

Requested Meeting Date: **8/2/2018****REQUESTED ACTION**

455 Jimmy Deloach Parkway, LLC has requested a water and sewer agreement for 455 Jimmy Deloach Parkway, a 499,200 sq. ft. Cross-Dock facility for Safavieh, LLC.

RATIONALE *(describe explain why action is necessary):*

New development extended water/sewer lines in which the City of Savannah will maintain

OBJECTIVE/OUTCOME *(explain what this action accomplishes):*

The maintenance and operation of the water/sewer lines extended will be maintained by the City of Savannah.

STRATEGIC OR ORGANIZATIONAL ALIGNMENT *(identify Council priority):* **Health and Environment****SUMMARY EXPLANATION/BACKGROUND**

The first sentence includes the Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item. Please include the reason for not selecting low bidder, if applicable.

Recommend approval. The agreement has been reviewed and approved by the City Attorney for legal format.

FISCAL IMPACT/COST SUMMARY

Include project cost, approved budget amount, account number and grant, if applicable, source of funds and any future funding requirements.

n/a

EXHIBITS

Water and Sewer Exhibit attached that outlines the area to be extended.

STAFF CONTACT: Abe Ghazi



Memo

To: Mayor and Aldermen
From: Rob Hernandez, City Manager
Date: June 13, 2018
Re: Water and Sewer Agreement – 455 Jimmy Deloach Parkway

455 Jimmy Deloach Parkway, LLC has requested a water and sewer agreement for 455 Jimmy Deloach Parkway, a 499,200 sq. ft. Cross-Dock facility for Safavieh, LLC. The water and sewer systems have adequate capacity to serve this 8.19 (water) and 6.19 (sewer) equivalent residential unit development at 455 Jimmy Deloach Parkway. The agreement is consistent with policy directives given by the Mayor and Aldermen and has been reviewed and approved by the City Attorney for legal format.

SAVANNAH, CHATHAM COUNTY, GEORGIA

WHEREAS, 455 Jimmy DeLoach Parkway, LLC hereinafter referred to as the DEVELOPER, the developer of 455 Jimmy DeLoach Parkway which is designated by the CITY as being within the **GODLEY SERVICE AREA**, and containing improvements consisting of a 499,200 Cross-Dock Facility for: Safavieh, LLC as shown on the attached drawing prepared by Kern and Company, LLC and dated 2/16/17, Scale 1" = 300', desires certain commitments from the City of Savannah, hereinafter referred to as the CITY, in regard to the collection and disposal systems to serve said development, and

WHEREAS, the engineering design for said water and sanitary sewer systems has been, or will be, accomplished by competent professional engineers registered in the State of Georgia, and bids for the construction of said systems has been or will be requested;

IT IS AGREED between the parties hereto that the City has approved the designation of the engineer responsible for the engineering design and inspection in connection with the installation of the said water and sanitary sewer systems. The Developer has provided resident inspection during construction and ensured the engineer's conformance to area planning, adequacy of design, and conformance to City requirements regarding location, size and depth of line, capacity and arrangement of lift stations, and quality of construction. The Developer has provided to the City a statement from the project engineer certifying that the materials and workmanship including pipes, bedding, thrust blocks, valves, fire hydrants, manholes, lift station equipment and other related materials and work meet the City's specifications and standards. The CITY has obtained any affidavits from suppliers and any required test results for inflow/infiltration, exfiltration, deflection, pressure, leaks, bacteria, compaction and other tests required by the City. All construction, engineering and inspection cost in connection with these systems has been paid by the Developer. The City will provide only the sewage treatment facility and the water supply facility.

IT IS FURTHER AGREED that this agreement shall contain the following special

conditions/requirements:

Any development which requires sanitary sewer main extension and/or involve storm sewer conduits will require televising by the City of Savannah televising crew. In accordance with the City of Savannah Revenue Ordinance, the charge will be \$1.25 per linear foot with a set-up fee in the amount of \$120.00.

All fees required by the City from the Developer have been paid.

IT IS FURTHER AGREED that the Developer shall render the City harmless for any claims and damages due to the work associated with the tie-in of Developer's facilities to existing sanitary sewers.

IT IS FURTHER AGREED that the City hereby accepts title to, and assumes responsibility for maintenance and operation of, those portions of Developer's water and sanitary sewer collection systems located within public easements and rights-of-way. This acceptance shall include all rights, title and interest that the Developer has in the water and sanitary sewer systems serving the said project and also all easements and/or rights-of-way required for the purpose of maintenance thereof.

IT IS FURTHER AGREED that the Developer has provided to the City any required recordable plat(s) showing all utilities within public easements and/or rights-of-way to be owned and maintained by the City.

IT IS FURTHER AGREED that Developer has paid to the City all required sanitary sewer tap-in fees and a separate water tap-in fee and a water meter installation fee based on those fees in effect at the time of the water and/or sewer connection, or as provided in the Revenue Ordinance.

IT IS FURTHER AGREED that the Developer has paid to the City a proportionate share of the capital cost for expanding the capacity of the wastewater treatment facilities and of meeting

discharge requirements as established by the Georgia Environmental Protection Division.

IT IS FURTHER AGREED that all provisions of law now or hereafter in effect relating to water and sewer service by the City of Savannah shall be applicable to this agreement.

IN WITNESS WHEREOF, the Developer has executed these presents under seal, and the City has caused these presents to be executed by its proper officer its seal, affixed, this 7 day of July, 2019.

THE MAYOR AND ALDERMEN
OF THE CITY OF SAVANNAH

EXECUTED IN THE PRESENCE OF:

WITNESS

BY: _____
CITY MANAGER

NOTARY PUBLIC
Chatham County, Georgia


ATTEST: _____
CLERK OF COUNCIL

(SEAL)


EXECUTED IN THE PRESENCE OF:

455 JIMMY DELOACH PARKWAY LLC

BY: YARAGHI REALTY, LLC
Its Sole Member



WITNESS RUSLAN MECHUV

BY: 

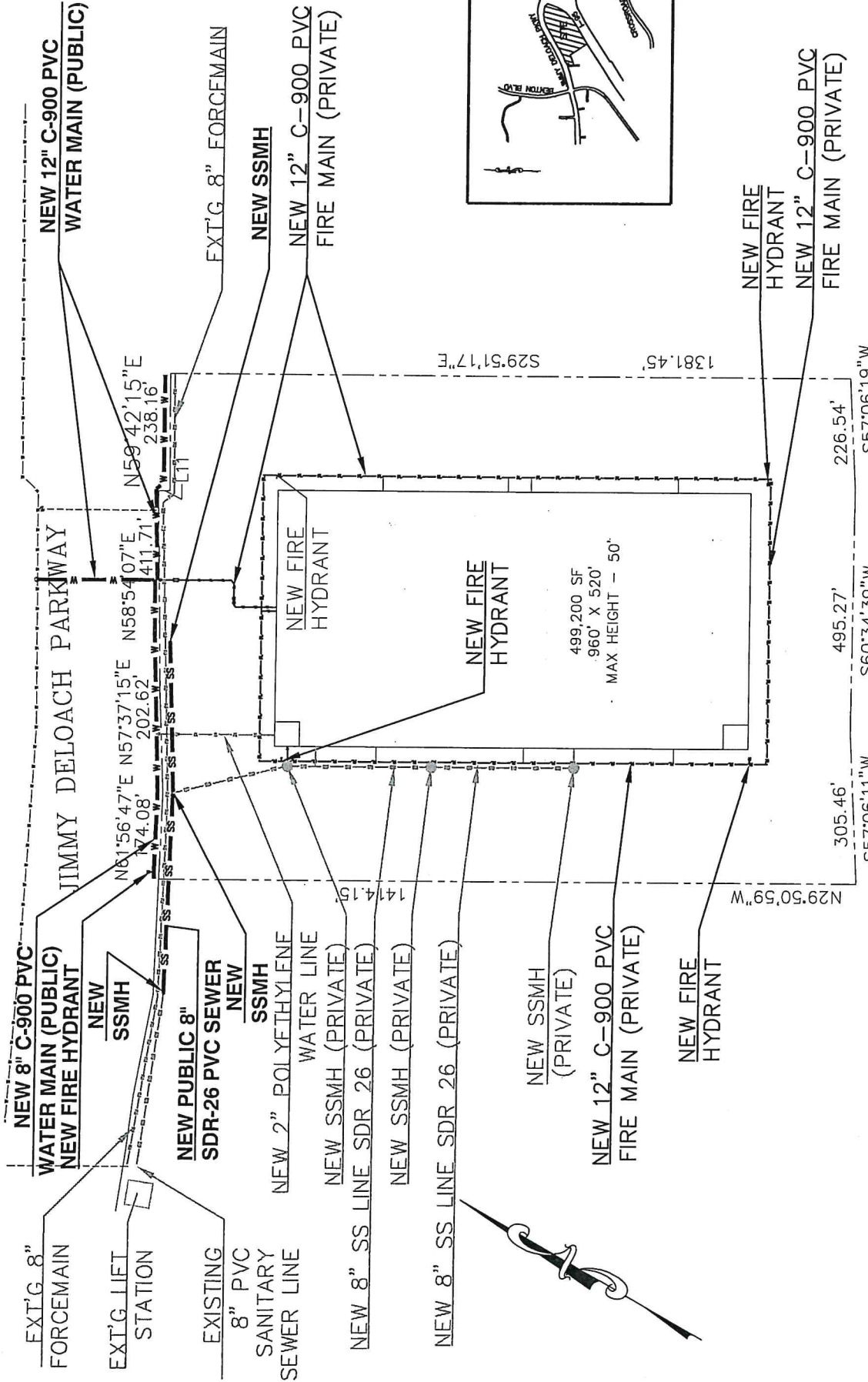
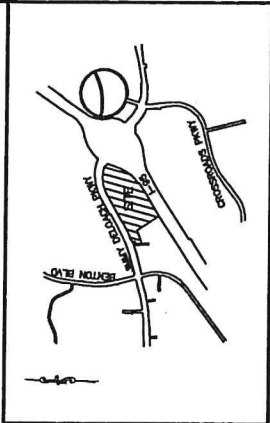
Moshen Yaraghi
Title: MANAGING MEMBER



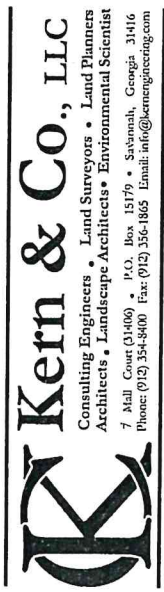
NOTARY PUBLIC

(SEAL, If Incorporated)

JOAN C. McMORROW
Notary Public, State of New York
No. 01MC6168025
Qualified in Nassau County
001063094
Commission Expires June 4, 2019



WATER & SEWER EXHIBIT
499,200 CROSS-DOCK FACILITY
FOR: SAFAVIEH GROUP, LLC



Kern & Co., LLC
 Consulting Engineers • Land Surveyors • Land Planners
 Architects • Landscape Architects • Environmental Scientist
 7 Mail Court (1406) • P.O. Box 15179 • Savannah, Georgia 31416
 Phone: (912) 354-8400 Fax: (912) 356-1865 Email: info@kernengr.com

INTERSTATE 95



GRAPHIC SCALE

(IN FEET)
1 inch = 300 ft.

SCALE: 1"=300'
 PROJECT NO: 150270
 DATE: 12/18/17
 DRAWN BY: SAM
 CHECKED BY: CRZ
 SHEET NO: **EXH A**