

**CITY GOVERNMENT
OFFICIAL PROCEEDINGS OF CITY COUNCIL
SAVANNAH, GEORGIA**

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 Dyanne C. Reese, Clerk of Council.

PRESENT: Mayor Eddie W. DeLoach, Presiding
Mayor Pro-Tem Carol Bell
Alderman Julian Miller, Chairman of Council
Brian Foster, Vice-Chairman of Council
Aldermen Bill Durrence, Van Johnson, II, Tony Thomas
Estella Shabazz and John Hall

City Manager, Rob Hernandez
City Attorney W. Brooks Stillwell
Assistant City Attorney Lester B. Johnson, III
Assistant City Attorney William Shearouse

Upon motion of Alderman Bell, seconded by Alderman Shabazz, unanimous approval was given for the Mayor to sign an affidavit and resolution on Litigation, Real Estate and Personnel for an Executive Session held today where no votes were taken. (**SEE RESOLUTIONS**)

MINUTES

Upon motion of Alderman Bell, seconded by Alderman Shabazz, and unanimously carried the summary/final minutes for the City Manager's briefing of January 19, 2017 was approved.

Upon motion of Alderman Bell, seconded by Alderman Shabazz, and unanimously carried the summary/final minutes for the City Council meeting of January 19, 2017 was approved.

APPEARANCES

Peter Shannon and Austin Hill appeared to provide information and an update on the Philharmonic in the Streetz celebration which took place on January 29, 2017. Mr. Hill thanked all the sponsors and the community for their support stating it turned out better than they imagined. Mr. Shannon thanked Alderman Bell for her passion and support of the Savannah Philharmonic. Alderman Bell asked staff to report the event to the National League of Cities so the City can receive some press in reference to the event nationwide.

Mayor DeLoach recognized Alderman Hall for his accomplishments at Georgia Municipal Association. He received a Certificate of Distinction through the Harold F. Holtz Municipal Training Institute.

Mayor DeLoach also recognized February as the celebration of Black History month which gives us an opportunity to reflect on all the contributions made by African Americans in our country and especially the ones that have made history in Georgia and the City of Savannah.

Alderman Johnson made a motion asking that the agenda be amended to add the consideration of a Resolution regarding President Trump's Executive Order entitled "Protecting a Nation from Foreign Terrorist Entry into the United States" the motion was seconded by Alderman Shabazz. Alderman Foster stated Council has always been non-partisan for a reason which is to leave national politics out of the Council and for that reason he will be voting against adding the item to the agenda. Alderman Johnson stated there was a motion and second on the floor and for that reason he asked that a vote be taken. A board vote was taken with the following voting in favor of adding the item to the agenda: Aldermen Johnson, Thomas, Hall and Shabazz. Mayor DeLoach, Aldermen Bell, Durrence, Foster and Miller voted against. The motion failed 5 to 4.

ALCOHOLIC BEVERAGE LICENSE HEARINGS

As advertised, the following alcoholic license petitions were heard. No one appeared in objection to the issuance of these licenses.

Charles F. Schmitt for Savannah Music Depot, LLC t/a The Stage on Bay, requesting liquor, beer and wine (drink) and Underage Permit at 1200 West Bay Street, which is located between Kirkland Street and Lehwald Street in District 1. The applicant plans to operate a music event venue. (New location/request/ownership). **Continued from the meeting of January 19, 2017.**

Will Claiborne, Petitioner's Attorney appeared stating in reviewing the factors and the application of his client he feels there is a public relations issue rather than a legal issue. There are historical factors that seem to be in play that have more to do with history than with the application. He stated there was a question that came up at the previous Council meeting as to the number of establishments in the area with liquor licenses. The ordinance discusses not just the number of licenses presently granted in the area but the number of licenses granted for similar businesses. There are 6 licenses in the area, 5 of which are for convenient stores and 1 is for a package store and none are for anything similar to an event location.

The City stated the venue needed to have 197 parking spaces, there are 210 parking spaces. A petition has been signed by all of the abutting property owners who are in favor of the establishment coming to the area. Attorney Claiborne stated this can be more than just a concert venue as the Pastor of Life Changers Christian Ministries has signed a lease with the owner to hold Sunday services and a one night a week Bible Study in the venue. Attorney Claiborne concluded stating he has looked at the material his client has submitted, staff recommendations and the City ordinances and sees no legal cause for the license to be denied. Looking at the actual factors in the ordinances and the communities concern that the location is already zoned for the use and given that it is zoned this way and Mr. Schmitt has complied with the application process it could potentially cause a legal problem if he were to be turned down based on these issues and there could be a due process problem, equal protection

problem, and/or a taking problem. Attorney Claiborne stated he doesn't want to have any of those issues and would like to work with the City and the community.

Alderman Foster asked how many of the adjacent property owners that signed the petition plan to rent spaces for parking. Mr. Schmitt replied one.

City Manager Hernandez stated he was told as of today the establishment does not have their Certificate of Occupancy which is one of the requirements to issue an alcohol license. If Council approves the license it is subject to the petitioner receiving the Certificate of Occupancy. Attorney Claiborne replied they understand that it is contingent upon receiving the Certificate of Occupancy and they hope to have it.

Attorney Stillwell stated the petitioner went to the Zoning Board of Appeals and was denied a variance to park within the buffer zone in order to meet their parking requirements. They requested a second variance to use a remote parking lot which is not contiguous to the property. They received the buffer variance but not the offsite parking variance because there is not a sidewalk connecting the establishments and would have created an issue for pedestrians.

Attorney Claiborne stated if the second variance would have been granted the parking space numbers would have increased to 296. Alderman Johnson stated the venue seats 1000 people how are 210 parking spaces near adequate? Attorney Claiborne stated it has to do with the City assuming there will be four occupants per vehicle, however, in the real world most people will take cabs and ubers and some may walk. Alderman Johnson disagreed stating in the real world most people drive themselves because when they are ready to leave they are just that ready. Attorney Claiborne stated he understands that but 197 is the number they were told to hit and they over complied with 210.

Alderman Shabazz stated the petitioner not having a Certificate of Occupancy raises a red flag for her, as well as the parking issues.

Alderman Thomas asked attorney Stillwell if the zoning allows this type of use. Attorney Stillwell replied yes it does. Alderman Thomas stated the problem is that Attorney Claiborne used the word "taking" and the citizens need to understand what that word means. He continued stating if Council votes not to allow this use the petitioner will sue the City which the City will have to rigorously defend. He stated the citizens have been shouting about these issues for many years, and he feels for the neighborhood and the area as there are many people that have been trying to make positive changes and have been fighting for many years. Alderman Thomas asked City Manager Hernandez if staff has begun checking the density issues as it relates to the proximity in these types of neighborhoods. City Manager Hernandez replied staff has begun the process and he hopes to have something back to council within 90 days.

Alderman Johnson stated there is legal precedence and read O.C.G.A 6-10207 a(1) and a(4). He stated the City has legal grounds and at what point will the city say enough is enough and protect the neighborhood.

Commissioner Chester Ellis who represents the 8th District which encompasses West Savannah and Hudson Hill appeared in opposition of the approval of the license stating there were things that should have been done before any of the current members of Council were elected. He continued stating there are laws that protect the value of the community as opposed to the value of the individual. He concluded stating it is their desire for Mr. Schmitt to have a thriving business but not at the expense of the neighborhood or the residents that live there.

Lucille Jackson, Hudson Hill resident appeared and read the following letter from the Hudson Hill Community Board of Directors:

Mayor and Aldermen:

We are writing this letter of non-support of the motion for a liquor license for The Stage on Bay. To operate a new business serving alcohol on Bay Street in the Hudson Hill Community.

We are concerned about the safety of our community, and we believe that granting of this petition will be detrimental to our community.

We thank you for your continued support of our quest to foster a productive, safe progressive populace, and our continued efforts to make Hudson Hill Community that includes Bayview and Clearview the best it can be.

Respectfully Submitted
Hudson Hill Community Association Board of Directors,

Jean Lemon, President
Lucille Jackson
Jacqueline White
Michele Howard
Lolita Bowers
Bishop Willie Ferrell
Ernestine Jones
Rebecca Johnson
Sadie Williams

Charles Brown appeared in favor of the establishment coming to the community. He stated when he saw the building he inquired about it and was hired by Mr. Schmitt and has since hired other community members to work in the venue.

Bernetta Lanier appeared in opposition of the establishment coming to the community. She presented petitions from 2002, 2005 and 2006 which were signed by many residents some of which are now deceased. She stated the residents in West Savannah have been fighting this fight for several years and have yet to receive any relief. She concluded stating this business is a liability to the community. She concluded stating they have a plan to bring healthy businesses to the community and asked for the help of the Council.

Ronald Williams, West Savannah Neighborhood Association, President appeared in opposition of the establishment coming to the West Savannah Community. He asked how can Mr. Schmitt's license be approved and they have yet to receive the Certificate of Occupancy? In his opinion that is like putting the cart before the horse again. He suggested maybe placing the license on hold until all requirements have been met and received.

Don Scott, Director of Programming for I-95 "The Rock of Savannah" appeared in favor of the establishment coming to the community. He stated the types of bands Mr. Schmitt is proposing will add to the community as they are family friendly shows. The Civic Center is too big and

bars are too small, the venue would give people the opportunity to come to the City instead of leaving to find this type of entertainment elsewhere. He concluded stating the venue would help with some of the revitalization efforts in the area.

Alderman Johnson stated West Savannah and Downtown are being used interchangeably and they are not and he agrees the venue would be great for “Downtown” and would be a win/win if it were somewhere else but a win/lose if it’s in an area where traffic and density are issues.

Curtis V. Cooper, Jr. appeared stating at the last Council meeting the residents were ensured that Mr. Schmitt had all requirements necessary to open the venue and they were informed today that he does not have the Certificate of Occupancy nor are the inspections complete.

Attorney Stillwell stated he found out after the last meeting that Mr. Schmitt had a case pending with the Zoning Board of Appeals which has since been heard.

Patricia Robertson, resident in the Senior Building in Sustainable Fellwood appeared in opposition of the establishment coming to the area stating the noise will interfere with the residents that live in the building not just the patrons arriving but them leaving especially. She also reiterated the parking issues and feel if the venue comes to the area the residents that currently live in the senior building will not have adequate parking. She conclude by making reference to the crime issues that are already present in the area stating with alcohol involved it gives you the courage that you can do anything and she fears that will be the case if the license is approved.

Rev. Brenda Lee appeared to express her concerns about happenings in the City. She feels Council should only allow people that have a vested interest in the City to do business.

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

Alderman Thomas stated he has always supported neighborhoods in his district as it relates to alcohol and intrusion into the area. He stated to Mr. Schmitt that he wants his business to flourish and succeed and hopes if the outcome is not in his favor that he looks for another location in the City. He referred to City Manager Hernandez stating he hopes he will move expeditiously with working on the density issues to ensure this does not occur again. He concluded stating he hopes this is a time when Council stands with the neighborhood.

Alderman Foster stated the first he heard of this was a few weeks ago and he was surprised as this is an area that he never thought something like this would occur. He stated many people know he has been working with the residents in Fellwood and the Westside trying to locate and identify some retail business to the area. Millions of dollars are invested in Fellwood and it’s very important to the community that Council continues to support that. He continued stating this does not feel right to him. Council has a responsibility to represent the community and it is his belief that they have to look at the communities and residences and public safety is certainly number one and there are many issues and questions as it relates to this venue.

Denied upon motion of Alderman Johnson, seconded by Alderman Shabazz, and carried. A board vote was taken with the following voting in favor of the motion: Mayor DeLoach,

Aldermen Bell, Foster, Johnson, Thomas, Durrence, Hall and Shabazz. Alderman Miller voted against the motion. The motion passed with an 8 to 1 vote.

RESOLUTIONS

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 2nd day of February, 2017 the Council entered into a closed session for the purpose of discussing Litigation. 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: FEBRUARY 2, 2017

Resolution Authorizing Sale of Alcoholic Beverages For Consumption On Premises On Sunday, December 31, 2017. Resolution adopting the sale of alcoholic beverages for consumption on the premises, between the hours of 12:30 p.m. and 12:00 midnight, Sunday, December 31, 2017 is hereby authorized for all establishments that possess a Class C alcoholic beverage license, issued pursuant to Article H, Chapter 2, Section 6-1205 of the Alcoholic Beverage Ordinance of 2017. **Recommend approval**

RESOLUTION AUTHORIZING SALE OF ALCOHOLIC BEVERAGES FOR CONSUMPTION ON PREMISES ON SUNDAY, DECEMBER 31, 2017

WHEREAS, pursuant to state law, bars, nightclubs and similar such establishments, defined by exclusion; to wit, establishments that do not derive at least fifty percent of their annual gross sales from the sale of prepared meals or food or those that do not derive at least fifty percent of their total annual gross income from the rental of rooms for overnight lodging, are prohibited from selling or dispensing alcoholic beverages for on-premises consumption on Sundays; and

WHEREAS, effective March 13, 2015, the state legislature enacted an exception to the foregoing general prohibition at O.C.G.A. § 3-3-7(r) whereby a municipality may, by resolution or ordinance, authorize that class of alcoholic beverage licensees otherwise prohibited from engaging in Sunday sales to sell or dispense alcoholic beverages for on-premises consumption on one specifically designated Sunday each calendar year; and

WHEREAS, the New Year's Eve holiday, December 31st, falls on a Sunday in 2017; and

WHEREAS, the Mayor and Aldermen wish to avoid inequities that may result from allowing certain alcoholic beverage licensees to operate on Sunday, December 31, 2017, while others will be prevented from doing so under the state Sunday sales provision; and

WHEREAS, state law empowers the Mayor and Aldermen to adjust for any inequities by adopting a resolution allowing for Sunday sales on one designated Sunday per year and it is the Council's intent to invoke and rely upon that authorization in the adoption of this resolution;

NOW, THEREFORE, the Mayor and Aldermen of the City of Savannah, Georgia hereby resolve as follows:

The sale of alcoholic beverages for consumption on the premises, between the hours of 12:30 p.m. and 12:00 midnight, Sunday, December 31, 2017 is hereby authorized for all establishments that possess a Class C alcoholic beverage licenses, issued pursuant to Article H, Chapter 2, Section 6-1205 of the Alcoholic Beverage Ordinance of 2017.

ADOPTED AND APPROVED: FEBRUARY 2, 2017 upon motion of Alderman Thomas, seconded by Alderman Johnson, and unanimously carried per the City Manager's recommendation.

Savannah Affordable Housing Fund. Resolution adopting the 2017 Savannah Affordable Housing Fund (SAHF) Policy Guidelines and Work Program, and authorizing the City Manager to enter into an Implementation Agreement with Community Housing Services Agency, Inc. (CHSA). **Recommend approval**

**RESOLUTION TO ADOPT THE 2017
SAVANNAH AFFORDABLE HOUSING FUND
POLICY GUIDELINES AND WORK PROGRAM
AND TO AUTHORIZE THE CITY MANAGER TO CONTRACT WITH THE
COMMUNITY HOUSING SERVICES AGENCY, INC
TO IMPLEMENT THE 2017 WORK PROGRAM.**

WHEREAS, the City of Savannah established a local housing fund known as the Savannah Affordable Housing Fund (SAHF) on November 17, 2011 for the purpose of creating, repairing and retaining affordable and workforce housing in the city of Savannah; and

WHEREAS, the SAHF Advisory Committee was established to provide guidance in the establishment and growth of the SAHF; and

WHEREAS, the City of Savannah Housing Department provides support to the SAHF Advisory Committee; and

WHEREAS, the SAHF Advisory Committee developed Policy Guidelines and a model that led to the successful implementation of the SAHF in 2013; and

WHEREAS, the SAHF Advisory Committee meets throughout the year to evaluate progress, to update SAHF Policy Guidelines when necessary, and to establish an annual Work Program that provides parameters for SAHF investments; and

WHEREAS, the SAHF Advisory Committee recommends that an experienced non-profit housing organization, with Housing Department support, be contracted with annually to implement SAHF Work Program; and

WHEREAS, the SAHF Advisory Committee has recommended that Community Housing Services Agency, Inc. (CHSA) be contracted with by the City of Savannah to implement the 2017 SAHF Work Program; and

WHEREAS, CHSA has served in this role in previous years and has agreed to do so again in 2017 without cost to the SAHF; and

WHEREAS, the SAHF is not used to pay for administrative or implementation services.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Aldermen of the City of Savannah adopt the 2017 SAHF Policy Guidelines and Work Program, and authorize the City Manager to enter into a contract with the Community Housing Services Agency, Inc. to implement the 2017 SAHF Work Program. Said contract shall be approved by the City Attorney and no SAHFs will be used to pay administrative costs associated with the implementation of the 2017 SAHF Work Program.

ADOPTED AND APPROVED: FEBRUARY 2, 2017 upon motion of Alderman Thomas, seconded by Alderman Durrence, and unanimously carried per the City Manager's recommendation.

St. Patrick's Day Festival 2017. Resolution designating March 16, 17, and 18 as the festival days for the St. Patrick's Day Festival 2017; and to designate as the Festival Control Zone the area bounded by East Broad Street on the east, the Savannah River on the north, and Martin Luther King Jr. Boulevard on the west. The southern boundary is Broughton Lane from MLK Boulevard to Drayton Street and Bay Lane from Drayton to East Broad. **Recommend approval**

Alderman Thomas expressed his concerns about the City charging for wristbands but stated he sees firsthand the difference in what the City looks like from night to morning and understands why it is necessary. He concluded stating he feels the price is a little steep and wants Council

to remain cognizant that when the wristband sales was originally created years ago it was stated in the years that there is an actual profit (Friday/Saturday festival days) the monies collected were to be used to create new festivals and new events so people in the City of Savannah can profit and benefit from them with their families.

RESOLUTION

A resolution to designate March 16, 17, and 18 as the festival days for the St. Patrick's Day Festival 2017; and to designate the area bounded by East Broad Street on the east, the Savannah River on the north, Martin Luther King, Jr. Boulevard on the west, and Broughton Lane from Martin Luther King Boulevard to the east side of Drayton Street to Bay Lane to East Broad Street as the Festival Control Zone.

WHEREAS, the Festival Ordinance of 2013, Section 6-2423, provides that on the recommendation of the City Manager, the Mayor, and Aldermen may designate and name certain community festival days, including the "St. Patrick's Day Festival, " and during such festival days authorize cultural and entertainment events and initiate the regulatory provision of the ordinance within the festival area.

WHEREAS, the Festival Ordinance of 2013, Section 6-2425, provides that upon recommendation of the City Manager, the Mayor, and Aldermen may designate one or more Control Zones within the Festival Area, and may authorize the City Manager to implement regulations and controls which will be specific for each designated Control Zone and the Mayor and Aldermen may designate and authorize a non-profit tax-exempt organization or similar entity to organize and manage festival activities within the Control Zone.

AND WHEREAS, the City Manager has recommended designation of the St. Patrick's Day Festival 2017 and designation of a Festival Control Zone.

NOW, THEREFORE, BE IT RESOLVED that March 16th thru March 18th are designated as the festival days for the St. Patrick's Day Festival 2017 and that the Savannah Waterfront Association is designated and authorized to organize and manage festival activities within the Control Zone.

ADOPTED AND APPROVED: FEBRUARY 2, 2017 upon motion of Alderman Bell, seconded by Alderman Durrence, and unanimously carried per the City Manager's recommendation.

Resolution Regarding Delegation Of Authority to Execute Contracts. Authorization for the City Manager to delegate his authority to execute contracts to Assistant City Managers, Bureau Chiefs, and other subordinates in the interest of improving the efficiency of City operations. **Recommend approval**

Alderman Thomas expressed his concern with this matter stating the Mayor and Council hires the City Manager and delegates powers to him and he wants to now delegate those responsibilities to other people. He asked what types of contracts will this be for and what the dollar amount will be.

City Manager Hernandez responded this will be for instances where the items have already come before Council and he has seen and approved it as well, if he is out of town, on vacation or out sick as he does not want to hold any items up from being executed.

Alderman Thomas asked if this will include any procurement items and his delegated staff having the authority to make purchases under his guidelines. City Manager Hernandez replied it is his understanding that he currently has this authority which he has delegated to the Purchasing Director.

Alderman Hall asked City Manager Hernandez if he has total oversight of this and he replied he does and is trying to make the process quicker and more efficient for the City to do business.

**RESOLUTION REGARDING DELEGATION OF
AUTHORITY TO EXECUTE CONTRACTS**

WHEREAS, Section 3-110 of the City Charter vests authority and power to make and execute contracts in the City Manager; and

WHEREAS, Section 3-108(9) of the City Charter provides that the City Manager has the right to recommend to Council for its adoption such measures as he or she may deem necessary or expedient; and

WHEREAS, the City Manager has requested that Council provide authorization to delegate to certain other city officials the authority to execute contracts the City Manager is authorized to sign in the interest of improving efficient operation of the City; and

WHEREAS, the Mayor and Aldermen find that this Resolution furthers the interests of the citizens of Savannah in ensuring more efficient operation of the day-to-day affairs of the City; and

WHEREAS, the Mayor and Aldermen reserve the right to revoke this delegation upon written notice to the City Manager, without more;

NOW, THEREFORE, the Mayor and Aldermen of the City of Savannah, Georgia hereby resolve as follows:

The City Manager is hereby authorized to delegate the authority to make and execute contracts which he or she is authorized to sign to Assistant City Managers, Bureau Chiefs, and other subordinates, as deemed necessary and expedient. Such delegations shall be in writing.

ADOPTED AND APPROVED: FEBRUARY 2, 2017 upon motion of Alderman Durrence, seconded by Alderman Miller, and unanimously carried per the City Manager's recommendation.

MISCELLANEOUS

Contract to Sell Surplus Right of Way Known as Munster Street to Adjoining Property Owners in the Estimated Amount of \$382,000. On March 3, 2016, under Petition 140937, the Mayor and Aldermen declared Munster Street as surplus and available for sale to a Buyer acquiring all properties adjoining the right-of-way. The approved transaction never closed. A new petition (160440) has been submitted by the petitioner representing all property owners adjoining the right-of-way. These property owners include: 2801 LLC, PDL LLLP, and Viet T and Patricia Hoang. Staff recommends approval of a re-declaration of Munster Street as surplus and available for sale to the adjoining property owners, with the following conditions replacing the previous conditions:

1. Munster Street contains City utilities. If the sale is approved, the City will reserve an easement for utilities until such time, if ever, as the utilities are relocated by the Property Owner. If utilities are planned to be relocated, such relocation would be incurred at the sole cost and expense of the Property Owner and relocation plans would be subject to approval by the City.
2. If any private utilities are present in Munster Street, such as, but not limited to, electrical power, gas, cable, etc., and if such private utilities are party to a Franchise Agreement with the City, then an easement would be granted for these utilities until such time, if ever, the utilities are relocated by the Property Owner. Any such utility relocation would be incurred at the sole cost and expense of the Property Owner and relocation plans would be subject to approval by the City and the private utility Franchisee.
3. The entire right-of-way will be acquired and adjoining properties re-platted such that there will not be any landlocked lots resulting from the sale and all parcels will have access to a public street.
4. A May 2016 appraisal reported a market value of the right-of-way of \$382,000. An updated appraisal will be procured to estimate the current market value of the property.

This matter has been reviewed by the Development Services Department, Bureau of Public Works and Water Resources, and the Real Property Services Department.

Request to sell Munster Street, a surplus right-of-way, to the adjoining property owners or their assigns as requested in Petition #160440; subject to conditions noted, and authorization for the City Manager to negotiate a final sale price based on a review of the appraisals and to execute related deeds and closing documents. **Recommend approval.** Nick Palumbo, Smart Growth Savannah Director appeared asking that the recommendation be amended to only abandon a portion of Munster Street that is necessary.

Alderman Miller stated there was no compromise at the meeting which occurred with the residents rather a discussion.

Lou Phelps, 52nd Street resident appeared stating it's not that the City can't break up the portions of the street they are choosing not to. She continued stating the Parkside residents are

asking that Council consider tying the sale of Munster Street to the specific proposal of a grocery store, by only selling the front portion of Munster Street, not its entire length between Victory Drive and Kerry Street and if that deal falls through, the street reverts back to ownership of the City. She stated a Master Plan has not been submitted to the MPC or the City by a developer, and there is no assurance that a right of way will not be granted back to the 4 acres. She concluded stating the Parkside Neighborhood Association would like to see all neighborhoods in the greater circle around Daffin Park preserved.

Stuart Dorman, Smart Growth Savannah Board member and Parkside Neighborhood resident appeared asking that the south portion of Munster Street be retained.

Attorney McCorkle appeared stating they have been at this for four months and he has done his due diligence by meeting with everyone that had questions or reservations in reference to the project as requested by the two Aldermen (Miller and Hall) that represent the areas. He is asking that Council approve the motion as recommended by City staff and the City Manager.

Approved upon motion of Alderman Hall, seconded by Alderman Miller, and carried per the City Manager's recommendation with the following voting in favor: Mayor DeLoach, Aldermen Bell, Miller, Foster, Durrence, Thomas, Hall and Shabazz. Alderman Johnson opposed.

Budget Adjustments to Line Items within the Mayor & Aldermen's Operating Cost Center.

- a. Approval of a request for funding from the Coastal Georgia Indicators Coalition in the amount of \$17,000 to provide maintenance and support of the Community Needs Indicator database for the period of January 1, 2017 through December 31, 2017.
- b. Approval of a request for funding from the Savannah Navy League, Inc. in the amount of \$6,000 to provide ship and crew visit support for the period of January 1, 2017 through December 31, 2017.
- c. Approval of a line item transfer within the Mayor and Aldermen's Fiscal Year 2017 Operating Budget in the amount of \$10,000 from 51271-Food and Catered Meals and \$13,000 from 51212-Travel, Transportation and Lodging.

If approved, this action will reallocate funding from line items within the Mayor and Aldermen's Cost Center to accommodate funding requests from Coastal Georgia Indicators Coalition and Savannah Navy League.

City Manager Hernandez stated the City received a request from both groups and neither one fit into the two category types in which the City services (non-profit social service agencies and non-profits that provide cultural arts services) however, they are exceptions to the normal process and he felt it was necessary to bring them back before Council.

Alderman Durrence asked if the funds coming from the Mayor and Aldermen Travel budget will affect their travel in any way. Melissa Carter, Research and Budget Director appeared stating there were additional funds allocated to the travel budget for 2017, the total amount being \$60,000. In 2016, actual expenditures totaled approximately \$19,000, the line item is budgeted to allow for more flexibility and travel needs will be adjusted from year to year.

Alderman Miller stated he has a great deal of respect for both organizations and many others

that requested funding in the budget however, Council has been through the budget twice and his fear is that if Council starts funding organizations around the budget at what point will it stop; and how can Council look at the other organizations some of which are just as important and say we are not discriminating when this is done? He feels it should be done systematically and because of that he will not support the funding.

Alderman Foster asked what has the City gotten out of partnering with the Georgia Indicators Coalition since 2008 for the money the City has contributed; and because the City is involved does the City have a commitment to stay in it?

City Manager Hernandez responded the City of Savannah has been working closely with the group to identify the key issues that are important to all communities. They work with individuals to prepare vision statements and key indicators. The City will be paying them for the continued maintenance of the database they have created so the City of Savannah can have access to the data as well as the nonprofit organizations. He continued stating they have done a great deal of good work in the community.

Melissa Carter replied there is not currently an ongoing commitment as they are typically on an annual basis. She also reminded Council that during the budget process one of the requirements of all agencies prior to submitting an application is that they are required to identify, visit and refer to the Coastal Georgia Indicators Coalition database to identify their specific high need areas that they will most directly support and impact with the city's funding.

Tara Gaston Jennings, Coastal Georgia Indicators Coalition, Inc., Director appeared to briefly inform Council of what services are provided by the agency.

Approved upon motion of Alderman Johnson, seconded by Alderman Bell, and carried per the City Manager's recommendation with the following voting in favor: Mayor DeLoach, Aldermen Bell, Foster, Johnson, Durrence, Thomas, Hall and Shabazz; Alderman Miller voted against.

TRAFFIC ENGINEERING REPORTS

Cohen Street Parking Prohibited. Recommend that parking be prohibited on the north side of Cohen Street from Selma Street to West Boundary in order to facilitate proper traffic flow and that the City Code be amended to reflect this change.

Growing concerns have been expressed by staff at Garrison Elementary School about increased traffic and parking on Cohen Street, due to the completion of the 190-unit Blake Housing Complex, east of Garrison Elementary School. Cohen Street separates the school from the playground and several times a day students must cross the street for recess. Traffic Engineering has determined that the increase in parking and traffic volumes are a safety concern, which will be addressed by removing parking on the north side and refreshing the crosswalk on Cohen Street. **Recommend approval.** (District 1) Approved upon motion of Alderman Thomas, seconded by Alderman Johnson, and unanimously carried per the City Manager's recommendation.

Parking Prohibited on The South Side of Selma Street. Recommend that parking be prohibited on the south side of Selma Street from Berrien Street to Cohen Street in order to facilitate proper traffic flow and that the City Code be amended to reflect this change.

In order to accommodate increased traffic and parking on Selma Street, due to the completion of the 190-unit Blake Housing Complex, parking will be prohibited on the south side of the street. Development on the north side of Selma Street between Berrien and Cohen Streets has resulted in an increase in on-street parking. Traffic Engineering has determined the road width on Selma Street is not sufficient to accommodate parking on both sides, the recommended removal of parking on the south side of Selma Street will allow for two lanes of travel with on-street parking permitted on the north side of the street. **Recommend approval.** (District 1) Approved upon motion of Alderman Thomas, seconded by Alderman Johnson, and unanimously carried per the City Manager's recommendation.

Prohibit Parking 290 Feet West of Deerfield Road. Recommend that parking be prohibited for 290 feet west of Deerfield Road on the south side of Winwood Place, and prohibited west of Deerfield Road for 150 feet on the north side of Winwood Place.

Winwood Place is located in the Windsor Forest Neighborhood, bounded by Largo Drive to the west and Deerfield Road to the east. Windsor Forest Elementary School is located within the neighborhood. Existing parking restrictions on the west end of Winwood Place prohibit parking between 8 a.m. and 3 p.m., and are designed to control parking overflow from the nearby Windsor Forest High School. By extending the restrictions from 8 a.m. to 4:30 p.m. on school days, on both east and west ends of Winwood Place, the overflow parking generated by both the elementary and high schools will be mitigated. **Recommend approval.** (District 6) Approved upon motion of Alderman Johnson, seconded by Alderman Thomas, and unanimously carried per the City Manager's recommendation.

Updating City of Savannah Radar Speed Limit to Allow Enforcement. Recommend that the speed limit on Victory Drive between East Broad Street and Legion Drive (Thunderbolt west city limits) be reduced from 40 MPH to 35 MPH based on recommendations from the Georgia Department of Transportation (GDOT) that indicate a lower limit is more appropriate than the existing speed limit.

Also recommend that segments of Ash Street, Skidaway Road, and Shannon Street be added to the radar permit to allow for enforcement, and that a resolution to amend the Radar Permit be submitted to GDOT. **Recommend approval.** Approved upon motion of Alderman Bell, seconded by Alderman Shabazz, and unanimously carried per the City Manager's recommendation.

CITY ATTORNEY ACTION ITEMS

Settlement of Workers' Compensation Claim by Amanda Glover. Ms. Glover, a former Leisure Services seasonal pool monitor, sustained injuries to her right knee and ankle, left hip and low back in connection with her duties. Her workers' compensation claim was settled for \$45,000. City Attorney recommends approval. **Recommend approval.** Approved upon motion of Alderman Johnson, seconded by Alderman Thomas, and unanimously carried per the City Attorney's recommendation.

average hourly cost for these services is \$100.00. This is based on the average hourly rates for the following positions: Principal geotechnical engineer/geologist, senior registered professional engineer/geologist, professional engineer, junior engineer/geologist, field project engineer, field technician, CAD/drafting technician, and administrative assistant.

This is the first of four renewal options available. The contract term will be from February 2, 2017 through February 1, 2018.

The method used for this procurement was the request for proposal, which evaluates criteria in addition to cost. Proposals were evaluated on the basis of qualifications and experience, references, local vendor participation, and fees. Terracon scored highest due to the documented high qualifications of its professional team, the company’s expert knowledge of local soil conditions, superior customer service, and based on our years of experience with its engineers in a number of capacities.

Proposals were originally received on October 20, 2015. This contract was originally approved at the January 21, 2016 Council meeting. Delivery: As Needed. Terms: Net 30 Days. The proposers were:

B.P.	Terracon Consultants, Inc. (Chatham County) ^(D)	\$100.00*
	Whitaker Laboratory ^(B)	\$83.75*
	Nova Engineering & Environmental ^(D)	\$75.63*

Proposers	Qualifications & Experience (60 pts)	References (10 pts)	Local Vendor Participation (5 pts)	Fees (25 pts)	Total (100 pts)
Terracon Consultants, Inc.	60	10	0	18.91	88.91
Whitaker Laboratory, Inc.	45.25	10	5	22.57	82.82
Nova Engineering and Environmental	46.75	10	0	25	81.75

Funds are available in the 2017 Budget, Various Accounts. A Pre-Proposal conference was conducted and one consulting firm was in attendance. ^(B)Indicates local, non-minority owned business. ^(D)Indicates non-local, non-minority owned business. **Recommend approval.**

Utility Access Rings and Covers – Annual Contract Renewal – Event No. 3791.

Recommend approval to renew an annual contract for utility access rings and covers with Ferguson Water Works in the amount of \$112,321.28. The Sewer Conveyance and Water Distribution Departments will use the utility access rings and covers as replacements on water and sewer lines. The utility access rings and covers are maintained in inventory at the Central Warehouse.

This is the first of three renewal options available. This contract term will be from February 2, 2017 through February 1, 2018.

Bids were originally received on January 19, 2016. This contract was originally approved at the February 4, 2016, Council meeting. Delivery: As Needed. Terms: Net 30 Days. The bidders were:

L.B.	Ferguson Underground Waterworks (Pooler, GA) ^(D)	\$112,321.28
	HD Supply Waterworks, Ltd. ^(D)	\$122,350.68
	Delta Municipal Supply Co., Inc. ^(D)	\$137,800.00
	Fortiline Waterworks ^(D)	\$143,634.00
	US Foundry & Mfg. Corp. ^(D)	\$165,914.64

Funds are available in the 2017 Budget, Water and Sewer Operating Fund/Sewer Maintenance/Construction Supplies and Materials (Account No. 521-2551-51340 and Internal Service Fund/Inventory-Central Stores (Account No. 611-0000- 11330). A Pre-Bid Conference was not conducted as this is an annual contract renewal. ^(D)Indicates non-local, non-minority owned business. **Recommend approval.**

Parking Ticket Dispenser and Exit Verifier – Sole Source – Event No. 4824. Recommend approval to procure two 3M parking ticket dispensers and exit verifiers from ITR of Georgia in the amount of \$26,869.00. The verifier is configured as a credit card pay station providing a second method of paying and exiting the garage when the cashier lane is busy. The units will be installed at the State Street and Bryan Street Garages. This is a sole source because this is additional equipment to be used with existing equipment available only from this supplier. Delivery: As Requested. Terms: Net 30 Days. The vendor is:

S.S.	ITR of Georgia (Tucker, GA) ^(D)	\$26,869.00
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Funds are available in the 2017 Budget, Parking Fund/Parking Garages/Building Repair (Account No. 561-1114-51245). A Pre-Proposal Conference was not conducted as this is a sole source procurement. ^(D)Indicates non-local, non-minority owned business. **Recommend approval.**

Pump Station Controllers – Sole Source – Event No. 4841. Recommend approval to procure pump station equipment controllers from Emerson Process Management in the amount of \$78,210.00. The Industrial and Domestic Water Department will use the equipment to replace existing controllers that are no longer economical to repair at the raw water pump station. This is a sole source because these controllers are additional items to be used with the existing system and it is only available from this supplier. Delivery: As Requested. Terms: Net 30 Days. The vendor is:

S.S.	Emerson Process Management (Savannah, GA) ^(B)	\$78,210.00
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Funds are available in the 2017 Budget, I&D Water Fund/I&D Water/Equipment Maintenance (Account No. 531-2581-51250). A Pre-Bid Conference was not conducted as this is a sole source procurement. ^(B)Indicates local, non-minority owned business. **Recommend approval.**

business. **Recommend approval.**

Generator Rental – Emergency Purchase – Event No. 4879. Notification of emergency procurement of a generator rental from Sunbelt Rentals, Inc. in the amount of \$29,130.92. The Lift Station Maintenance Department used the generator to maintain continuous operations during Hurricane Matthew.

This was an emergency procurement resulting from the need for continuous operation of the lift stations to prevent environmental damage. Sunbelt Rentals, Inc. was selected because it was the first vendor available to respond immediately. Delivery: Immediately. Terms: Net 30 Days. The vendor was:

E.P.	Sunbelt Rentals, Inc. (Charleston, SC) ^(D)	\$29,130.92
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Funds are available in the 2017 Budget, Water and Sewer Fund/Lift Station Maintenance/Rentals/Hurricane Matthew Expenses (Account No. 521-2552-51230-RB0114). These funds are expected to be reimbursable by FEMA. A Pre-Bid Conference was not conducted as this was an emergency procurement. ^(D)Indicates non-local, non-minority owned business. **Recommend approval.**

Heavy Equipment Rental – Annual Contract Renewal – Event No. 3506. Recommend approval to renew an annual contract for heavy equipment rentals with Savannah River Utilities in the amount of \$107,900.00. The Sanitation Bureau will primarily use the equipment to support the bureau’s machinery and equipment when they become unavailable due to service and repairs.

This is the first of three renewal options available. This contract term will be from February 2, 2017 through February 1, 2018.

Bids were originally received on February 11, 2014. The original contract was approved at the December 22, 2015 Council meeting. Delivery: As Requested. Terms: Net 30 Days. The bidders were:

L.B.	Savannah River Utilities (Springfield, GA) ^(C)	\$107,900.00
	United Rentals, Inc. ^(D)	\$19,733.00*

Funds are available in the 2017 Budget, Sanitation Fund/Refuse Disposal/Other Contractual Service (Account No. 511-7103-51295). A Pre-Bid Conference was not conducted as this is an annual contract renewal. ^(C)Indicates non-local, minority owned business. ^(D)Indicates non-local, non-minority owned business. ^(*)Indicates a partial bid. **Recommend approval.**

Storm Debris Removal – Contract Modification No. 2 – Event No. 3706. Recommend approval of Contract Modification No. 2 to Ceres Environmental Services, Inc. Total costs will vary due to the nature and severity of disaster events.

The original contract was for the removal of storm debris. Council approved the third of four

available renewal options for this contract at the October 27, 2016 Council meeting in a varying amount based on the nature and severity of disaster events.

This contract modification is needed for debris removal from creeks, streams, canals, and other similar water bodies identified and authorized by the City utilizing the most appropriate methodologies for given water body type, transport to prescribed local access point, and hauling to temporary staging site for final disposal. All tree removals designated within the work area shall be removed and hauled under the cubic yard rate provided.

Recommend approval of Contract Modification No. 2 to Ceres Environmental Services Inc. in a varying amount due to the nature and severity of disaster events. Funds are available in the 2017 Budget, General Fund/FEMA Reimbursement. **Recommend approval.**

Savannah Chatham Metropolitan Police Department (SCMPD) Digital Advertising Campaign for Recruitment – Annual Contract – Event No. 4497. Recommend approval to award an annual contract for digital advertising campaign for recruitment from WSAV/Lin Digital in the amount of \$144,000.00. SCMPD desires that this campaign generate a minimum of 1,500 monthly visits to www.scmpd.org/JoinSCMPD and 90-100 quality applications per month. The recruiting campaign will focus on southeast Georgia and the South Carolina low country, with emphasis on recruitment from the Savannah Metropolitan Statistical Area (MSA), as well as Beaufort and Jasper Counties in South Carolina.

The method used for this procurement was the Request for Proposal (RFP) which evaluates criteria in addition to costs. The criteria for this RFP included qualifications and experience, technical capabilities, fees, references, MWBE participation, and local vendor participation.

The proposal was advertised, open, and reviewed. Delivery: As Requested. Terms: Net 30 Days. The proposers were:

B.P.	WSAV/Lin Digital (Savannah, GA) ^(B)	\$144,000.00
	State Media ^(D)	\$48,000.00
	ADCO ^(B)	\$74,250.00
	JMC Brands ^(D)	\$380,412.00
	Alpha Media ^(B)	\$165,000.00

Proposers	Qualifications and Experience	Technical Capabilities	Fees	References	MWBE Goals	Local Vendor Participation	Total
	35 pts	20 pts	20 pts	10 pts	10 pts	5 pts	100 pts
WSAV/Lin Digital	33.75	19.75	6.67	10	0	5	75.17
State Media	26.25	15.75	20	5	0	0	67
Adco	19.5	13.75	12.93	9	0	5	60.18
JMC Brands	16	13.75	2.52	9	0	0	41.27
Alpha Media	13	7.5	5.8	0	0	5	31.3

Funds are available in the 2017 Budget, General Fund/Training and Recruitment/Advertising (Account No. 101-4245-51220). A Pre-Proposal Conference was conducted and three vendors attended. ^(B)Indicates local, non-minority owned business. ^(D)Indicates non-local, non-minority owned business. **Recommend approval.**

Portable Toilet Rental for Tara Feis & St. Patrick’s Day Festivities – Annual Contract Renewal – Event No. 3995. Recommend approval to renew an annual contract for portable toilet rental services with United Site Services in the amount of \$64,998.20. The Park and Tree Department will use the rented toilets during the Tara Feis and St. Patrick’s Day festivities.

This is the third of three renewal options available. This contract term will be from February 2, 2017 through February 1, 2018.

Bids were originally received on February 11, 2014. The original contract was approved at the March 5, 2014 Council meeting. Delivery: As Requested. Terms: Net 30 Days. The bidders were:

L.B.	United Site Services (Jacksonville, FL) ^(D)	\$64,998.20
	Nature’s Calling, Inc. ^(D)	\$94,830.00

Funds are available in the 2017 Budget, General Fund/Park and Tree/Rentals (Account No. 101-6122-51230). A Pre-Proposal Conference was not conducted as this is an annual contract renewal. ^(D)Indicates non-local, non-minority owned business. **Recommend approval.**

Alderman Thomas asked why the contract was awarded to a Jacksonville firm and if there were any local firms in the business that have the capacity to accommodate the event. City Manager Hernandez replied there are local firms and notices were sent out to them.

Alderman Johnson asked if the contract could have been given to several local firms to be able to meet the needs of the festival as he would hate to think there are toilets in Savannah but are receiving the service from another state. City Manager Hernandez stated he will look into unbundling the service and possibly having a library of firms for such events.

Alderman Johnson asked that staff look into also providing the service for the Martin Luther King, Jr. festivities as well. Approved upon motion of Alderman Bell, seconded by Alderman Thomas, and unanimously carried per the City Manager’s recommendation.

Announcements

Alderman Shabazz stated she heard there is a belief both locally and in Atlanta that there is unanimous support in the Savannah City Council for the City’s Legislative Agenda currently being considered by the State Delegation. She continued stating she wanted to express her firm opposition to that part of this Council’s Legislative Agenda that pertains to the use of eminent domain as a tool to quote “clear cloudy title” or to “remedy blight”. Specifically, this city government is proposing that existing state legislation be amended to make it even easier for the city and its agents to forcibly deprive property owners of their rightfully-owned real property. That existing legislation, Title 22 of the Georgia Code, the so called “Landlords’ Bill of Rights and Private Property Protection Act” is already an encroachment on the rights of property owners, and, in the opinion of knowledgeable attorneys, is LIKELY unconstitutional AND just waiting for a challenge.

In any event, as written, that law today requires that when the City (or other governmental entity) takes someone's property. THAT property IS TO be put to "public use" for at 20 years. Under the state law, "public use" has a number of different meanings, some of which are common and not controversial at all, such as for roads, utility easements, etc. Some of the other meanings are very, very suspect and controversial, and in fact are not "uses" at all. For example, included in the definition of "public use" are:

1. The acquisition of property where title is clouded due to the inability to identify or locate all owners of the property;
2. The acquisition of property where unanimous consent is received from each person with a legal claim that been identified and found; and
3. The remedy of blight. It is for these so-call public uses that the City finds the 20 year requirement TO be so burdensome! Specifically, the City is seeking legislation to "reduce or eliminate the "20 year holding period" presumably to be able to more quickly sell or transfer this taken property to whomever it chooses, including private developers. This is outrageous!

What is even more outrageous is that these provisions are aimed squarely at African-American citizens here in Savannah and their heirs. They are a clear attack on these communities and a shameful effort to wrestle away the modest wealth that they have managed to gain and hold onto despite decades of neglect from this City from an economic development perspective.

These provisions are absolutely unnecessary. There are existing ways to deal with blight and so-called clouded or unclear title. This is nothing but a shameful land grab and abuse of the people. I DO NOT (emphatically) believe THE PEOPLE OF THIS CITY, OUR CONSITUIENTS, sent us here for THE purpose OF TAKING AWAY THEIR PROPERTY FOR THE CITY'S GAIN!

It is for this purpose she will be hosting a 5th District Town Hall Meeting on Wednesday, February 8, 2017 at 6:30 p.m. at the Liberty City Community Center, 1401 Mills B. Lane Blvd. Residents will have the opportunity to speak with their district representative and ask questions regarding the district.

Mayor DeLoach announced he will issue the State of the City address during a Town Hall Meeting at 6:30 p.m. Thursday, February 9, 2017 in the Johnny Mercer Theater at the Savannah Civic Center. The public is encouraged to attend.

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



Dyanne C. Reese, MMC
Clerk of Council