're concerned about what the continued presence of places that sell beer, wine, and liquor will do to the increase of crime, and our crime in Liberty City is extremely low. What it will do to our property value. What the presence of this type of establishment brings into the community. So, based on our concern as the community at our meeting it was overwhelming. We took a vote, and it was a unanimous vote that we should not have this in our community and I'm speaking about the Liberty City/Richfield/Southover Community Improvement Association. So, it is my request and I speak for the Association that this license not be approved. Thank you.

Akash Patel: It is in my interest to deny the motion to approve for alcohol licensing for beer and wine (in package) to the Liberty City Food Mart. The property in which this convenience store will be operating is in a plaza of buildings alongside of a variety of other small businesses. This plaza has six units. In Unit A, there is a convenience store that's resided there for 15 years. The proposed Liberty City Food Mart is located in Unit B. This business is located directly next to another convenience store that sells alcohol. I would like the City Council to imagine entering a property filled with empty glass alcohol cartons and garbage all over the parking lot because that's what it is right now. The property owners have failed to maintain upkeep of trash and the parking lot. By approving this motion, we will only magnify the current problems that the small business owners currently face. My father is a small business operator on the property and we're quite frankly tired of our customers being begged and harassed in order to buy alcohol for those that are irresponsible with their drinking habits. The property is located in Tremont Park and is in close proximity to Liberty City. Per public report, the median household income in this area is around \$36,000 annually and the average household size is 10. The area is primarily inhabited by underprivileged minorities who fall in the lower socio-economic bracket. This is drastically different from the average socio-economic status of the City of Savannah. As evidenced by peer reviewed research, there is a strong correlation with individuals who fall in lower socio-economic status and alcohol abuse. Additionally, while there's no one condoning the safe consumption of alcohol, research has evidenced that there is a correlation between income and hazardous use of alcohol such as drinking and driving. This is a dangerous public problem already. Do we not already think that eight locations within a one mile radius is more than enough to satisfy the demand for alcohol in an already vulnerable population? Any more licenses beyond this point would essentially promote hazardous alcohol consumption by making it overly accessible. So, I ask the Council today are we really assessing the public's need?

Mayor DeLoach: What do you do?

Mr. Patel: I'm the son of the business owner in Unit A.

Mayor DeLoach: Y'all don't sell alcohol do you?

Mr. Patel: Yes, we do sell alcohol.

Mayor DeLoach: So, it's okay for you to sell alcohol next to this guy that's going to sell alcohol?

Mr. Patel: I'm saying it's going to magnify the problem.

Mayor DeLoach: Well, we could close both of them down, your's too. Is that okay? I mean, if we're going to vote against him, we need to vote against you, wouldn't we? I mean, I'm just being fair, I apologize for being facetious, but I mean in reality we really need to look at it objectively and I promise you we will.

[Attorney Steven Scheer for Ryan Shaw asked Mr. Shaw several questions however due to Attorney Scheer not being close enough to the microphone the questions were inaudible.]

Attorney Scheer: They were evicted approximately three weeks ago for operating an illegal restaurant and not being properly insured. This gentleman who just spoke about the evils of alcohol sales, where he's selling alcohol. They have appealed that eviction and had a full service dining restaurant in there and it had never been approved. My client has met all the requirements and to deny his license, denies his livelihood. I know this Council is bound by the law and we ask that you apply the law equally and fairly to all people.

[Alderman Miller asked for guidance from the City Attorney on the legalities of where we are.]

Attorney Stillwell: If you're going to consider a motion to deny, you should give two weeks' notice of the reasons for why you propose to deny this motion. So, you could defer it or continue the hearing for two weeks and request my office send a notice to the attorney for the petitioner as to the reasons why Council feels the motion should be denied. In that event we'll have a hearing on that at which time they can present such evidence as they wish to.

[Alderman Johnson asked City Manager Hernandez to have staff come forward to answer questions.]

[Judge Jones, Revenue Department, and Lieutenant Shinita Young, Savannah Police Department, came forward.]

Alderman Johnson: I just have a simple question for purposes of record of this applicant has fulfilled all of the requirements to have a license at this location?

Judge Jones: Yes he has.

Alderman Johnson: And you've checked his background and there has been no evidence that he is not fit to hold one?

Judge Jones: Yes, I have checked the background, based on all the reports that were received from the various departments he has met the qualification.

Alderman Johnson: Has he had a license before?

Judge Jones: No, he has not.

Alderman Johnson: Okay, so he's a new owner.

Judge Jones: Yes, he would be a new owner.

Alderman Johnson: Mr. Mayor, members of Council, this goes back to what the City Attorney is saying, I don't like the law. You have, and we've talked about this before, Mr. City Manager we have communities particularly in certain areas of town that are trying desperately to be able to get their communities back because we know in other communities where it's zoned differently that this would never happen in some of those neighborhoods. Yet in some neighborhoods this happens again and again and again. And then when people come and they're coming to us for some type of relief, unfortunately State law which supersedes this says that we have to have a legal reason. Mr. Attorney, that's defined by two or three specific things that we have to say either unfitness of the applicant personally or some type of demonstrated inefficiencies as it relates to him to this license. I certainly appreciate what Alderwoman Shabazz is doing, and trying to do, she is representing her constituents, but unfortunately as it is right now, our State law binds us in this and I just would hope as we move forward that we find a way and maybe our residents need to help to really force our legislature, particularly our local delegation to take the handcuffs off of us to be able to address some of these issues as it relates in some of these working neighborhoods that have this problem. It's not every neighborhood but it's certainly a lot in my district and certainly in some of these other districts here that I mean you literally can have two stores next door to each other and it's not right, it's just not right.

Alderman Hall: Mayor and Council, in the past we have wrestled with this and under the cloud of lawsuits where people could get a license legally and we had no reason other than what we're describing now, too many establishments in the area. We were threatened with lawsuits and these people could have won. For instance, the Stage on Bay, we voted to deny, but we had to come back and grant the Stage on Bay. Alderman Johnson in one particular location got the petitioner and the neighborhoods together and they worked out a good faith agreement, with opening hours, closing hours, keeping the parking lot clean and that kind of thing. So, if this comes back, even after we put it off, we are still going to have to grant the petitioner his license. But if the neighborhood and this young man could get together and come to a good faith neighborhood agreement where an agreement could be struck and hopefully everybody can get what they want, I would hope that you could do this because if we are sued and monies have to be paid out, it is your tax money. So, I do understand the neighborhood's concerns, I really do.

Mayor DeLoach: John, I agree with you and everything you said. I don't understand how you put two of them side by side, it's not logical that you do that, and it doesn't make any sense to me. But I'm not in the market place of that, but somehow or another the only reason somebody opens something up is to make money, they don't do it for the time of day. So, we don't have a choice in this, we can vote against it, but like John said, and like Van said, there's nothing to do but turn around and bring it back in two weeks and then end up doing the same thing again because we do have to approve it based on State law. We have no other option in this. But, a good way to do it would be take the neighborhood association and set up a few placards and a few people walking in front of the store back and forth on a regular basis that might intimidate those folks walking in to the...

Ms. Oliver: What process do we follow to picket? How do we get a license to picket?

Mayor DeLoach: We can talk to you about that.

Alderman Miller: Mr. Mayor before we get to that point, would it not be in order to suggest that we delay this vote for two weeks to allow the neighborhood association to work with the owners to see if they can work out concerns?

Alderwoman Shabazz: What I want to say about this is that the Mayor said it correctly, delaying this for two weeks and coming back again is going to result in the same thing. The neighborhood overwhelmingly stated that there was no conversation, no agreement, none of that due to the fact of the saturation of these types of businesses around our community. So, my motion is on the floor right now and my motion is to deny this license. You all can do what you want to do, but I'm standing and representing my folks.

Alderman Thomas: There is no legal reason to deny this license the background has been done. The law is written. Mr. Scheer would love to have that opportunity to come back and fight us because that would be billable hours, but I know that he's working on behalf of his client. The problem that we have with alcohol licenses is that when locations go bad, it takes the City too long to fix it. When you have the crime, the litter, the loitering, and the problems, you've got one officer and a group of other people that are involved in it. But I've seen these things drag out when a problem location goes to a problem location, I've seen these things drag out for years up here, sometimes 15 years where it becomes generational or more. So, it's not the fact, you know, I'm listening to what the neighborhood leader down there is saying about picketing and things like that. That has nothing to do with the problem that we have. The problem that we have is that the City is very poor at regulating and bringing these things up when they become problems. If the City was very quick to address these issues as they develop in these bars around town, or these locations around town then it would be taken care of immediately and we wouldn't have these issues coming up for licenses because you would know these petitioners. But I've seen problems that are going on 15-20 years with locations that change their names and change their managers, but the problems remain because the City drags it out. What we've got to do is become more efficient and better at regulating and getting into these situations before they become the crime scenes that you see on tv and the problems that these neighbors, like this lady standing up here, is talking about. Now, you haven't been here long enough Mr. City Manager to really respond to that other than we are doing this and doing that. But the reality is we're not. So, you know we're going to deal with an issue that's coming up, that I can tell you was a problem for multiple years and these people somehow bounce around and just bring these problems wherever they go. But there's no legal reason to turn this license down. And with all due respect Alderwoman Shabazz who I know is voting for her district and her residents, I understand that, but I do understand what Aldermen Johnson, Hall and others have said so, with that Mr. Mayor, I call the question.

Hearing closed upon motion of Alderman Durrence, seconded by Alderman Miller, and unanimously carried.

A motion to deny the alcohol license was made by Alderwoman Shabazz, seconded by Alderman Johnson, and carried with the following voting in favor: Aldermen Shabazz and Johnson. Mayor DeLoach, Aldermen Miller, Foster, Durrence, Thomas and Hall voted against the motion.

A motion to approve the alcohol license was made by Alderman Miller, seconded by Alderman Thomas, and carried with the following voting in favor: Mayor DeLoach, Aldermen Miller, Foster, Durrence, Johnson, Thomas, and Hall. Alderwoman Shabazz voted against the motion.

Mayor DeLoach: I want to mention one thing on number nine, it was stated that the recommendation of staff was... the staff doesn't necessarily recommend something. Maybe there's a better way of doing it when they have to approve something. Some things they have to approve based on the law, just like we have to do. It is not a recommendation from them in the sense that, oh yeah, this is what

we need to do, it's in the sense of this is what we're obligated to do. We apologize for that but we need to get the State to do something about that to help us out.

Alderman Hall: Mr. Mayor, just one other thing I still would like to see them come to a good neighbor agreement. Can that happen?

Alderman Johnson: In light of this I want to make a motion that we direct the City Manager and City Attorney to quickly investigate, advise, and offer an opportunity to implement distance requirements between convenience stores.

Alderman Shabazz: I second that motion with a comment. It was discussed and I just want the public to know it was discussed amongst the Council members. In reference to the motion that Alderman Johnson just made. I was talking on the floor in reference to an Overlay District in that area and our NewZo and it was brought up by staff and the City Manager at that time in this conversation that it's been decided that there are no longer going to be anymore moratoriums. Am I correct Mr. City Manager, anymore moratoriums, established due to the NewZo coming forward and the motion that Alderman Johnson is making now I agree with in having those distance requirements. But my argument also with that is that we do not drag our feet as the City in getting that legislation done as quickly as possible. So, any more businesses will be popping up next door to each other.

[Alderman Johnson restated his motion to direct the City Manager and City Attorney to quickly investigate, advise, and offer opportunities to implement distance requirements between convenience stores.]

City Manager Hernandez: That works, we will endeavor to work with the City Attorney's office to have something before you at a workshop within 30 days.

The motion was seconded by Aldermen Miller and Shabazz and carried unanimously.

10. Motion to Approve Alcohol License for Jyoti Patel for Montgomery Market

[Density Report - Montgomery Market20180806_11430484.pdf](#)

[Measurement Report -Montgomery Market20180806_17171510.pdf](#)

[Alcohol Documents - Montgomery Market20180810_07492619.pdf](#)

Alderman Shabazz: We have before us a situation where we are, I don't have my notes in front of me. What is the City Manager recommending?

City Manager Hernandez: Mayor and members of Council, we are requesting that this item be continued for two weeks and requesting that the City Attorney's office provide the petitioner with notice for our recommendation that the license request be denied.

Continued to the meeting of August 30, 2018, upon motion of Alderman Johnson, seconded by Alderman Shabazz, and unanimously carried. Alderman Durrence was not present for the vote.

[Alderman Shabazz acknowledged the neighborhood association presidents were present.]

City Manager Hernandez: It is my understanding there may have been some public safety related incidents in that area and we need to determine if it was related to this business. So, that's why we'd like a two week continuation.

Attorney Stillwell: Mayor, my suggestion on that is that as the City Manager recommended, we will send a letter to the attorney and the petitioner about the reasons the City Manager is going to recommend denial so that they can have their due process hearing at the next meeting. Your normal procedure in that case is that you allow anyone who is here to speak, but they would not be allowed to speak at the next meeting. If they can come to the next meeting it would be preferable because then everybody's here with their attorneys and it's all on the record and so forth.

11. Request to Approve Alcoholic Beverage License for Susan Lingenfelter of Quick Shop #5

[Measurement Report - Quick Shop #520180710_12343676.pdf](#)

[Density Map - Quick Shop #520180710_12320839.pdf](#)

[Alcohol Documents - Quick Shop #520180711_17371555.pdf](#)

[Letter to ABL Applicant Susan Lingenfelter.pdf](#)

[Lingenfelter History Memo UPDATED.pdf](#)

Alderman Shabazz: This business is in the 5th District but this is so closely related to the 6th District and the history of this situation crossing over to the 5th from the 6th. Mr. Mayor, if you don't mind if Alderman Thomas takes this up.

City Manager Hernandez: Just let me remind members of City Council and the public that this item was continued from both July 19th and August 2nd. When you continued the item on August 2nd staff noted that we were recommending denial based on the applicant's history in abiding by the terms of the Alcohol Beverage License Ordinance. The City Attorney's Office then sent a detailed correspondence to the applicant letting them know of staff's recommendation and the need to appear today to address those concerns.

Jennifer Herman, Deputy City Attorney: So, under the circumstances here the Council can look at the experience with the applicant and previous licensing. So, Judge Jones and Lieutenant Shinita Young are going to give you an overview of the history with the applicant.

Judge Jones: In reference to Susan Lingenfelter, her first license was issued on January 6, 2005 to a business called Munchies which was located at 4429 Skidaway Road. On January 19, 2005 the business changed its name to Tiger's Den. Then May 12, 2009 it changed its name again to Que's Food and Spirits.

Mayor DeLoach: Are you saying they changed their name three times, in how long?

Ms. Jones: In a four year period.

Mayor DeLoach: Okay.

Ms. Jones: On October 4, 2011, Revenue Department revoked the Sunday sales permit for the business operating at 4429 Skidaway Road, operating as Que's.

Attorney Herman: Why was the license revoked?

Ms. Jones: The license was revoked because she did not meet the Sunday sales requirement of 50 percent food sales, in order to operate on Sundays.

Attorney Herman: In other words, we'd have to establish 50 percent food sales in order to sell on Sundays, correct?

Ms. Jones: That is correct.

[Attorney Stillwell asked Attorney Herman to swear in the witnesses; Attorney Herman swore in all witnesses.]

Ms. Jones: On December 17, 2011, a letter was submitted by the owner to close the business effective immediately due to the decrease of sales at the establishment.

Mayor DeLoach: To do what?

Ms. Jones: To cease business operation.

Mayor DeLoach: Why was that?

Attorney Herman: Ms. Jones is it your understanding that because she couldn't sell alcohol on Sunday, she could no longer run a profitable business?

Ms. Jones: That is correct.

Lt. Shinita Young: In reference to the public safety for Munchies, Tiger's Den and Que's, from the start all the way to the end date, there were 298 calls for service. Out of that 298 calls, 147 calls were what we consider are violent crimes. What we did, we went through those calls and 147 deal with like a homicide, shooting, robbery, burglaries, and any thefts. So, that's the difference in the calls for service we wanted to show y'all at that location. There were multiple calls that I need to describe besides the homicide, which was one of the reasons once we interviewed Ms. Susan she told us that she changed the name of the business from Tiger's Den to Que's. That was the actual victim of that establishment, and that was the reason for the name change.

Attorney Herman: Can you explain the circumstances of the homicide?

Lt. Young: It was an apparent robbery. The victim, Quincy Williams, was the bar manager at the time. He was attempting to close the business and once he exited the business, he was forced back inside. The assailants, there was as far as an altercation back and forth where he actually was able to get away from them. Once he did that there were bottles thrown and it was a shot fired from one of the assailants that actually struck the victim. So, that's exactly what happened as far as that homicide. But this was after the business was closed for the night. There was also in 2008, a CNT and GBI investigation where they actually made buys of crack cocaine inside the business and outside in the parking lot area and arrests were made in reference to that. It was cocaine, ecstasy, and also marijuana. In reference to the other location, Bogey's, there were very small calls for service from the beginning to the end. We actually went through the calls for service, out of 103 we actually had 47 that were about those main crimes that we discussed earlier. They shared the shopping center location with another business. So, we went through that and we depicted as far as what the calls for service from that was right next to her, which was End Zone, and then it was Bogey's.

Attorney Herman: So, Lt. Young just to be clear for the Mayor and Aldermen this was another location operated by Ms. Lingenfelter?

Lt. Young: Yes.

Attorney Herman: And during what timeframe?

Lt. Young: Bogey's was May 18, 2000 until a transfer on September 19, 2013.

Attorney Herman: Lieutenant, would it be fair to say that's a strain on police and public safety resources, either one of those establishments as they were run?

Lt. Young: Right that was something that was discussed even during the last Council hearing where provisions were made in reference to Tiger's Den and also Bogey's. It was an unusual amount of calls for service and a nuisance to community and that's what was described at that time.

Attorney Herman: Ms. Jones, would you just address the Bogey's operation?

Ms. Jones: Bogey's was approved for a transfer on May 18, 2000. On October 20, 2011 the Sunday sales license was revoked due to the Sunday sales not meeting the qualifications to continue to operate. On April 12, 2012 the Sunday sales application was resubmitted and it was approved by City Council. On November 1, 2012 an application was withdrawn from Timothy Butler, the son in law of Susan Lingenfelter, due to criminal activity provided from a background check for Mr. Butler. The application was then transferred to Mr. Jay Patel in September 2013.

Attorney Herman: So we're all clear, there were two occasions then when the applicant had sales permits, licenses revoked, correct?

Ms. Jones: That is correct.

Dana Braun, Attorney for Susan Lingenfelter: If I may ask a few questions. First of all, Ms. Jones, Bogey's started off in Largo Plaza, is that correct, in 1992, I believe? I want to get this straight as to these time periods. You say, Ms. Lingenfelter got a license for the operation of a bar known as Bogey's that was right across the street what ultimately became the End Zone and she got that license in 1992, is that correct?

Ms. Jones: My understanding is that End Zone and Bogey's is the same. End Zone is the corporation, it was End Zone dba Bogey's.

Attorney Braun: Right, but that license was issued in 1992.

Ms. Jones: The license was issued on May 18, 2000?

Attorney Braun: No, it was transferred in May 2000, was it not?

Ms. Jones: We have it located at 11414 Abercorn Street.

Attorney Braun: I'm showing you what's labeled application to transfer, alcoholic beverage license, April 18, 2000 and it's a transfer application from location of business at Largo Plaza to across the street to a 11414 Abercorn Street, is that correct?

Ms. Jones: That's what the application says.

Attorney Braun: So, it had been in existence across the street where there is now a Walgreens and that license was issued to Ms. Lingenfelter in 1992.

Ms. Jones: Because of our computer system, I would not have that information available, so I would have to go into my archives to look at that to verify that.

Mayor DeLoach: That's not what we are here to talk about. I am okay with the date, let's get to the problem.

Attorney Braun: So, Bogey's was sold in 2013 or the End Zone was sold in 2013 by Ms. Lingenfelter and there was never any show cause hearing issued at City Council regarding the operation of the End Zone or Bogey's, is that right?

Ms. Jones: The application was withdrawn. The show cause was requested for the transfer request November 1, 2012 for Timothy Butler.

Attorney Braun: But it didn't have anything to do with the license, in other words it wasn't about the conduct of Ms. Lingenfelter. It was strictly about some criminal history that came up on Timothy Butler. It had been several years before he'd been involved in an affray and that didn't get reported, is that not correct?

Ms. Jones: You would have to refer to the police on it is that.

Attorney Braun: And a drug possession as well.

Lt. Young: There was more than an affray. This is something that actually occurred in the Pooler area and at the time the Chief then as far as submitted a letter to our agency to let us know exactly what occurred as far as in that area and that was something that was said at that time for that location from Pooler since he was going to be an applicant here in Savannah.

Attorney Braun: Lt. Young, but that was involving Mr. Butler not involving, it wasn't Ms. Lingenfelter.

Lt. Young: That's what she answered, yes that is correct.

Mayor DeLoach: How did he end up with the license?

Attorney Braun: He didn't end up with a license. She was going to sell the location. She wanted to sell the location due to health issues and things of that. She was trying to sell it to her son in law. Her son in law couldn't get the transfer.

Mayor DeLoach: So that never happened?

Attorney Braun: Right.

Mayor DeLoach: She never sold it to him, so did she continue to own it?

Attorney Braun: Yes.

Mayor DeLoach: She never sold it to him.

Attorney Braun: Correct, she sold it a year later to Mr. Jay Patel and it was sold with no issue and license transfer. So, the only thing that came up regarding the End Zone or Bogey's that was an issue regarding alcohol was that she failed to meet the 50 percent requirement of food sales in 2011, is that correct?

Ms. Jones: That is correct.

Attorney Braun: And then six months later the City said, we think you've changed your kitchen and we're going to authorize Sunday sales, is that correct?

Ms. Jones: Yes, she was approved.

Attorney Braun: Then she also owned a place called Dew Drop Inn for two years that ceased in 2008, is that correct?

Ms. Jones: We have it ceasing in 2009.

Attorney Braun: And there were never any issue raised about a show cause hearing for Ms. Lingenfelter for the two years she operated that, is that correct?

Ms. Jones: That is correct.

Attorney Braun: In 2009, there was an issue for Tiger's Den, and if I may say Ms. Lingenfelter can confirm this when she bought Tiger's Den in 2005, it was doing business as Munchies. She changed the name to Tiger's Den as the new ownership after her manager and he was the murder occurred at like 3:00 a.m., did it not?

Attorney Braun: The murder of Quentin was at 3:00 a.m. after the bar had been closed, he'd been cleaning up and was trying to leave, right?

Lt. Young: That's correct.

Attorney Braun: And it was a robbery as well?

Lt. Young: That's correct.

Attorney Braun: After that she changed the name of the bar to the name of the man, Que's. There was a show cause, Ms. Jones, there was a show cause hearing there in 2009 regarding the conduct of business at Tiger's Den, is that correct?

Ms. Jones: Yes.

Attorney Braun: And the Council did not revoke the license, because of the business plan that was approved in the security plan that was approved, is that correct?

Ms. Jones: That is correct.

Attorney Braun: And then after 2009, there was never another show cause order issued regarding her conduct of Tiger's Den or Que's and she closed it in December 2011, is that correct?

Ms. Jones: That is correct.

Attorney Braun: So, it's been almost seven years since she operated Tiger's Den, is that correct?

Ms. Jones: Yes, since 2011.

Attorney Braun: And it's been five years since she operated End Zone and Bogey's, is that correct?

Ms. Jones: That is correct.

Attorney Braun: And it's been more than nine years or 11 years, I guess since she operated Dew Drop, is that correct?

Ms. Jones: That is correct.

Attorney Braun: And there was never any issue about trying to revoke her license at Dew Drop due to that code of conduct or the activity there?

Ms. Jones: That is correct.

Attorney Braun: In this case Ms. Lingenfelter is seeking a package license for the sale of beer and wine.

Ms. Jones: That is correct.

Attorney Braun: And there is no consumption on premises, is that correct?

Ms. Jones: That is correct.

Attorney Braun: And that is unlike a license that's issued to a bar or restaurant for consumption on premises, it's a different license.

Ms. Jones: That is correct.

Attorney Braun: And if I may ask a few questions of Lt. Young and I'll be pretty much finished. Lt. Young, and this is I believe a part of the package that City Council has. You have seen a security plan that Ms. Lingenfelter has prepared for the Quick Stop #5, correct?

Lt. Young: Yes sir.

Attorney Braun: And you've reviewed it, is that right?

Lt. Young: That's correct.

Attorney Braun: And you said that the plan, this is your words exactly, that the security plan addresses all ethical concerns setting forth the governing section set forth in the City of Savannah's alcohol ordinance and the Savannah Police Department has no reason for recommending denial of the security plan, is that correct?

Lt. Young: The security plan, correct.

Attorney Braun: And also have you seen this correspondence before, and this is a memo to the City Manager from the Chief of Police, Chief Revenew, is that correct?

Lt. Young: That's correct.

Attorney Braun: And he concludes that it should be noted there are no disqualifying criminal records for Ms. Susan Lingenfelter, applicable criminal, Savannah Police Department has no reasons for recommending denial of this but petition, is that correct?

Lt. Young: That memo is in reference to her criminal history that we run so that's what was submitted.

Attorney Braun: Are you aware that Ms. Lingenfelter while doesn't sell alcohol, operates a small convenience store on Middleground Road?

Lt. Young: That's going to be a lottery store.

Attorney Braun: It's called the Lottery Store, but it's a small convenience store that sells other items. And you're not aware of any issues involved with that store are you?

Lt. Young: No sir, as far as the calls for service there isn't anything that stood out at that location except basically like check buildings or maybe calls that she actually initiated and alarm calls, but that's all we have at that location.

Attorney Braun: Nothing unusual.

Lt. Young: That's correct.

Attorney Braun: And that store has been operated by her husband who passed away last year and by her for the last five years, is that to your knowledge?

Lt. Young: I don't know about her husband, just Ms. Susan.

Attorney Braun: I don't have any other questions for these.

Alderman Thomas: Well, I have a lot of issues with this. One, I understand that this is a different type of establishment that doesn't involve a drink or drinking on premises itself, but it is a location that is directly across the street from White Bluff Elementary School. So, that is a concern of mine to begin with right there. The next is that we seem to be forgetting a lot of the past. I mean Tiger's Den was a train wreck, 300 calls for service, 69 incidents resulting in criminal reports. I think we had citizens that were up here all the time talking about the problems from that location. I remember that from terms before, so that location has been one of the ones that I spoke about earlier, as a problem from years and years and years. But I'm not going to Bogey's get away. We had consistent problems with

Bogey's. We had neighborhood community meetings about Bogey's with Wilshire Neighborhood Association that spilled over into Windsor Forest Neighborhood Association. At that time I actually met with I think one of our Majors, Zapal, who was the captain for the south side at the time and we had multiple meetings about things that were going on at Bogey's in the parking lot. I'm looking at this report and it says that there were at the Largo Plaza, 80 calls for service that were associated with Bogey's. They're lucky that it was just 80 because I think some of the calls must not have gone through because you know, when you can have community meetings based on a location that signals that we had a bigger problem going on there. And I'm just really concerned, you had CNT and the GBI conducting a narcotics investigation inside these establishments. Now I understand, Dana is she buying the property or...

Attorney Braun: Yes, she's buying the business.

Alderman Thomas: So, she's buying the business and will be the principal that will own and operate the business?

Attorney Braun: Yes.

Alderman Thomas: Okay. So, my question and concern here is even with it just being a package store right there on the corner, right there in front of White Bluff Elementary School with a record like this what assurances are we going to have that we're not going to have any type of issues coming up again in the future.

Attorney Braun: I mean, I understand your concerns and I think, I don't want to argue with you. I do have some comments I could make, I think perhaps correct or disagree with some of it, but I understand your concerns. First of all, about the school this is an ongoing business, there was a license there. So, the distance requirements which have changed over the years, don't impact this. As of right now the school is I believe shut down for construction so probably another two years. My thought is she has invested cash into this, she has a note to pay off for additional monies, so she is heavily invested in this. She has operated the store on Middleground Road and she hasn't been in an alcohol business since 2013 for more than five years. She understands the consequences. There are a few things, one there are signs on the door about no consumption on the premises. They won't consume on premises. The hours of operation are totally different. It closes at 10:00 p.m. It's not a place where people will be permitted to loiter or hang out. Ms. Shaw is here who can address some of this. She has been operating the store, she's been certified, I have her certification here on learn to serve off premises. They have a system and I think this is in the police package whereby anytime they ring up alcohol or tobacco on the cash register, this thing comes up that says to buy alcohol you have to be born before 97. This is from July 1, 1997, to buy cigarettes in 2000. This is installed and I think the police are aware of this system that's been in place. And then there's another question that even comes up, is this customer eligible to purchase alcohol? These will remain in place, they will know the consequences of anything about selling to minors. The Tiger's Den, Ms. Lingenfelter closed it in 2011. They had been issues with the subsequent owner about incidents out there. So, I don't want it to get confused as to what has happened. She has been here on the Tiger's Den issue in 2009. So, things happened but Council felt that she was okay to keep operating that. With Bogey's these issues that were raised were never brought up to her to reach the level of this with Council. If I may make a suggestion and given the concerns that have been expressed. This is August 16, 2018, if there's any [inaudible] if the license transfer is approved, that no matter what, and I don't want to bother Council with more time than they have to spend on any issues, but that before possibly renewed in 2019, that Council receive a full report and if there's been any issue that has happened at this convenience store in the next three and a half months it not be renewed.

Alderman Thomas: Well personally, I don't think even based upon the 300 calls for service, to the 80 calls for service, which I think is atrocious it still does not cross the threshold of us legally denying her license and the opportunity here. I mean, if she were serving drinks, I think that we could, on the grounds, possibly push for that. But as for a beer and wine and I'm personally speaking for me, not the other members of this Council I know what I went through with Bogey's dealing with the citizens and I know I remember what we went through with Tiger's Den and I can't support it. Now, I'm not saying what they're going to do, but the reality is I'm very concerned about that school across the street and it might be two years before it's up and she might get there and be the greatest person that ever did business on that corner and have no problems, but I can't sit here knowing what I went through when she was operating these other establishments and support this license.

Alderman Shabazz: Mr. Mayor, if you don't mind, my statement is the same as Alderman Thomas in reference to the citizens because it those same constituents, those same citizens who were experiencing all of the trouble in the past. If they're not there, their loved ones are still there. So, I cannot go along with approving this.

Attorney Herman: Mayor may I address the legal criteria. What you're allowed to look at is the experience of the City. There's no timeline on it, there's no distinction between package or by the glass. So, we've heard that, but that's not necessarily the relevant question for one. Number two, you're allowed to look at the manner in which the businesses were operated. We've heard plenty of testimony about that. And finally you're allowed to consider whether any licenses were previously revoked, that's happened twice. So, in terms there are three grounds on whether to grant or deny the license here.

Attorney Braun: I think this Council and I don't say this in any disrespect, but the Sunday sales permit was what was rescinded, but then on one of instances it was reinstated five months later. So, it wasn't where her license to serve was revoked, it was the privilege to serve on Sundays. And I think there's a lot of facilities throughout the City that are very close that get by and I think to use that is just not fair. As we said it's been five years since she's been in this type of operation. This is a convenience store and is a totally different nature of business than a bar, which is much more difficult just based on the hours of operation, the fact that there isn't any

consumption on premises. That most of this is people coming in buying gas and they may buy a six pack of beer to take home. It's not anything like the nature of a bar and she is trying to support herself, and Ms. Shaw is working there, she works six days a week at the store and is there more hours than anybody. She's trying to put two kids through college. It's just that it's a different nature than a Bogey's or a Tiger's Den.

Alderman Johnson: My issue is really about integrity. Before you appeared Mr. Braun as her counsel, when she first presented before Council about this license I asked her some very specific questions about the nature of all of the things we're talking about now and she clearly basically stated there was no history, nothing, and that bothers me. And the reason why we're at this point is because we asked staff to go back and look at the history which she basically denied happened and then come to find out we had all the other history.

Attorney Braun: I don't think she denied the history. She was fully aware of having been up here with Tiger's Den in 2009.

Alderman Johnson: The record is pretty clear, she minimized it at best. So, for me that just lends to the credibility factor of someone who wants to have a license in our community. I mean how do we believe that they're going to operate it in a manner that's consistent with the law and consistent with our ordinances if we can't believe the things they say when they come before us, that's what my issue is.

Susan Lingenfelter, Petitioner: I think when you asked me the question, I honestly can say when they said was the license taken from you I thought they meant did they take it from me not that I relinquished it because of lack of sales, which that's what happened. I thought did the City take it from me period and that's where the question came at me and that's what I thought you meant. During the last couple of years, during this time my husband was very ill and I was trying to deal with that and my son passed away from cancer. My husband had major, major issues and I was trying to deal with that and I'm really, truly he just passed away a year ago this October and I was dealing with all of that. I'm focusing in on going through now with positive things in my life. I'm concentrating on doing major turnarounds in my life, this girl is great and she wants to put her children through college. I want to focus on doing positive things. I don't only work with girls like this young lady and her children, I do work with the community.

Mayor DeLoach: Let me just ask you said it's been a year since he passed away?

Ms. Lingenfelter: This October will be a year.

Mayor DeLoach: What license did you operate under? How did you operate after he passed away?

Attorney Braun: No, it wasn't his store. He was sick for several years and she had been dealing with her husband and her family.

Ms. Lingenfelter: He was okay but then he progressively got worse towards the end.

Mayor DeLoach: Alright, so it was not his store. What you're trying to buy was not your husband's store you're just trying to make sure everything you have keeps going.

Hearing closed upon motion of Alderman Thomas, seconded by Alderman Miller, and unanimously carried.

Alderman Foster made a motion to approve the recommendation of City staff, the motion was seconded by Alderwoman Shabazz.

Mayor DeLoach: What was City staff's recommendation?

Alderman Foster: To deny.

Alderman Thomas: Earlier I made mention of the fact that in these alcohol licenses we normally get to a point where they become such a chronic problem for areas and neighborhoods. This is a shining example of what I said, we had 300 calls for service to one location, and we had 80 documented calls to another location. Just exactly and this is being asked of the City Manager and staff, what triggers a show cause hearing? Is it 300 calls? Is it 400 calls for service? Is it a murder? What actually triggers that, we have a show cause hearing when these locations go bad? Because as you could see by the evidence presented very giftedly here today this has gone on for years and many of these issues predate many of you on this Council. But going forward what are we going to do to show that we are taking very seriously controlling alcohol and preventing these types of locations from having the effects that they have on neighborhoods and we end up in these types of hearings again. I would like to know from the City Manager before we take this vote exactly, using this example right here, how are we going to prevent this from ever occurring again?

City Manager Hernandez: So, Mr. Mayor, members of the City Council, I'm also going to ask the City Attorney to help me with this one because I'm not aware of any quantifiable standard within our existing ordinance. For example, it doesn't say three calls within a 12 month period or anything like that. My experience in a similar, with a similar issue in a different jurisdiction in Georgia, not related

to alcohol beverage licenses, but with regard to tourist accommodation permits with very similar circumstances. I know when we were revising our ordinance and we were very specific and we identified a number that said within a 12 month period an establishment cannot have more than x number of calls relating to certain offenses and once they crossed that threshold, now we had a specific standard that needed to be met before we brought an action to revoke someone's tourist accommodation permit. So, unless the City Attorney can identify for me that there is such a standard, I don't know what that answer is. I would have to sit down and meet with the Police Department and Code Enforcement when, you know, in their opinion things are getting out of hand. And then once they bring that to my attention, we obviously will confer with the City Attorney's Office to determine if we have a, it's almost a subjective criteria right now rather than an objective criteria.

Attorney Stillwell: I can elaborate on that a little bit. We do have administrative hearings that the Police Department initiates sometimes when we have issues with particular establishments. What I had recommended in the past and staff had recommended in the past is that we have substantially larger number of show cause hearings, but it's simply not practical to do those in the City Council meeting. What I would recommend that we do is have an administrative hearing process, with an administrative law judge, that has the authority to impose, not necessarily revocations but two week suspensions, weekend suspensions, probation, that sort of thing on people who are approaching the point of as you pointed out correctly, there were 300 violations at Tiger's Den. There probably should have been several suspensions along the way before it got to the point when it got to City council for a show cause hearing. If you recall after all that and we had a show cause hearing Council did not revoke that license because you know, oh gee, well we hadn't heard all this before and so maybe we need to give them another chance. Well, that probably would not have been the result of...

Mayor DeLoach: That was another time.

Attorney Stillwell: Yes, that was another time and it was years ago and it was different situation, but if there had been four or five suspensions by an administrative law judge in the interim, probably Council would have seen that differently.

Alderman Thomas: But you would admit 300 is excessive.

Attorney Stillwell: I certainly do and I certainly think there should be more hearings, but...

Mayor DeLoach: Let's just make a recommendation.

Alderman Thomas: I think after we get through this today I think we need to make a recommendation to come back Mr. City Manager, in 30 days with some kind of recommendation for the Council to consider regarding this or do you need 45 on this one?

City Manager Hernandez: I think on this one we're going to probably need a little bit more time. I would say 60 days on this one.

Alderman Thomas: Sixty days, okay that sounds like a plan.

Upon motion of Alderman Foster, seconded by Alderman Miller and unanimously carried the motion to approve the City staff's recommendation of denial was approved.

[Alderman Miller asked Lt. Young if she feels comfortable coming forward if she sees a problem establishment. She replied she does not have a problem with that.]

ZONING HEARING

[12. Motion to Rezone 161 Canebrake Road from R-A-CO to RB-1 \(Petitioner: Keith White\)](#)

[161 Canebrake Rd Rezoning 20180717 Planning Commission Recommendation.pdf](#)

[161 Canebrake Rd Rezoning Draft Ordinance 18-003471-ZA.pdf](#)

[161 Canebrake Rd and 2004 Canebrake Road Annexation Plat Book 30S Page 67.pdf](#)

[2004 Canebrake Road Annexation City Council Minutes.pdf](#)

Marcus Lotson, Metropolitan Planning Commission: Mr. Mayor, members of Council, I will give you a couple of brief remarks regarding this petition. It's a request to rezone property at 161 Canebrake Road. It's approximately a half acre, on the south side of Canebrake. The general vicinity of the property is characterized with institutional and residential uses. The petitioner is requesting the RB-1 (Residential Business) zoning classification with the intent of establishing an office use, which is a permitted use in that district. The property is recognized as commercial suburban as it relates to the future land use map and the zoning classification that the

petitioner is requesting is consistent with that finding. The Planning Commission has recommended approval of the requested zoning for the property at 161 Canebrake Road.

Hearing closed upon motion of Alderwoman Shabazz, seconded by Alderman Hall, and unanimously carried.

Approved upon motion of Alderwoman Shabazz, seconded by Alderman Miller, and unanimously carried.

ORDINANCES - FIRST AND SECOND READING

[13. Motion to Amend the Zoning Ordinance Regarding the Mid-City District Boundaries \(Petitioner: City of Savannah\)](#)

[West 32nd Street and MLK Jr Blvd Proposed Zoning Map.pdf](#)

[Mid-City Boundaries Text Amendment Draft Ordinance 18-003702-ZA.pdf](#)

[MIDCITY DISTRICT MAP.pdf](#)

Ordinance read for the first time in Council August 16, 2018, then by unanimous consent of Council read a second time, placed upon its passage, adopted and approved upon a motion by Alderman Durrence, seconded by Alderman Foster, and unanimously carried.

AN ORDINANCE

To Be Entitled

AN ORDINANCE TO AMEND PART 8, CHAPTER 3, ZONING ARTICLE K, MID-CITY DISTRICT TO REVISE THE REVIEW PROCESS FOR NEW CONSTRUCTION AND THE DEMOLITION STANDARDS; TO REPEAL ALL OTHER ORDINANCES IN CONFLICT HERewith AND FOR OTHER PURPOSES

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

SECTION 1: That Part 8, Chapter 3, Zoning of the Code of the City of Savannah, Georgia (2003) hereinafter referenced as "Code," be amended as follows:

Note: Text to be enacted shown in blue, bold, and underlined.

ENACT

Sec. 8-3199. Boundaries.

The boundaries of the Mid-City district shall be the area bounded on the north by Anderson Lane; on the south by Victory Drive; on the east by Price Street; and, on the west by the Martin Luther King, Jr. Boulevard/Montgomery Street corridor, excluding the commercial corridor and is more fully described herein. The Mid-City district's phase 1 study area boundary map shall coincide with the boundaries designated herein and such map is made a part of this chapter to the same extent as if the information set forth on such map was fully described and incorporated herein. [See Exhibit "A".] Beginning at a point located on the centerline of Victory Drive approximately 160 feet east of its intersection with the centerline of Montgomery Street, thence proceeding in a northerly direction along a line parallel to the centerline of Montgomery Street a distance of approximately 136 feet to a point, thence westerly along a line parallel to the centerline of West 43rd Street a distance of approximately 53 feet to a point, thence northerly along a line parallel to the centerline of Montgomery Street to its intersection with the centerline of West 43rd Street, thence easterly along the centerline of West 43rd Street a distance of approximately 15 feet to a point, thence northerly along a line parallel to the centerline of Montgomery Street to its intersection with the centerline of West 42nd Street, thence westerly along the centerline of West 42nd Street a distance of approximately 15 feet to a point, thence northerly along a line parallel to the centerline of Montgomery Street to its intersection with the centerline of West 41st Street, thence westerly along the centerline of West 41st Street a distance of approximately 18 feet to a point, thence northerly along a line parallel to the centerline of Montgomery Street to its intersection with the centerline of West 40th Street, thence easterly along the centerline of West 40th Street a distance of approximately 38 feet to a point, thence northerly along a line parallel to the centerline of Montgomery Street to its intersection with the centerline of West 39th Street lane, thence westerly along the centerline of said lane a distance of approximately 15 feet to a point, thence northerly along a line parallel to the centerline of Montgomery Street to its intersection with the centerline of West 39th Street, thence in an easterly direction along the centerline of West 39th Street a distance of approximately 27 feet to a point, thence northerly along a line parallel to the centerline of Montgomery Street to its intersection with the centerline of West 38th Street lane, thence easterly along said lane to its intersection with the centerline of Jefferson Street, thence northerly along the centerline of Jefferson Street to its intersection with the centerline of West 38th Street, thence westerly along the centerline of West 38th Street a distance of approximately 174 feet to a point, thence northerly along a line

parallel to the centerline of Montgomery Street to its intersection with the centerline of West 37th Street lane, thence easterly along the centerline of West 37th Street lane a distance of approximately 45 feet to a point, thence northerly along a line parallel to the centerline of Montgomery Street to its intersection with the centerline of West 37th Street, thence westerly along the centerline of West 37th Street a distance of approximately 82 feet to a point, thence northerly along a line parallel to the centerline of Montgomery Street to its intersection with the centerline of West 36th Street lane, thence easterly along the centerline of West 36th Street lane a distance of approximately 10 feet to a point, thence northerly along a line parallel to the centerline of Montgomery Street to its intersection with the centerline of West 36th Street, thence easterly along the centerline of West 36th Street for a distance of approximately 134 feet to a point, thence northerly along a line parallel to the centerline of Montgomery Street to its intersection with the centerline of West 35th Street lane, thence westerly along the centerline of said lane a distance of approximately 35 feet to a point, thence northerly along a line parallel to the centerline of Montgomery Street to its intersection with the centerline of West 35th Street, thence in a westerly direction along the centerline of West 35th Street a distance of approximately 55 feet to a point, thence northerly along a line parallel to the centerline of Montgomery Street to its intersection with the centerline of West 34th Street lane, thence easterly along the centerline of said lane a distance of approximately 10 feet to a point, thence northerly along a line parallel to the centerline of Montgomery Street to its intersection with the centerline of West 34th Street, thence westerly along the centerline of west 34th Street a distance of approximately 38 feet to a point, thence northerly along a line parallel to the centerline of Montgomery Street to its intersection with the centerline of West 33rd Street lane, thence easterly along the centerline of said lane a distance of approximately 55 feet to a point, thence northerly along a line parallel to the centerline of Montgomery Street to its intersection with the centerline of West 33rd Street, thence westerly along the centerline of West 33rd Street a distance of approximately 32 feet to a point, thence northerly along a line parallel to the centerline of Montgomery Street to its intersection with the centerline of West 32nd Street, thence easterly along the centerline of West 32nd Street a distance of approximately 22 feet to a point, thence northerly along a line parallel to the centerline of Montgomery Street to its intersection with the centerline of West 31st Street lane, thence easterly along the centerline of West 31st Street lane to its intersection with the centerline of Jefferson Street, thence northerly along the centerline of Jefferson Street a distance of approximately 85 feet to a point, thence westerly along a line parallel to the centerline of West 31st Street a distance of approximately 148 feet to a point, thence northerly along a line parallel to the centerline of Montgomery Street to its intersection with the centerline of West 31st street, thence in a westerly direction along the centerline of West 31st Street until its intersection with the centerline of Montgomery Street, thence in a northerly direction along the centerline of Montgomery Street until its intersection with the centerline of West Anderson Lane, thence easterly along the centerline of West Anderson Lane for a distance of approximately 533 feet to a point, thence northerly along a line parallel to the centerline of Montgomery Street a distance of approximately 15 feet to a point, thence easterly along a line parallel to the centerline of West 31st Street to its intersection with the centerline of Barnard Street, thence southerly along the centerline of Barnard Street a distance of approximately 15 feet to a point, thence easterly along the centerline of Anderson Street lane extended then Anderson Street lane to its intersection with the centerline of Price Street, thence southerly along the centerline of Price Street to its intersection with the centerline of Victory Drive, thence westerly along the centerline of Victory Drive back to the point of beginning.

The boundaries of the Mid-City district shall also include the following: Beginning at a point located at the approximate intersection of the centerlines of West 31st Street and Montgomery Street, said point being, THE POINT OF BEGINNING; Thence proceeding in a SW direction along the approximate centerline of Montgomery Street for approximately 241.527 ft. to a point, said point being located at the approximate intersection of the centerlines of Montgomery Street and West 32nd Street; Thence proceeding in a NW direction along the approximate centerline of West 32nd Street for approximately 191.152 ft. to a point; Thence proceeding in a NE direction [N 16-34-58 E] along a line for approximately 139.979 ft. to a point; Thence proceeding in a NW direction [N 73-12-11 W] along a line for approximately 136.642 ft. to a point, said point being located on the approximate centerline of the Right-of-Way of Martin Luther King Jr. Boulevard; Thence proceeding in a NE direction along the approximate centerline of the Right-of-Way of Martin Luther King Jr. Boulevard for approximately 8.00 ft. to a point; Thence proceeding in a SE direction [S 73-12-12 E] along a line for approximately 96.885 ft. to a point; Thence proceeding in a NE direction [N 16-34-57 E] along a line for approximately 95.491 ft. to a point, said point being located on the approximate centerline of West 31st Street; Thence proceeding in a SE direction along the approximate centerline of West 31st Street for approximately 231.154 ft. to a point, said point being, THE POINT OF BEGINNING.

The boundaries of the Mid-City district shall also include the following: Beginning from a point [X: 985373.138207 & Y: 751759.159962] located at the approximate intersection of the centerlines of the Right-of-Way of Martin Luther King Jr. Blvd. & West 32nd Street, said point being, THE POINT OF BEGINNING; Thence proceeding in a NE direction along the approximate centerlines of the Right-of-Way of Martin Luther King Jr. Blvd. for an estimated distance of 141.0 ft. to a point; Thence proceeding in a SE direction [S 73-12-11 E] along a line for an estimated distance of 136.6 ft. to a point; Thence proceeding in a SW direction [S 16-34-58 W] along a line for an estimated distance of 139.9 ft. to a point, said point being located on the approximate centerline of West 32nd Street; Thence proceeding in a NW direction along the approximate centerline of West 32nd Street for an estimated distance of 137.5 ft. to a point, said point being located on the approximate centerline of the Right-of-Way of Martin Luther King Jr. Blvd., said point being, THE POINT OF BEGINNING.

[Amended 1/4/18 (17-004803-ZA) and 4/12/18 (18-000496-ZA)]

SECTION 2: That the requirement of Section 8-3341 of said Code and the law in such cases made and provided has been satisfied. That an opportunity for a public hearing was afforded anyone having an interest or property right which may have been affected by this zoning amendment, said notice being published in the *Savannah Morning News* on the 13th day of July, 2018, a copy of said notice being attached hereto and made a part hereof.

SECTION 3: Upon the effective date of the ordinance all ordinances or parts of ordinances in conflict herewith are hereby repealed.

EFFECTIVE DATE: This ordinance shall be effective as of the date hereof.

ADOPTED AND APPROVED: AUGUST 16, 2018

[14. Request to Amend Code Sec. 7-1021, Appendix I, Sec. 219, Stopping, Standing, and Parking Prohibited in a Portion of the 400 Block of Lee Boulevard](#)

[400 Block Lee Boulevard - Map.pdf](#)

Alderman Miller: Mr. Mayor, this is an issue that has arisen in front of Heard Elementary in front of the 400 block of Lee Boulevard. The school is in an area that is otherwise completely residential. The school has grown to the point that traffic has become a huge issue and so has parking. We've ended up with teachers, staff and visitors from the school parking in yards and City rights-of-way and are blocking some access for vehicles. The staff has looked at this and recommended that we prohibit parking on a portion of the 400 block of Lee Boulevard in front of Heard Elementary. I have to tell you, we've been working with the School Board on this, and schoolboard member Julie Wade has been trying to lead us through some solutions to this. We're going to have some meetings as early as tomorrow on it. Meanwhile, the staff has made this recommendation.

Ordinance read for the first time in Council August 16, 2018, then by unanimous consent of Council read a second time, placed upon its passage, adopted and approved upon a motion by Alderman Miller, seconded by Alderwoman Shabazz, and unanimously carried.

Ordinance will be placed on file in the Office of the Clerk of Council upon receipt.

RESOLUTIONS

[15. Motion to Adopt Resolution Authorizing the Modification of a Promissory Note and Loan Agreement Between the City of Savannah and the Georgia Environmental Finance Authority \(GEFA\)](#)

[Savannah CW140096 Modification 1.pdf](#)

[Resolution Authorizing City Manager to execute GEFA loan extension.pdf](#)

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE THE DOCUMENTS RELATED TO THE MODIFICATION OF A PROMISSORY NOTE AND LOAN AGREEMENT BETWEEN THE CITY OF SAVANNAH AND THE GEORGIA ENVIRONMENTAL FINANCE AUTHORITY

WHEREAS, the Borrower has borrowed **\$28,470,000** from the **GEORGIA ENVIRONMENTAL FINANCE AUTHORITY** (the "Lender"), pursuant to the terms of the Loan Agreement (the "Loan Agreement"), dated **FEBRUARY 23, 2015**, between the Borrower and the Lender; and

WHEREAS, the Borrower's obligation to repay the loan made pursuant to the Loan Agreement is evidenced by a Promissory Note (the "Note"), dated **JANUARY 15, 2015**, of the Borrower; and

WHEREAS, the Borrower and the Lender have determined to amend and modify the Note and the Loan Agreement, pursuant to the terms of a Modification of Promissory Note and Loan Agreement (the "Modification") between the Borrower and the Lender, the form of which has been presented to this meeting;

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borrower that the form, terms, and conditions and the execution, delivery, and performance of the Modification are hereby approved and authorized.

BE IT FURTHER RESOLVED by the governing body of the Borrower that the terms of the Modification are in the best interests of the Borrower, and the governing body of the Borrower designates and authorizes the following persons to execute and deliver, and to attest, respectively, the Modification, and any related documents necessary to the consummation of the transactions contemplated by the Modification.

The undersigned further certifies that the above resolution has not been repealed or amended and remains in full force and effect.

ADOPTED this August 16th day of 2018 upon motion of Alderman Thomas, seconded by Alderman Miller, and unanimously carried per the City Manager's recommendation.

[16. Motion to Adopt Resolution Accepting \\$1,000.00 Donation from United Way of the Coastal Empire for Deposit into the Savannah Affordable Housing Fund](#)

[United Way SAHF Donation Resolution 2018.pdf](#)

RESOLUTION OF ADOPTION

BY THE CITY OF SAVANNAH CITY COUNCIL

WHEREAS, the UNITED WAY OF THE COASTAL EMPIRE presented a \$1,000 donation to the Mayor and Aldermen for deposit into the Savannah Affordable Housing Fund (SAHF); and

WHEREAS, this investment in the SAHF is to be used to help implement the SENIOR CITIZENS, INC. and the UNITED WAY OF THE COASTAL EMPIRE Property Improvement Initiative for lower income senior homeowners who live in Savannah; and

WHEREAS, the UNITED WAY OF THE COASTAL EMPIRE will also seek to recruit and make available volunteers to make improvements to homes repaired as part of the Property Improvement Initiative; and

WHEREAS, the Mayor and Aldermen have determined that there is a need for local investment to address local workforce and affordable housing needs and opportunities; and

WHEREAS, the Mayor and Aldermen have encouraged banks, businesses, non-profits and other private entities to invest in the SAHF along with the City of Savannah; and

WHEREAS, the SAHF helps leverage private investment to address local workforce and affordable housing without using the SAHF to pay administrative costs; and

WHEREAS, the City of Savannah Housing & Neighborhood Services Department and the Community Housing Services Agency, Inc. oversee administration of the SAHF.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Aldermen of the City of Savannah do hereby accept a donation of \$1,000 from the UNITED WAY OF THE COASTAL EMPIRE for deposit in the Savannah Affordable Housing Fund.

Adopted this 16th day of August, 2018 upon motion of Alderman Durrence, seconded by Alderman Foster, and unanimously carried.

[17. Motion to Adopt Resolution Accepting a \\$5,000.00 Donation from Community Housing Services Agency, Inc for the Savannah Affordable Housing Fund](#)

[Donation Resolution District II Property Improvement Initiative.pdf](#)

RESOLUTION OF ADOPTION

BY THE CITY OF SAVANNAH CITY COUNCIL

WHEREAS, Community Housing Services Agency, Inc. (CHSA) presented \$5,000 to the Mayor and Aldermen for deposit into the Savannah Affordable Housing Fund (SAHF); and

WHEREAS, these funds were provided to CHSA for deposit into the SAHF for the purpose of helping low-income homeowners living in Savannah's 2nd District pay for minor property improvements; and

WHEREAS, the Mayor and Aldermen have determined that there is a need for local investment to address local workforce and affordable housing needs and opportunities; and

WHEREAS, the Mayor and Aldermen have encouraged banks, businesses, non-profits and other private entities to invest in the SAHF along with the City of Savannah; and

WHEREAS, the SAHF helps leverage private investment to address local workforce and affordable housing needs without using the SAHF to pay administrative costs; and

WHEREAS, the City of Savannah Housing & Neighborhood Services Department and the Community Housing Services Agency, Inc. oversee administration of the SAHF.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Aldermen of the City of Savannah do hereby accept a donation of \$5,000 from Community Housing Services Agency, Inc. for deposit into Savannah Affordable Housing Fund.

Adopted this 16th day of August, 2018 upon motion of Alderman Durrence, seconded by Alderman Foster, and unanimously carried.

[18. Motion to Adopt Resolution Accepting \\$1,500.00 Donation from Senior Citizens, Inc., for Deposit into the Savannah Affordable Housing Fund](#)

[Senior Citizens Inc SAHF Donation Resolution 2018.pdf](#)

RESOLUTION OF ADOPTION

BY THE CITY OF SAVANNAH CITY COUNCIL

WHEREAS, the SENIOR CITIZENS, INC. presented a \$1,500 donation to the Mayor and Aldermen for deposit into the Savannah Affordable Housing Fund (SAHF); and

WHEREAS, this investment in the SAHF is to be used to help implement the SENIOR CITIZENS, INC. and the UNITED WAY OF THE COASTAL EMPIRE Property Improvement Initiative for lower income senior homeowners who live in Savannah; and

WHEREAS, the Mayor and Aldermen have determined that there is a need for local investment to address local workforce and affordable housing needs and opportunities; and

WHEREAS, the Mayor and Aldermen have encouraged banks, businesses, non-profits and other private entities to invest in the SAHF along with the City of Savannah; and

WHEREAS, the SAHF helps leverage private investment to address local workforce and affordable housing without using the SAHF to pay administrative costs; and

WHEREAS, the City of Savannah Housing & Neighborhood Services Department and the Community Housing Services Agency, Inc. oversee administration of the SAHF.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Aldermen of the City of Savannah do hereby accept a donation of \$1,500 from SENIOR CITIZENS, INC. for deposit in the Savannah Affordable Housing Fund.

Adopted this 16th day of August, 2018 upon motion of Alderman Durrence, seconded by Alderman Foster, and unanimously carried.

SAVANNAH AIRPORT COMMISSION ACTION ITEMS

[19. Motion to Approve Contract with Twist, Inc., to Replace Six Passenger Boarding Bridge Pre-Conditioned Air Conditioning Units \(Event 6299\)](#)

[6299 Boarding Bridges.pdf](#)

[Addendum No. 1 - Passenger Boarding Bridges PC Air.pdf](#)

[Passenger-Boarding-Bridges-PC-Air-Unit-Replacement-NTB-1.pdf](#)

[Addendum No. 2 - Passenger Boarding Bridges PC Air.pdf](#)

Approved upon motion of Alderman Johnson, seconded by Alderman Thomas, and unanimously carried.

[20. Motion to Approve Contract with Twist, Inc. to Furnish and Install Three New Boom-Air Hose Management Systems](#)

[attachment 1 Twist Quote.pdf](#)

Approved upon motion of Alderman Johnson, seconded by Alderman Thomas, and unanimously carried.

[21. Motion to Approve Purchase of Two 2018 Ford Utility Police Interceptors from Wade Ford, Inc. \(Event 6220\)](#)

[2 Ford Utility Police Interceptor.pdf](#)

[Addendum No. 1.pdf](#)

[Addendum No. 2.pdf](#)

[6220 Ford Utility Police Interceptors.pdf](#)

Approved upon motion of Alderman Johnson, seconded by Alderman Thomas, and unanimously carried.

BIDS AND CONTRACTS

[22. Motion to Procure Mast Arms from Olympica Transportation Products \(Event No. 6099\)](#)

[Mast Arms Purchasing Summary.pdf](#)

[Mast Arms Funding Verification.pdf](#)

[Mast Arms Scope.pdf](#)

[Mast Arms Bid Tab.pdf](#)

Approved upon motion of Alderman Miller, seconded by Alderman Thomas, and unanimously carried per the City Manager's recommendation.

[23. Motion to Award Annual Contract for Protective Coatings to Dun-Right Services \(Event No. 5417\)](#)

[Protective Coatings Purchasing Summary.pdf](#)

[Protective Coatings Funding Verification.pdf](#)

[Protective Coatings Scope.pdf](#)

[Protective Coatings Bid Tab.pdf](#)

Approved upon motion of Alderman Miller, seconded by Alderman Thomas, and unanimously carried per the City Manager's recommendation.

[24. Motion to Renew Annual Contract for Groundwater Compliance and Consultant Services with Advanced Environmental Management, Inc. \(Event No. 3611\)](#)

[Groundwater Compliance Purchasing Summary.pdf](#)

[Groundwater Compliance Funding Verification.pdf](#)

[Groundwater Compliance Scope.pdf](#)

Approved upon motion of Alderman Miller, seconded by Alderman Thomas, and unanimously carried per the City Manager's recommendation.

[25. Motion to Procure Refrigerated Dipper Samplers from N-Con Systems \(Event No. 6382\)](#)

[Dipper Sampler Purchasing Summary.pdf](#)

[Dipper Sampler Funding Verification.pdf](#)

Approved upon motion of Alderman Miller, seconded by Alderman Thomas, and unanimously carried per the City Manager's recommendation.

[26. Motion to Procure Ultraviolet Lights from The TDH Company \(Event No. 6371\)](#)

[UV Lamps Purchasing Summary.pdf](#)

[UV Lamps Funding Verification.pdf](#)

Approved upon motion of Alderman Miller, seconded by Alderman Thomas, and unanimously carried per the City Manager's recommendation.

[27. Motion to Award Contract Modification No. 2 for Central Precinct Construction to Johnson-Laux Construction \(Event No. 5688\)](#)

[Central Precinct Purchasing Summary.pdf](#)

[Central Precinct Funding Verification.pdf](#)

Approved upon motion of Alderman Miller, seconded by Alderman Thomas, and unanimously carried per the City Manager's recommendation.

[28. Motion to Renew Annual Contract for Scrap Metal Recycling with Southern Metals Recycling, Inc. \(Event No. 3688\)](#)

[Scrap Metal Recycling Scope.pdf](#)

[Scrap Metal Recycling Bid Tab.pdf](#)

[Scrap Metal Recycling Funding Verification Form.pdf](#)

[Scrap Metal Recycling Purchasing Summary.pdf](#)

Approved upon motion of Alderman Miller, seconded by Alderman Thomas, and unanimously carried per the City Manager's recommendation.

[29. Motion to Renew Annual Contract for Promotional Testing and Assessment Services with Resource Management Associates \(Event No. 4967\)](#)

[Promotional Assessment Purchasing Summary.pdf](#)

[Promotional Assessment Funding Verification.pdf](#)

[Promotional Assessment Scope.pdf](#)

Approved upon motion of Alderman Miller, seconded by Alderman Thomas, and unanimously carried per the City Manager's recommendation.

[30. Notification of Emergency Procurement of Roof Replacement Services from Roofing Professionals, Inc. \(Event No. 6427\)](#)

[Bomb Squad Purchasing Summary.pdf](#)

[Bomb Squad Roof Funding Verification.pdf](#)

Approved upon motion of Alderman Miller, seconded by Alderman Thomas, and unanimously carried per the City Manager's recommendation.

[31. Motion to Award Contract Amendment No. 2 for Springfield Basin Model Calibration Consulting Services with Thomas & Hutton Engineering \(Event No. 5381\)](#)

[Springfield Basin Purchasing Summary.pdf](#)

[Springfield Basin Funding Verification.pdf](#)

[Springfield Basin Map.pdf](#)

Approved upon motion of Alderman Miller, seconded by Alderman Thomas, and unanimously carried per the City Manager's recommendation.

[32. Notification of Emergency Procurement of Powdered Activated Carbon from Calgon Carbon \(Event No. 6428\)](#)

[Activated Carbon Purchasing Summary.pdf](#)

[Activated Carbon Funding Verification.pdf](#)

Approved upon motion of Alderman Miller, seconded by Alderman Thomas, and unanimously carried per the City Manager's recommendation.

[33. Motion to Procure Playground Equipment for Atwood Park from GameTime c/o Dominica Recreation Products, Inc. \(Event No. 6456\)](#)

[Atwood Playground Purchasing Summary.pdf](#)

[Attwood Playground Funding Verification.pdf](#)

Approved upon motion of Alderman Miller, seconded by Alderman Thomas, and unanimously carried per the City Manager's recommendation.

[34. Motion to Procure Playground Equipment for Cloverdale Park from GameTime c/o Dominica Recreation Products, Inc. \(Event No. 6457\)](#)

[Cloverdale Playground Purchasing Summary.pdf](#)

[Cloverdale Playground Funding Verification Form.pdf](#)

Alderman Johnson: This is a motion and I'm sure Alderman Miller will concur on 33, both of these are contracts to procure playground equipment from a vendor. These are SPLOST projects, are district SPLOST allocations, so I just say it again SPLOST works. Two neighborhoods Atwood Park and Cloverdale will both receive playground equipment courtesy of SPLOST.

Alderman Miller: Before you leave that item I'd also like to point out the same thing that Mr. Johnson pointed out in number 33 taking SPLOST dollars for playground equipment in Atwood Park, which is in the Paradise Park neighborhood. There is no park in Paradise Park, this is going to be the first one.

Approved upon motion of Alderman Johnson, seconded by Alderman Miller, and unanimously carried per the City Manager's recommendation.

[35. Motion to Renew Annual Contract for Cellular Services with Verizon \(Event No. 3461\)](#)

[Cellular Service Purchasing Summary.pdf](#)

[Cellular Service Funding Verification.pdf](#)

[Cellular Services Scope.pdf](#)

Withdrawn per the City Manager's recommendation.

[36. Motion to Award Sale of Surplus Property Located at 132 E. Broughton Street to Columbia Ventures, LLC \(Event No. 5981\)](#)

[132 E Broughton Street Scope.pdf](#)

[132 Broughton Property Sale Purchasing Summary.pdf](#)

[132 East Broughton St Funding Verification.pdf](#)

Approved upon motion of Alderman Miller, seconded by Alderman Thomas, and unanimously carried per the City Manager's recommendation.

A motion to reconsider this item was made by Alderman Thomas, seconded by Alderman Miller, and unanimously carried due to a citizen being present requesting to speak.

Dicky Mopper, Local Real Estate Broker: I sell commercial real estate and have sold dozens of properties in the last six or seven months within a three or four block radius of the property that the City is voting today as to whether or not they should sell for \$120 a square foot. You're offering to sell a building that's 37,500 square feet for \$4,500,000. Within a two block radius on Congress Street less than six months ago a building that's 8,100 square feet in the same if not worse condition than the municipal building sold for \$3,000,000. Another building that's 4,000 square feet sold for \$2.3 million dollars. And I sit here and I shake my head because I know that we all want the same thing and that's to protect the tax payers. The fact that we had only one offer, which I read in the newspaper yesterday, by the way, that's why I'm here today if I hadn't seen it in the paper. First of all, I have fought for years and I want to congratulate the City because today you all have awarded a contract to a real estate brokerage commercial firm that knows how to sell real estate that that's their only job. So I congratulate you because I've been begging for that. They know how to get the property out to hundreds of thousands, maybe a million buyers that you don't know how to get to, so the fact that you only got one bid says to me

that we as a City didn't do a good job, number one. Number two, because you don't have what we call price guidance. Most people who would look at the opportunity to buy the building on Broughton Street would look at a number of things. What are comparable values in the neighborhood? What would it cost me to renovate the building? I looked at that property for four or five different people, all of whom are willing to pay more than what you have on the table. In fact, I have a \$5,000,000 offer net to the City as we speak. But what I'm trying to say to you is that I think the value will go up considerably and that we're leaving money on the table and the City over the last ten years has lost millions and millions of dollars by not understanding when to turn down a bad offer. So, I'm asking you today to put it back out for bid.

City Manager Hernandez: May I respond Mr. Mayor. I think it's important for the viewing public to understand the process that we use in order to arrive at the recommendation before you today. So, State law defines the process by which local governments must follow in order to dispose of property. And they're basically now three methods to do that. Number one is through auction, number two is through sealed bids, and number three now is through the use of a commercial broker who utilizes a sealed bid process. This property was advertised both through the appropriate legal notice. It was also marketed by staff reserving advertising space in the Savannah Morning News, with the Urban Land Institute and other methods. We also posted the property to let individuals know that the property was available for sale and using our registered vendor database, we contacted prospective proposers, electronically. Following State law we allowed a period for interested parties to submit proposals, once that deadline passed we reviewed the proposals. In this case there was one proposal. I'm going to get to that in just one second. So, the bottom line is, if we have today, tomorrow, next week, or anyone else that says, well, I would have paid \$5 million dollars or \$6,000,000 or \$1 more than what was offered that's fine and dandy because State law says that there's a process we must follow, and those individuals that came in after the fact, well, they're just late. That's just the reality. If they were interested in paying more for the property, they should have submitted a proposal. Now when we review, when we go out and do an RFP process, we are looking at different criteria when we make a recommendation to you, price is just one component of their criteria. We look at the proposed use and the proposed redevelopment of that project and we take that into account and if the proposed use is something that we think that the City Council should consider, then we'll make that recommendation to you. And so in this case, even though we have individuals that have come forward now and are willing to pay more supposedly, we feel that even though it is below appraised value, it is still a fair price based on the redevelopment that will take place on that property and the long-term revenue that will be generated by that redevelopment. And so for that reason, Mr. Mayor, members of Council, we stand behind our recommendation that you move forward with this.

Mr. Mopper: First of all, I don't disagree with anything the City Manager says, I think the City Manager's right, you put it out for an RFP, a certain process was followed. People who wanted to buy it should've done it. I also think that anybody who buys the property is going to do a similar type project whereby the City would get the same tax advantages, that the same number of jobs will be created and the tax payers might get a million or \$2,000,000 more in the coffers. And I still say you have the right to turn it down, I know you're not going to. I think it's a terrible mistake on the part of the City and I think the City needs to start thinking about how and where you are going to get your money. I listen to y'all complain everyday about we need more money and let's do this, and let's do that. Here's a property where I'm sorry, your process Mr. City Manager doesn't get the property out to the right folks. The process by sealed bid that we use at my firm would have gotten you 10 bids because they would have come from all over the country and I think you're making a horrible mistake and not doing the taxpayers justice.

Alderman Foster: I don't understand, why didn't you do that? We've been talking about selling this building for over a year.

Mr. Mopper: And you've been out there marketing in your own fashion.

Alderman Foster: It's not a secret, we've been trying to sell this building.

Mr. Mopper: I get it.

Alderman Foster: Why didn't you put out 10 packages?

Mr. Mopper: Because I was working on other things, but I'm going to tell you this, that you could have done it and then let me just finish what you started I made an offer for a client for over double the value of another property you have out there and here's what happened with this is all within the last 30 days. Let me just finish please. Within the last 30 days, the City staff decided not to accept any of the offers and they had three. They decided instead to put it back out for bid. Even though they have an offer for double what it's worth, I'm not trying to figure out your process or why you do what you do. I'm just telling you this inconsistent and it's not correct.

Alderman Thomas: I happen to agree with you, Mr. Mopper. I think that you are right. I think the tragedy with this is that we're going to basically give this building away. We're going to no, literally we're going to give this away because we traded it out for rent at the Savannah Morning News building. So, basically this is a City asset that really, when you wash it all out, we're not getting anything out of. Because that's what the five year deal for the rent would have been. So, I've got an issue with it. I agree I'm going to state this publicly, I don't think our process is fair to all people. I think that whoever grades it, we need to take a closer look at how the evaluations are made because it always makes me wonder how some people get it and some don't. I think that we've got a problem here with the City saying that publicly.

Approved upon motion of Alderman Miller, seconded by Alderman Foster, and carried with the following voting in favor: Mayor DeLoach, Aldermen Miller, Foster, Durrence, and Hall. Aldermen Thomas, Johnson and Shabazz voted against the motion.

[37. Motion to Award Annual Contract for Brokerage Services to Colliers International \(Event No. 6085\)](#)

[Brokerage Services Purchasing Summary.pdf](#)

[Brokerage Services Funding Verification.pdf](#)

[Brokerage Services Scope.pdf](#)

Approved upon motion of Alderman Miller, seconded by Alderman Thomas, and unanimously carried per the City Manager's recommendation.

MISCELLANEOUS

[38. Motion to Authorize the City Manager to Execute Closing Documents for Phase 1 of the Eastern Wharf Project](#)

[Phase 1 Project Development Agreement \(v5\).pdf](#)

[Development Management Agreement \(v7\).pdf](#)

[Disbursement Agreement \(v7\).pdf](#)

[Condominium Declaration - SRL - Phase I.pdf](#)

[Parking Option - SRL - 8-13-18.pdf](#)

Alicia Blakely: I'm here to ask questions about the formally known Savannah River Landing now being the Eastern Wharf. I have a couple of questions and you know how you hear people in the community saying certain things, so I just want clarification from the Council themselves. First question is why was the name changed from the Savannah River Landing to the Eastern Wharf? Another question, is there going to be monies used for the Eastern Wharf project taken from the SPLOST money for the Arena Project? Is there a \$33 million dollar bond being given for the parking garage on the Eastern Wharf in reference to this project? Who is the company receiving the bond for the parking garage? And how does this whole project benefit the City as a whole? Oh and one more...

City Manager Hernandez: Hold on, because I'll forget. So, let's do one question at a time. So, the first question was why did they change the name? You know, we can't answer that. That is solely, you know...

Alderman Johnson: Branding.

City Manager Hernandez: I assume it's branding.

Alderman Thomas: It was based upon the historical use of the property in the day.

City Manager Hernandez: The second question is are any SPLOST dollars being transferred from the Arena Project to be used for this project? The answer is no. What was the third question?

Ms. Blakely: Is there any SPLOST dollars being used for this project at all?

City Manager Hernandez: Not for this project, no.

Ms. Blakely: Not at all?

City Manager Hernandez: No, this is being funded by the Tax Allocation District that was established in that area to help stimulate economic development in that area.

Attorney Stillwell: That's not exactly right there. There's a whole variety of funding sources, you're correct that there's no SPLOST dollars being used for the garage. But there are other portions of this project, the President Street widening project, and the Bilbo Canal widening project and some of the road work being done are part of SPLOST funded projects. The garage is funded by the garage fund. The Mobility and Parking fund, so that's the answer to that question. There are SPLOST monies involved in the project but they are for the Bilbo Canal.

Mayor DeLoach: I think that just really clouded up an issue. The Bilbo Canal was put on the SPLOST project list and we used SPLOST money for the Bilbo Canal. It could have been any project but the Bilbo Canal was funded by SPLOST, it happens to be the other side of this project along with other pieces of land up the road, but it's not, we didn't do that because of this project we did this because we had to drain that area. So, that's the reason that was done.

Alderman Durrence: But none of that SPLOST money is coming from the Arena Project.

Attorney Stillwell: That's correct.

City Manager Hernandez: The other question was how is it going to be funded? It's a \$33 million dollar bond that will be repaid by the revenues generated by the parking garage.

Ms. Blakely: And the bond is going to come from the City of Savannah?

City Manager Hernandez: The bond comes through the Downtown Savannah Authority.

Ms. Blakely: And how does that correlate with the City of Savannah? Because I was reading the Development Management Agreement and it says the City of Savannah, Downtown Savannah Authority, a public corporation of the State of Georgia. The Mayor, Aldermen of the City of Savannah all of this is in conjunction. So...

City Manager Hernandez: So, typically what happens is the City enters into an agreement with the funding authority. In this case, it's the Downtown Savannah Authority and then all the parties enter into a common agreement, for example, the developers will then enter into agreement with the DSA and the City of Savannah being a party. Do you agree?

Attorney Stillwell: That's correct.

Ms. Blakely: So, the City of Savannah is giving some of the \$33 million dollar bond?

Attorney Stillwell: The Parking and Mobility fund would pay to the extent that... the way that works is all the money from all the parking garages and all the revenue for parking in downtown Savannah comes into a special revenue fund. That fund would pay the debt service not only on this garage, but all the other garages that the City has. So, they're not funded separately, they're funded as part of one enterprise fund.

Alderman Shabazz: Where does that money come from?

Attorney Stillwell: From revenues of parking, and from parking fines. In other words, all the parking revenues and all the parking expenses for downtown Savannah are paid out of that one fund. Also the cost of the trolley downtown.

Ms. Blakely: And the last question I had was how does this project benefit all of the constituents in the City?

City Manager Hernandez: That's an easy question to answer. This project is located in a designated redevelopment area. The previous City Councils have designated this area as an area that needed redevelopment and as such approved a series of economic development incentives to include a Tax Allocation District to incentivize additional development in this area. So, ultimately when it's at build out, it benefits the residents because properties are back on the tax roll. We have multiple uses to include residential, retail, public spaces, access to the Riverfront and so forth. So, there is a public benefit with providing incentives to this project moving forward. And from what I understand this is something that previous City Councils did probably over 10 years ago in terms of establishing the Tax Allocation District to incentivize the development in that area.

Alderman Johnson: It was a Tax Allocation District for which we were receiving no money from for years because there was no activity, I believe because the recession occurred. The recession hit and that property has changed hands a bunch of times, with different owners. And so, this is our first opportunity to do something substantial with it.

Attorney Stillwell: We're also providing 1400 public parking spaces that'll provide some relief for downtown. We're going to add the shuttle service.

Alderman Thomas: The debt service was also over \$1 million dollars a year on the bond for the TAD.

Alderman Durrence: Also there will be four new public parks including the Waterfront Park.

Ms. Blakely: The reason why I asked all these questions is because sitting back looking at everything, it seems as though all of the monies, all of the funding is geared towards Downtown. When you look at impoverished communities, they're getting nothing. When Van Johnson asked the City Council for \$35,000 out of that \$10 million just to do a summer league basketball program, he was denied. So, when I look at \$33 million dollars in bonds for a parking garage and he can't get \$35,000 for a summer league program, I think you all need to rethink how you distribute money in this City. Thank you Mayor DeLoach.

City Manager Hernandez: Mr. Mayor, if I may just correct the record specifically, the \$35,000 that Alderman Johnson requested to establish a summer basketball league. I remember that and I remember the question that was posed to staff was whether we could support and actually implement that program, and I do remember responding by saying that we would have been hard pressed to put that full program into operation. We did fund a limited program this year, not for the entire year, but we were just not able to pull off the summer basketball program.

Mayor DeLoach: I would also like to mention the fact that through the Council we were able to put \$1.6 million dollars Edgemere/Sackville this year that is improving that development in that area. So, I'd say that might not be a lot, but every little bit helps.

City Manager Hernandez: And if I may elaborate for one second for the public's benefit. The model that the City used in the former Savannah River Landing redevelopment area is exactly the type of model that we're looking to do for the Arena Development District, and that is why we have some infrastructure improvements in facilities that are funded in part through SPLOST and other resources, we are looking to eventually establish a Tax Allocation District and a Special Service District in that area to help fund the necessary improvements that need to take place so we can attract additional private investment in these areas.

Linda Wilder-Bryan: Good afternoon Council and Mayor, if Mr. Stillwell remembers he basically gave me a tutorial in layman's terms of where the money was coming from. Do you remember that? So, I'm not standing in front of you to ask you who's going to fund the Savannah River Landing or the Wharf, I'm standing in front of you because 55 acres of City land is going to be given to an Atlanta firm to do the development there so what about the DBE's? We already know that the companies who get the contracts here, prime contractors, have an advantage because they get a five point advantage while the Afro-American companies in this City do not get that five percent advantage because they never get contracts here. So, when we talk about crime and poverty, we talk about solutions. One of the solutions is going to be that the DBE and all these minority companies in our City do something about jobs. Alicia and I went to, there is a company that is building a hotel on Montgomery Street and they have the Alabama flag flying and so all of these companies are coming into our community and they're getting paid and taking that commerce back to their company what about our children, we do not have a labor force. We keep bringing hotels and motels here and if we did something about real jobs, we wouldn't have to be worrying about spending money on a garage. We have to get our children prepared, we have to get the City a labor force. Then when we take care of poverty we will take care of the crime. The other thing is the direct [inaudible] and I live in the third district and I travel down President Street, the infrastructure, what about that, who's going to pay for that? You're saying that the tax allocations are going to pay for that but we already know that that money is going to come from out of our pockets. The other thing is I live in a community that does not have sidewalks, and on President Street you got sidewalks where people can't even walk, something is wrong with that. We are preparing this City for people who don't even live there and we're not preparing the City for people who live in places where kids don't have sidewalks and that's our money and the reason why we don't get that SPLOST money is because we never can get five people from City Council to do something that's impactful in our community, it's not fair and all we're asking is for reasonable things. So, we have to do better by the DBE's. We have to make sure that some minority owned companies get some funding and some projects so that we can do something about crime.

Mayor DeLoach: Thank you.

Ms. Wilder-Bryan: Well, no not just thank you, I want you all to do something. He said something about a good faith commitment. Nobody has said anything about a good faith commitment, and the one time that y'all gave Kessler \$32 million dollars he said he shook y'all hands on \$32 million dollars of good faith. The district three person said that he wants the liquor store to have a good faith agreement but nobody has said anything about a good faith statement for these companies coming into our community making money and taking it back to Alabama and Atlanta. We have to do better. I'm asking for reasonable things from reasonable people. Thank you. My question was about the DBE's, are they going to have any type of dealings with this phase one?

Alderwoman Shabazz: And I want to ask the City Manager on that particular question, how many local DBE's have been selected for subcontractor work on what she's talking about with this Wharf?

City Manager Hernandez: So, Mayor, members of Council, I don't have the specific information as to how many DBE's are participating on this project. This project involves the building of what will eventually become a publicly owned parking garage. There's also retail space and some residential space. The developer has been in my office and has committed and has laid out the good faith efforts that they have undertaken thus far to incorporate DBE participation, not only in the public parking garage, but in the other privately funded portions of this project as well. In addition, the developer has committed to our local hire program which is Hire Savannah, which basically says that they will make every effort to first utilize a local hiring source, in this case it's WorkSource Coastal,

which is an entity of City government that helps provide job training and job opportunities for individuals in this area. And the developer has committed to do that as well.

Ms. Wilder-Bryan: Excuse me, Mayor that wasn't my question. A good faith would be communicating with a DBE here, we're not talking about...

Alderman Johnson: I might be able to answer her question. And this was a question that I had as well, which is part of the reason why I asked the last two weeks ago that it be continued for two weeks. As I understood it Mr. City Manager, first of all this is private land this is not public land or City owned, this is private property?

City Manager Hernandez: The 55 acres is privately owned, however, there will be portions of that that will be conveyed into public ownership, parks, roads, things of that nature.

Alderman Johnson: So, I asked what was the process by which DBE's, Disadvantaged Businesses were connected with the partners.

City Manager Hernandez: So, I can tell you that the firm reached out to over 4,000 certified DBE's on the State of Georgia's DBE registry, number one. Number two, they did participate in activities sponsored by the City of Savannah...

Alderman Johnson: Matching meetings

City Manager Hernandez: Correct.

Alderman Johnson: Right, and from the two matching meetings that I believe one DBE showed up?

City Manager Hernandez: I don't know, I can't attest to that.

Alderman Johnson: And I guess to go back to your question, the City of Savannah has changed its process as it relates, we used to have what's called an M/WBE program that counted, we're now into a DBE program, which is a much bigger fish bowl if you will, but not really locally. And so, and we don't count those things like we counted the M/WBE, but the City of Savannah took an active process in trying to connect or be divided up by which those partners were able to get in contact with local DBE's and as I understand, the two opportunities that were given for DBE's once contacted to participate and they did not.

Rev. Leonard Smalls: Good afternoon Mayor, Council, and administration we thank you for the opportunity to address you on a couple of issues to this point. First of all, the new methodology for trying to include is an absolute failure. Instead of being colorblind and gender neutral, the results and we had a term we used in the Civil Rights movement way back called de facto, what actually is of a fact going on. Colorblind and gender neutral at this point, it's been all white, I'm not against white folk but I want inclusion. I want us to all have a seat at the table. I don't even want affirmative action, I just want a piece of action. It's fair, and it's right and in a City that's more than 50 percent African American, for us to still be having this argument, this question being placed in 2018 more than 150 years after the Emancipation Proclamation makes us almost retarded as a people. Now my statements is very plain. We need to go back where we came from because where we are is not where we were trying to go, that's the first thing. Secondly, I have a difficulty with the idea that we've got a project and we're going to allocate some SPLOST money and I understand when money comes in sometimes we use it for one thing and then another.

Mayor DeLoach: No, nope, nope, correct that. We're not using SPLOST money on that project period. Not on the private companies work, nothing, zero. We did the Bilbo Canal, am I correct?

City Manager Hernandez: There's President Street, the extension of the Riverwalk.

Mayor DeLoach: That has nothing to do with that gentleman that walked in the door long after it was being done and offered to buy that property from the people that were broke, it's completely different.

Rev. Smalls: Okay, then let me put it another way. I just drove by the Grant Center and the Grant Center was a part of a SPLOST a couple of times ago. Just before the last election your opponent and City Council put a big sign up in front of it, this afternoon there's another sign up in front of it with all you guys pictures on it and the Grant Center has not gotten a door knob and now we're talking about spending monies other places, whether it's SPLOST or not. My position is very simple, the people who need it the most seem to get it the least, the people who should be first because of their difficulty are too often placed last and in terms of minority participation in the business process in Savannah, we should be ashamed to say that if you take River Street, Bay Street, Broughton Street, two malls and a Tanger Outlet, you don't have 10 black businesses. That's what's real and that's not an accident. Those are empirical numbers, that's not accidental. We need to change our mindset. We need to come together as a community in the best interest of everybody. I understand that sometime you think I'm just being controversial, I don't intend to be controversial, I intend to get things done. I'm

saying to you, if we don't do this differently, we're going to be another generation or two, I'll be dead and gone and my grandkids will be here just like I had one of them marching in front of the City Hall a couple of weeks ago. I'm telling you, we can fix this if we come together with a common goal and that is that everybody's share in the wealth of this community and right now the first thing we need to do is undo that last agreement on minority participation. Just get that out the way cause that's not working. Secondly, we need to go back and pick up those projects, particularly in hard neighborhoods that have been neglected. Thank you for your time and I appreciate you indulging.

Alderman Miller: Rev. Smalls can I share some information with you. I asked these same questions yesterday and I was quite surprised at the results I got. So far year to date in 2018 \$23,694,000 has been contracted to DBE contractors of 2018, that's 34 percent of all the dollars awarded. In 2016 it was 12 percent, 2017 it was 32 percent, 2018 is 34 percent those are the prime contractors. Disadvantaged subcontractors in 2016 it was 12 percent, in 2017 it was 18 percent, so far in 2018 is 31 percent or \$7,889,000. 31 percent of all dollars that have been...

Rev. Smalls: I got a question for you Julian, and this is not adversarial, we trying to heal stuff.

Alderman Miller: I was asking the same question as you were.

Rev. Smalls: How many of these are black, disadvantage is one thing...

Alderwoman Shabazz: And that's where I am, Reverend Smalls, let me state about the numbers that Alderman Miller just stated in reference to coming from 2016 to 2018. Now in 2016, 2017, the M/WBE program was in effect in the City of Savannah. It was a program that counted for race and gender, so therefore those numbers are counted. The DBE numbers that he's talking about versus the M/WBE and showing the increase in 2018 for DBE's the truth of the matter is when you, when you look at those DBE's, more than 95-98 percent of those companies are white male ran companies. So, the fact of the matter is true enough that there needs to be, there is a broken problem that has come up into our policy that needs to be fixed.

City Manager Hernandez: If I may clarify Mr. Mayor, year to date, 2018 based on self-reported data African-American firms have received 54 percent of subcontracting dollars awarded. I'm just doing the math quickly here and that looks like about \$4.5 million of those subcontracting dollars for DBE's went to African-American firms, Hispanic firms \$154,000.

Alderman Johnson: How much of that was local?

City Manager Hernandez: Local African-American \$1.4 million, local female regardless of ethnic status or race \$3.4, close to \$3.5 million.

Alderwoman Shabazz: And the thing about it, all of these numbers being stated is that the truth of the matter of all of this is in the details. We are not painting a complete picture during this discussion at this time. When we put down the facts, the numbers break them out in categories of race and gender and also with local participation and then those companies that have been receiving those monies outside of the borders of the City of Savannah. The majority of those dollars are going to the majority of white male companies, that does not exist in the City of Savannah and they are out in the majority in Atlanta and throughout this entire country.

Alderman Johnson: But the keyword here is self-reporting.

Alderwoman Shabazz: And I said Alderman Johnson that we've got to fix the problem.

Alderman Johnson: That's correct and the fact of the matter is and just to the point Mr. Mayor and I promise I'll be brief. For the issue before us, the rules and I voted against it, the rules were changed and the question I had was to the City Manager based on what's before us right now and nothing else, whether we like it or not did they follow the rules and your answer was yes. And that the City played that role in the end to the extent that we were supposed to connect them to DBE's, but there were to least two matching sessions and for those two matching sessions which matches partners with DBE's, they had them, it was available and one DBE showed up.

Alderwoman Shabazz: But if we go a little deeper Alderman Johnson and I'm not just talking about...

Alderman Johnson: If what's before us I think we need to deal with it, as Rev. Smalls says then we need to then take some action to put it back to a system that we do actually count the things that are important to us.

Alderwoman Shabazz: Yes sir, I agree with you.

Alderman Hall: I think when we went to the DBE formula, I honestly thought that we were doing the right thing and we made a good faith effort again to do the right thing. But the term disadvantage, is too broad. There are many levels of disadvantaged, differences exist in excess in terms of credit and support, access to bonding, training opportunities, minority and women support, local needs to be

specifically defined, so I would like us to go back to reincorporate the essential framework of the M/WBE and add best practices to the new model.

City Manager Hernandez: Okay, I just want to remind everyone that the City adopted the federal definition of Disadvantaged Business Enterprise, which includes two components, one economically disadvantaged which is somewhat broader and not necessarily incorporated in our M/WBE program, and then the second component of that is social disadvantage and there's a long list of categories within that definition that matches the exact definition that was under our M/WBE program with the exception of allowing, for example, disabled veterans regardless of race or gender to be considered socially or economically disadvantaged.

Mayor DeLoach: We've got an opportunity and we agreed that we would do this for two years to see if it would work, there's has got to be changes nobody disagrees with that. Based on how the last grouping that we did as far as going out for a bid on the architectural stuff, we were short on people to have the opportunity and we realized that and we have to change the overall scope. But I think based on the numbers and you know, you can argue whether it's white, black, orange, whatever, but in reality, the disadvantaged and that's based on income, whether it's white or black, it's there, the percentages are there. I feel like we need to give this an opportunity based on all the work that was put in there by Dr. Shabazz. We need to let this thing roll its course for two years like we agreed. Make the changes that Dr. Shabazz has already recommended and let's just work through this thing and see if we can't make a better mouse trap. Because what we had all of you can stand up here and dance around, you did not get results out of that, woman owned, I can't remember all the initials and all that stuff, but the point is it didn't work or we would not have changed it. Dr. Shabazz would not have worked as hard as she worked to do what she did because this thing was working great, it was terrible.

Alderwoman Shabazz: But what has happened is that, and I thank you Mr. Mayor for trusting me with this to do the work with this. Thank you so much sir. But what has happened is that in hindsight after these eight months, we see, and I see, let me put it on myself because true enough, I was the one that made the motion to move forward and disband the M/WBE program out of our policy because I thought it was good and I thought it would be the right thing. But as of today, sir, I've got to, and I'm not talking about disregarding because true enough, there's been a lot of work that's been done with our SBO. It's been a lot of work that's been done with our DBE program there has been. I am not to the point of disregarding any of that work that has been done, but what I would like to do on today is to make a motion that we the City Council direct the City Manager and the City Attorney to bring forth a M/WBE Ordinance for adoption to operate concurrently with our DBE program in the next two weeks. And that's what I need, not to do away with any of the work.

[The motion was seconded by Alderman Johnson.]

[Alderman Miller asked for clarification]

City Manager Hernandez: I'm not prepared today to discuss the DBE program and I know we're being headed down that road. The item was not on the agenda for discussion. The item before you today is to discuss the Eastern Wharf project. I am more than happy to come back to you at a later date in two weeks with a summary of our experience to date. I also need to do a little bit more research on how we can improve our existing DBE program and if we want to bring back the M/WBE program, if you direct me to do that, I'm fine with that as well. I just need time to work with my staff to get us to the point where we can present a rational argument, and guide you properly and I'm not prepared to do that today.

Alderwoman Shabazz: As an elected body, and as an elected person on this body of the City Council I have made a motion Mr. City Manager and I am the one, not you sir. As an elected person on this City Council I bring the motion and I have a motion on the floor and it has been seconded.

Alderman Miller: I would like to amend the motion to ask the staff to look at how this program is working now. I don't think we have hard figures. I don't know what percentage, I think you asked a good question, what is the percentage of minority, what is the percentage of female, what is the percentage of local and make a recommendation to us on how this program could be adjusted because, and we all know people gain the system and we talked about this earlier. It's not something that we haven't looked at. We haven't been concerned about, Dr. Shabazz made us concerned about it. So, I would like to amend the motion to ask the staff to look at it and give us a presentation on how we can improve this.

Alderwoman Shabazz: Would that include the adoption of what I'm saying, are you adding to my motion? Because I want to move for us to have this M/WBE specifically ordinance for adoption.

Alderman Miller: I don't know that that would be. I want them to come back to us with a recommendation so we can discuss it, not try to do it in a five minute discussion here in the middle Council meeting.

Alderwoman Shabazz: No, no, no, I'm not asking that. I'm asking, my motion is not...

Mayor DeLoach: Let's vote on this motion, this amendment first.

Alderman Miller: I didn't get a second.

Alderman Johnson: Mr. Mayor, I think if I can just interject. Changing this without having the data puts us somewhat in the situation we're in right now. I understand where Alderwoman Shabazz is which is why seconded her motion. But I think what Alderman Miller is asking is in line with what the City Manager is asking for is saying, let's take a step back, let's look at where we are, and then let's look at how we can improve that to include the M/WBE and I think that's necessary and I think that's prudent. So, I mean what do you think? I mean I can live with that as long as we're looking at it.

Alderwoman Shabazz: As long as we are heading in the direction of bringing that M/WBE program back into our policy.

Alderman Johnson: Or a combination of both, whatever works best for...

Mayor DeLoach: Whatever works best for the City is what we're going to do.

City Manager Hernandez: I just need time to study the issue and bring you back recommendations, I don't know what that recommendation is going to be.

[Alderwoman Shabazz withdrew her motion and Alderman Johnson withdrew the second.]

[Alderman Johnson seconded Alderman Miller's motion to have staff look at how the current program is working.]

City Manager Hernandez: I will come back with the information they want in 30 days or sooner.

Alderman Miller: I'm good with that.

Alderman Thomas: Why don't we add a caveat to that, that we not release any additional construction contracts until we come back with some kind of agreement?

City Manager Hernandez: No, I don't agree with that because we've already advertised, you know, and it takes a considerable amount of time to advertise and for a response.

Alderman Thomas: What size of contract is the one you're talking about?

City Manager Hernandez: Like the arena contract for example, the Construction Manager at Risk has already been advertised, so it wouldn't even this what we're doing...

Alderman Thomas: What's the dollar amount on it?

City Manager Hernandez: Well, we think it's going to be somewhere in the range of \$120,000,000 potentially.

Alderman Thomas: So, this would happen before that contract?

City Manager Hernandez: No, well the solicitation has already been advertised. We've already gotten responses to proposals.

Alderman Thomas: And we have the right to reject all bids and readvertise.

Alderwoman Shabazz: Absolutely.

Mayor DeLoach: What's the time frame on that?

Alderman Thomas: \$120 million dollar contract is the largest contract that this Council will ever release, and it's surely the largest and I've been here the longest of anyone. It's the largest that we've ever released. So, to not have this fixed before that is opening the door to a big problem.

Mayor DeLoach: What timeframe do you need, what timeframe is that on, and what timeframe are you on? Where does that fit?

City Manager Hernandez: So, we are ready to move forward with a recommended award so we can begin the preconstruction phase of the Construction Manager at Risk. Certainly if you want to delay, we can delay.

Mayor DeLoach: What timeframe?

Alderman Miller: We're talking about delaying the Arena Project now?

City Manager Hernandez: You're talking about delaying the Arena Project.

Alderman Miller: The project we said earlier, we need to go ahead and start pushing through.

City Manager Hernandez: Correct.

Alderwoman Shabazz: Well the thing about it Alderman we were not talking about changing the policy, now we're talking about moving this policy before anything moves forward. Now if you can work in two weeks Mr. City Manager, we can move forward.

City Manager Hernandez: So, if you amend the policy with all due respect, if you amend the policy and decide to adopt a new policy, then that means we will most likely have to reject all the bids and go back out and you're looking at another six month delay on the arena.

Alderwoman Shabazz: And it's not what we're talking about.

Mayor DeLoach: Please let him finish.

Alderwoman Shabazz: He's going down the wrong direction Mr. Mayor.

Mayor DeLoach: No, he's not, you're not listening to what he's saying now please listen.

City Manager Hernandez: That is the practical effect. If you want to apply whatever new policy you come up with to the Arena Project, we have to stall the arena project and start over on the solicitations for the Construction Manager at Risk.

Alderwoman Shabazz: That is not what we're talking.

Alderman Johnson: For subcontractors in terms of additional agreements, I mean that would not affect the selection of the Construction Manager at Risk, but the preconstruction does not involve subs.

City Manager Hernandez: Correct, but the proposal is when we grade the proposal, it's based on part of the scoring, is based on the amount of DBE participation and remember we amended our practice rather than establishing a specific goal on each contract like we did under the former W/MBE program which essentially got a six percent participation. We went to an open goal setting process which incentivized respondents to have greater numbers of DBE participation. The greater the amount of participation, the higher the score was. And so now if we're going to go and do something entirely different, that's going to affect their scores and we have to start over again on the Construction Manager at Risk.

Alderman Thomas: Mr. City Manager, has the RFP ended?

City Manager Hernandez: Yes, the RFP ended. The selection committee convened, the responses were scored and we're ready to make a recommendation.

Alderwoman Shabazz: And that is for the CMR, am I correct?

City Manager Hernandez: For the Construction subcontractor?

Alderwoman Shabazz: Not any sub contract has been, this does not include the arena. Any subcontractor or any type of subcontract. Am I correct?

City Manager Hernandez: Well, yes and no. So, the Construction Manager at Risk consists of two components. The first component is known as preconstruction phase. That phase basically pays the contractor that is ultimately going to build the facility to sit down and

work with the architect and engineer to design it. At that point the contractor doesn't know what we're building and doesn't necessarily know which subcontractors are going to be involved.

Alderwoman Shabazz: So, therefore without having a long discussion.

City Manager Hernandez: But let me...

Alderwoman Shabazz: Don't because you're going to continue to talk and confuse everybody, I just want to cut through the chase.

City Manager Hernandez: But with all due respect...

Alderwoman Shabazz: Mr. City Manager, Mr. Mayor, I am so clear on this now with the subcontractors, with the subcontractors with this Arena Project, with what he's talking about subcontractors will not come on board until after this arena is designed. A CMR has not been selected yet and these are the three persons who I instructed the City Manager to have that construction fair on the arena. Those three construction managers who are on the short list, they showed up on August 9 at the Construction Fair. It that contract with the arena that can go forward and will not be affected by the amendment and adding to our current policy the M/WBE, I am so clear on this. So, therefore the arena has not been designed because we have not, we do not have the Construction Manager at Risk. We do have the A and E contract already approved. Those two will come together and at that time in a two year, 18 months, time and during that time. Now Alderman Thomas said please come back here sir in 30 days with an ordinance or something that we can approve that you are going to bring forward to us and putting that M/WBE policy back into our ordinance that will not affect any subcontractor.

Mayor DeLoach: We basically got a contract on the street with a recommendation. Does that contract outline the scope that that person that is taking this job, does it outline his and has he scored based on the criteria that we used that we've used up until the day when you want to change it. Was the criteria what we originally had with the DBE?

City Manager Hernandez: The answer is yes, points were awarded based on DBE participation.

Mayor DeLoach: Okay, now based on that, is there any way of awarding the contract based on what you're saying right now? In other words, you got a recommendation based on what this person came forward with, with the opportunity to go to back to each individual one and say, this is what we've added. Would you consider this in your proposal, will it affect your overall bid if we do that, and if he agrees that he can handle that, then we go forward with it. With that in the program or if not we throw it all out and we start all over.

City Manager Hernandez: That would make me uncomfortable, I don't know if it's illegal. I would suspect that we would have to go back to all three respondents.

Mayor DeLoach: Yes we go back to all three, I'm not arguing that because that's what you have to do. One might not want to do it, the number one guy might not want to do it and that's his call. But if it is in there and we come up with something in the next 30 days that puts a wrinkle in this thing. Can we do it that way?

[City manager Hernandez referred to Attorney Stillwell to advise him.]

Attorney Stillwell: I think that it's clear that the City Manager is correct, that it is clear that if we completely changed the rules under which the bidders would have to operate, that we're going to have to reject all the bids and start all over again. Now what you're saying, Mr. Mayor, and now I'm not discounting that it's possible and I would rather take two weeks to give you an opinion on this and talk to the City Manager about it. But it's possible we could accept a bid and go back to that winning bidder and negotiate that and if he doesn't accept the thing, go to somebody else, but I don't know that that's a good idea or that it's the way we want to proceed, but the City Manager and I will have a recommendation on that at the next meeting would that work for you?

Alderwoman Shabazz: Well, I need a timeframe on when this construction at large...

City Manager Hernandez: So, we were ready to go today. Our plan was again to have you approve that actually next at your next Council meeting. We were going to brief you on the recommended award today so we're slightly delayed by two weeks. Again, if we're moving in parallel that the Construction Manager at Risk is going to run in parallel with changes to our Savannah Business Opportunity Program, it may take me up to 30 days or less, I don't know, to bring you back recommendations.

Attorney Stillwell: I think it is clear that that is going to delay the arena.

Mayor DeLoach: Based on our conversation earlier when we spoke, we had some issues where some folks maybe didn't sign something and you said, is that a possibility to continue to use that? But then if you all three agree to do that... I just can't talk about it, it was Executive Session.

City Manager Hernandez: So, I would take it a step further Mr. Mayor let's say there were four or five other companies that were interested in bidding but because they reviewed the specification, they chose not to bid and now that we make a change, they were to say, well, had we known that we would have submitted a bid. So, therefore I would think that it taints the contract award process if we change it midstream.

Mayor DeLoach: I think we go through with the thing, push it. Go ahead.

Alderman Johnson: I just wanted to take a step back for a minute and move for approval of item number 38, which is what we were talking about in the first place.

[Motion and vote]: Approved upon motion of Alderman Johnson, seconded by Alderman Miller, and carried with the following voting in favor: Mayor DeLoach, Aldermen Miller, Foster, Durrence, Johnson, Thomas, and Hall. Alderwoman Shabazz voted against the motion.

Alderman Thomas: I want to just make a comment for clarity, the power to make any decision in the City rests on the nine people seated in these chairs, so we can make that decision. If we tell and instruct the City Manager to do something, he has to do it because we set the policies. Now, the reality is that we don't issue \$120,000,000 contracts every day and we haven't issued this one yet. So, the fact is we can still change it. We looked at the possibility of an addendum. You know, Mr. City Manager, we reject bids all the time. We have people sometimes who want to extend or pay us more money for something than we ask for or that it's appraised for and we still reject it because we don't like it or something. Guess what, I don't like this. It's \$120,000,000 we're never going to ever in my lifetime up here, issue another contract for \$120,000,000 and if it takes us six months, as you say it, slow us down, six months, I'd rather take six months to slow it down and do it right than screw it up. So, you know, this is a lot of money and we don't have the money to mess something up and then come back and fix it to this magnitude. Now our illustrious attorney over here says he needs two weeks, I saw him contemplating deeply as he was sitting over there listening to us. We can do anything we want, but the fact is, is that you know, we have a problem with this contract, at this size and if it does not take into consideration what Alderwoman Shabazz and others have brought up and I don't know how we resolve it.

City Manager Hernandez: But we haven't briefed you yet on the particulars of the project. We haven't briefed you yet on the level of DBE participation that is included.

Alderman Thomas: But sir, you're wanting us to pass the largest contract ever and then we're going to come back and find out that we have a policy that does not fit into what some on Council, I don't know if it's a majority or not believe is the right thing to do. So, I think before we create that problem, we should try to find a way to fix it before we do that.

Alderman Miller: Point of order, is this this even on the agenda today?

City Manager Hernandez: It's not on the agenda today. My intent was to bring it back to you...

Alderman Thomas: Wait a second, I want to answer something with that. Mr. Miller I'm glad you brought that up because a lot of times for the nine members of this Council the only way to know what's being talked about is for us to be out here and to talk about it when we're out here because there's a lot of meetings that occur between some members of the Council and not all members of the Council that we're not privy to. So, this time on Thursday afternoons is sometimes the only time that the public can really hear what's being debated in local government and what's going on. Because there's a lot of decisions that y'all flow in here with your five already counted that some people don't know about. And I'm just telling you I have a very deep problem with that and whenever someone up here that's not in your group raises an issue that you're not in agreement with you seem to take offense and get aggressive about it.

Alderman Miller: Thomas you live in a fantasy world.

Alderman Thomas: I don't live in a fantasy world, it's an absolute fact. I've been in this fantasy world for 20 years. You just got here buddy.

Mayor DeLoach: Let's just back up and get over all this. We're basically saying that we've got a contract that's coming up and people have questions about it as far as adding, and I want to make sure everybody understands this contract is a perfect contract based on what we agreed to as a Council and voted on as a Council and instructed the City Manager to move forward with. This isn't something off the wall, this is what we all agreed to. Now in the meantime, there's been a question raised about whether there has been enough minority participation. Okay, so we know what we understand what you're saying. Okay, that's fine. Now the question is, City Manager, we've got a contract out there that's set up like it is right now. Can we go forward with that contract legally? I'm not saying whether you have to like it. I'm not saying whether it feels good or you know or whatever, but is it possible to move forward, take the top three

bidders that you've been working with, offer that presentation and we don't know whether we going to do it or not, that's my point in all this. We can pass this one you recommend until next week because we don't know if your program is going to pass or not right at this moment. So, we've got to pass a program that you want to do, which is the arena and then we go forward with that. And then in 30 days you come back with a recommendation. Can you present that to those winning bidders and say, would you, could you put this in your program or qualify it before you hand it to him or her and say, can you, if we do this, would this be a game changer for you? That's what I'm saying. I'm talking about the contractor, not us. I'm talking about the contract.

City Manager Hernandez: Once the contract has been awarded, going back to the contractor that was selected and saying the City has amended its program, can we amend your contract to include this, is that what you're saying?

Mayor DeLoach: No, what I'm saying is we're going to agree to pass somebody and we're going to say, okay, this is the one we recommend, okay, that's the guy. Now you come up with a program that has instead of B it's going to be C. You're going to tell that guy when he signs this or he agrees to it, hey, we've got this here, but there's a question concerning minority participation and we want to do whatever we're going to end up doing. It might pass, it might not pass. But can you handle this contract based on either way, this goes?

City Manager Hernandez: I'm going to refer to the City Attorney's Office, you want legal advice and I can't give you legal advice.

Mayor DeLoach: That's business, this is not whether it's legal or not.

Attorney Stillwell: I think that you could enter into the contract as you pointed out correctly, Mayor and I think a couple of the other Aldermen, I think Alderman Johnson said this earlier and Alderman Shabazz did the Construction Manager at Risk is not, they've not chosen the subs yet. That's much later in the process, probably six months from now. We could certainly ask, I do feel comfortable in saying this, I haven't met or don't even know who these bidders are, but virtually every contractor the City is working with now is vigorously working to get more minority contractors involved because they all are aware that that is very important to the City. I don't know a single one of them that isn't putting a high priority on that and I feel confident that whoever we choose will be of that mode or the City Manager wouldn't be recommending them. Now if we go back to that person after some new policies adopted that tweaks, whatever the DBE policy is in some way and it gives them a path to be able to find more minority contractors they're going to want to do it. They've been really trying to get more minority contractors and local and when they find qualified minority and the local bidders who can do the job, that's the trickiest part and who are available to do the job. They are leaning over backwards to hire them, so I feel comfortable that most people want to do that so. But I don't think we can legally tell them.

Mayor DeLoach: I'm not saying we tell the guy he's got to take the contract just to do it, but I'm saying if that guy comes in with his eyes wide open and says, hey, I want to try this. Okay, yeah I mean its \$120,000,000, you know, I might be able to shake out a little change out of that. Let's do that. I know it's going to be complicated I'm not saying it's going to be easy, but I feel like it's one we can walk through and make work, if we would go at it that way. Would you be willing to do that?

Alderwoman Shabazz: Mr. Mayor what you're saying, I agree with it, but the only thing that must be done is that we've got to have the adoption of the ordinance.

Mayor DeLoach: I will not promise you I will adopt anything because I don't know what that is and I'm not going to sit up here and you give you my vote. If I don't agree with it, I'm just not going to do that.

Alderwoman Shabazz: True enough sir but I'm asking for a vote today. I'm going to put my motion back on the floor.

Mayor DeLoach: Anything else Van?

[Acting Clerk Spracher informed Council a motion was already on the floor.]

Alderman Johnson: I think my point I want to make is this. I think we're all saying the same thing in different languages. We want this \$120,000,000 project to have as many local, as many minority, and as many women fingerprints on it is absolutely possible. And I think what we're saying is Mr. City Manager, Mr. Attorney, go back and find out how we can make this happen in the context of our current timeline. I think that's what we're basically. Can you do that? I don't want to tell you how to do it, if the best way is an ordinance, then tell us it's an ordinance. But I guess the other part about it is if the contract is never met nobody ever gets paid. So, let's find a way to, we can go ahead and get this done and I think that's the spirit of what we're talking about. I don't want to do an ordinance and then in the end it handicaps everybody's ability for us to do anything and next thing you know, it's ten years from now, we're still talking about the same thing.

Alderwoman Shabazz: It is the spirit of what we're talking about Alderman Johnson. So, we have a motion on the floor, so we need to go ahead and vote on it.

Mayor DeLoach: That motion was to go back and study based on Julian's motion.

[Alderwoman Shabazz asked for clarification on the motion being voted on.]

Mayor DeLoach: Look at the program and come back in 30 days with a recommendation to make it happen.

Alderwoman Shabazz: And also to adopt the ordinance for the...

Mayor DeLoach: It doesn't say anything about adopting the ordinance. He said study it and determine based on what he is going to bring back to you and then we are all going to look at it. If we all agree that's what we want to do or some number whether it be five people agree then we're going to do it, if we don't agree with it, we won't do it.

City Manager Hernandez: And so, remember just one other point, not to complicate things any further. Remember that in order to adopt or amend an ordinance you have to have two public hearings.

[Mayor DeLoach called for the question to vote on Alderman Miller's motion to have staff look at how the program is working, now the motion was seconded by Alderman Johnson.]

Alderwoman Shabazz: I am not clear on this. Mr. Miller are you saying M/WBE in this?

Alderman Miller: I'm saying look at the how the program is working now and come back with how we can make it better.

Alderwoman Shabazz: To include the minority and everybody?

Alderman Miller: Well that's the whole point, we're trying to get minority business and local business. We're trying to do it better, all the things we talked about yesterday.

Alderwoman Shabazz: I agree that is a yes vote.

[Vote]: The motion passed 8-0

Rev. Smalls: I'm smart and I still don't know what y'all voted for. We don't have to reinvent the wheel, we've got the County and the School Board who's doing better with black participation than the City. So, at least pull from our local resource and there's some other things that we can do, but if you can, that gives you a good place to start because they are being more successful. Thank you.

City Manager Hernandez: I just want to respond to one point. One of the reasons the School Board has been very successful in their level of participation is because they're doing a lot of vertical construction right now and so there's a lot of availability for vertical construction projects. We're not doing a whole lot of vertical construction up until this point. The arena, \$120,000,000 project is going to be the most significant vertical construction project that we've had for some time. The only two other vertical construction projects now, three that I'm aware of, is the Cultural Arts Center, Central Precinct and the PARC, and my understanding is that our numbers are very good on all three of those vertical construction projects.

Alderwoman Shabazz: Let me ask you a question, are parking garages vertical construction in your definition of vertical.

City Manager Hernandez: Yes, they are.

ADDED AGENDA ITEMS

[39. Motion to Approve Assignment of Lease Agreement for 102 East Lathrop Avenue](#)

[Map and Picture of 102 East Lathrop Avenue.pdf](#)

[Assignment and Assumption of Lease Agreement.pdf](#)

[Alderman Thomas asked what this item is for.]

City Manager Hernandez: Mr. Mayor, members of City Council, this is the former site of the Northwest Precinct on Lathrop Avenue. As you recall, we opened up the new precinct at the Great Dane building and we then moved out of this particular location. There is still an active lease and SCAD has approached us and indicated that they would be willing to assume that lease from us going forward.

Alderman Johnson: What's the period on that?

City Manager Hernandez: We were under that lease until December 31, 2019.

Alderman Johnson: So, it would be a sublease for a year?

City Manager Hernandez: Not necessarily a sublease, we are transferring all responsibilities to them and they are essentially assuming the lease.

Alderman Johnson: Our current lease would allow us to do that?

City Manager Hernandez: Yes.

Alderman Johnson: This gets us out, right, of all of our obligations. Are there any savings associated with that?

City Manager Hernandez: \$58,000 for the remainder of the lease.

Alderman Johnson: So, there is some savings in that, let's keep it in the First District.

Approved upon motion of Alderman Miller, seconded by Alderman Hall, and unanimously carried per the City Manager's recommendation.

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

The video recording of the Council meeting can be found by copying and pasting the below link in your url:

<https://savannahgovtv.viebit.com/player.php?hash=EkJEMunvafpN>

Luciana M. Spracher
Acting Clerk of Council