



October 5, 2018

VIA EMAIL (sscheer@smaclegal.com)

Steven E. Scheer, Esq.
8 East Liberty Street
Savannah, GA 31401

Re: Jaqueline Somesso
Application for Alcoholic Beverage License (Liquid Café)

Dear Mr. Scheer:

As you are aware, staff has recommended that City Council deny Jaqueline Somesso's request for issuance of an alcoholic beverage license ("ABL") for the premises situated at 10201 Abercorn Street t/a Liquid Café. In short, the management of other establishments for which Ms. Somesso possessed an ABL revealed a history of noncompliance with applicable laws and regulations, and business operations that created serious public safety issues.

According to our records, between 2004 and 2007, Ms. Somesso operated Oz at 614 Indian Street, which generated noise complaints, issues with parking capacity and occupancy load concerns. It attracted clientele prone to disruptive behavior. On March 21, 2007, Ms. Somesso submitted a request to transfer her alcoholic beverage license to a different location (11508 Abercorn Street, d/b/a One Vision), which triggered a show cause hearing before City Council on April 26, 2007. At that time, staff introduced evidence that included the unlawful presence of minors in Oz, operation of the business in a manner that constituted a nuisance to the neighborhood, and lack of internal and external controls, which resulted in an extraordinary deployment of law enforcement resources, among other issues. As stated by then-City Manager Michael Brown, "we should also consider that the petitioner pledged in 2004 to properly operate the club and the record indicates the pledges were not fulfilled." In a memorandum dated April 10, 2007, Mr. Brown also noted that Somesso's proposed Abercorn location had previously operated as Club Ice, "the site of problems in the past, [and] there is a serious concern on the part of city staff including the SCMPD, that problems will continue if not escalate at this location under Ms. Somesso's management. Ms. Somesso has not proven to be a credible manager of a bar/lounge operation." Based on this record, Council denied the transfer request.

On July 19, 2007, Council considered the application of Ms. Somesso's husband, Michael, to sell alcoholic beverages at 11508 Abercorn Street. A show cause hearing was conducted on August 2, 2007, which focused on the operation of a teen club and two recent major incidents requiring a large police response. Mr. Somesso's request was denied by Council. On November 8, 2007, Ms. Somesso submitted another request for an alcoholic beverage license for 11508 Abercorn Street, proposing to operate as a

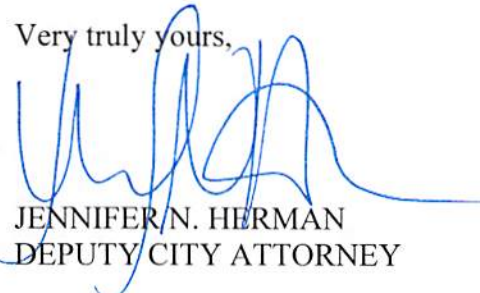
restaurant with alcohol service. The application was withdrawn about one month later. On January 16, 2008, One Vision was the subject of a burglary during which a considerable amount of alcohol was stolen.

Ms. Somesso submitted another application for One Vision on January 30, 2008, this time seeking to operate as a restaurant with alcohol sales limited to beer and wine. A show cause hearing was scheduled for February 14, 2008, which was continued. Contingent upon operation of an amended business plan requiring Somesso to not conduct special events and limit the establishment to 200 patrons, City Manager Brown recommended approval of the license, which Council approved on February 28, 2008. In response to receiving notice of a show cause hearing scheduled for July 17, 2008, Ms. Somesso surrendered the license.

The foregoing is not intended to be an exhaustive recitation of the factual bases for the staff recommendation; however, it presents evidence sufficient to recommend denial under Section 6-1207 of the City Code. In particular, Section 6-1207 empowers City Council to, *inter alia*, consider an applicant's licensing history, including her compliance with applicable laws and regulations. Sec. 6-1207(a)(1). Additionally, Council may consider whether an applicant's previous business activities were conducted consistent with public safety concerns. Sec. 6-1207(a)(2).

I am enclosing the public records you requested concerning Ms. Somesso's prior operations, Bates-stamped CITY0001ORA to CITY000265ORA. Redactions were made pursuant to O.C.G.A. § 50-18-72(a)(20)(A). Her request for a license will be heard at the next regular Council meeting, October 11, 2018 at 2:00 p.m. She is invited, along with you, to appear, present evidence, and cross-examine witnesses.

Very truly yours,



JENNIFER N. HERMAN
DEPUTY CITY ATTORNEY

JNH/lea
Encls.

c: Rob Hernandez, City Manager (via email)(w/o encls.)
Chief Robert Gavin (via email)(w/o encls.)
Bret Bell, Assistant to the City Manager (via email)(w/o encls.)