



April 6, 2021 9:00 am

1. Call to Order by Mayor Jonathan McCollar
2. Invocation and Pledge of Allegiance by Councilmember Shari Barr
3. Public Comments (Agenda Item):
4. Consideration of a Motion to approve the Consent Agenda
 - A) Approval of Minutes
 - a) 03-16-2021 Council Minutes
 - B) Consideration of a motion for approval of surplus and disposition of equipment in the Public Works and Engineering Department.
5. Public Hearing & Consideration of a Motion to approve application for an alcohol license Sec. 6-5:
 - A. Food Mart
18 E Parrish St
Statesboro, Ga 30458
Owner: Sangitabahen Patel
 - B. Go Market
2855 Northside Dr W Ste A
Statesboro, Ga 30458
Owner: Parth Patel
6. Consideration of a Motion to Approve the Statesboro Police Department Towing Rotation and Wrecker Agreement.
7. Consideration of a Motion to approve an Amendment of lease agreement with GSU Business Innovation Group (Board of Regents of the University System of Georgia) to expand leased premises to include "Suite C"(former location of Cake) located at 58 East Main Street
8. Consideration of a Motion to Approve **Resolution 2021-17**: A Resolution approving application for funding from the Local Government Scrap Tire Abatement Reimbursement (STAR) program in an amount not to exceed \$15,000 for a tire amnesty day event.

9. Consideration of a Motion to Approve **Resolution 2021-18**: A Resolution approving application for funding from the Local Government Scrap Tire Abatement Reimbursement (STAR) program in an amount not to exceed \$6,000 for disposal of tires collected in public rights of ways.
10. Consideration of a motion to approve an amendment to the contract with Freese & Nichols in the amount of \$65,000.00 to perform hydraulic and hydrology modeling study of the flood plain for the Creek on the Blue Mile project.
11. Other Business from City Council
12. City Managers Comments
13. Public Comments (General)
14. Consideration of a Motion to enter into Executive Session to discuss “Personnel Matters” “Real Estate” and/or “Potential Litigation” in accordance with O.C.G.A 50-14-3(b)
15. Consideration of a Motion to appoint three members to the Keep Statesboro-Bulloch Beautiful Advisory Board.
16. Consideration of a Motion to Adjourn



CITY OF STATESBORO
COUNCIL MINUTES
MARCH 16, 2021

Regular Meeting

50 E. Main St. City Hall Council Chambers

5:30 PM

Call to Order

Mayor Jonathan McCollar called the meeting to order

Invocation and Pledge

Councilmember John Riggs called on Marcus Toole to give the invocation.

Councilmember John Riggs led the Pledge of Allegiance.

ATTENDENCE

Attendee Name	Title	Status	Arrived
Jonathan McCollar	Mayor	Present	
Phil Boyum	Councilmember	Present	
Paulette Chavers	Mayor Pro Tem	Present	
Venus Mack	Councilmember	Present	
John Riggs	Councilmember	Present	
Shari Barr	Councilmember	Present	

Other staff present: City Manager Charles Penny, Assistant City Manager Jason Boyles, Public Information Officer Layne Phillips, City Attorney Cain Smith and City Clerk Leah Harden

Public Comments (Agenda Item): None

Consideration of a Motion to approve the Consent Agenda

A) Approval of Minutes

- a) 02-12-2021 Executive Session Minutes
- b) 03-02-2021 Council Minutes
- c) 03-02-2021 Executive Session Minutes

B) Consideration of a Motion to declare equipment in the Public Works & Engineering Department as Surplus and approve disposition of said equipment.

A motion was made to approve the consent agenda.

RESULT:	Approved (Unanimous)
MOVER:	Councilmember Shari Barr
SECONDER:	Councilmember Venus Mack
AYES:	Boyum, Chavers, Mack, Riggs, Barr
ABSENT	

Public Hearing and Consideration of a motion to approve Application V-21-02-01: Jason McGiboney requests a variance from Article V, Section 503 (D) of the Statesboro Zoning Ordinance on 1.03 acres of property located at 378 Savannah Avenue in order to construct a new addition to the existing office (Tax Parcel #S52 000021 000).

A Motion was made to open the public hearing.

RESULT:	Approved (Unanimous)
MOVER:	Councilmember Venus Mack
SECONDER:	Councilmember Phil Boyum
AYES:	Boyum, Chavers, Mack, Riggs, Barr
ABSENT	

No one spoke for or against the request.

A Motion was made to close the public hearing

RESULT:	Approved (Unanimous)
MOVER:	Councilmember Venus Mack
SECONDER:	Councilmember Paulette Chavers
AYES:	Boyum, Chavers, Mack, Riggs, Barr
ABSENT	

Councilmember Shari Barr stated she has an ownership interest in property nearby so she recused herself from the discussion and vote on this and the next agenda item.

A Motion was made to approve Application V-2-02-01 with staff conditions.

RESULT:	Approved (Unanimous)
MOVER:	Councilmember Phil Boyum
SECONDER:	Councilmember Venus Mack
AYES:	Boyum, Chavers, Mack, Riggs
ABSTAIN:	Councilmember Shari Barr

Public Hearing and Consideration of a motion to approve Application SE 21-02-02: Alivia Lloyd requests a special exception from Article IX Section 901 on 0.49 acres of property located at 372 Savannah Avenue in order to operate a retail tea shop in the existing building (Tax Parcel # S52 000020 000).

A motion was made to open the public hearing.

RESULT:	Approved (Unanimous)
MOVER:	Councilmember Venus Mack
SECONDER:	Councilmember Paulette Chavers
AYES:	Boyum, Chavers, Mack, Riggs, Barr
ABSENT	

No one spoke for or against the request.

A Motion was made to close the public hearing.

RESULT:	Approved (Unanimous)
MOVER:	Councilmember Venus Mack
SECONDER:	Councilmember John Riggs
AYES:	Boyum, Chavers, Mack, Riggs, Barr
ABSENT	

Councilmember Phil Boyum asked if this special exception is applied to the property or the individual requesting it.

Planning Director Kathy Field stated the special exception is specific to the applicant. If someone else moves into that location, that business owner would have to apply for a special exception.

A Motion was made to approve Application SE 21-02-02 with staff recommendations.

RESULT:	Approved (Unanimous)
MOVER:	Councilmember Venus Mack
SECONDER:	Councilmember Paulette Chavers
AYES:	Boyum, Chavers, Mack, Riggs
ABSTAIN:	Councilmember Shari Barr

Public Hearing and Consideration of a motion to approve application for an alcohol license Sec. 6-5:

**Food Lion
325 Northside Drive E
Statesboro, GA 30458
Owner: Food Lion**

A motion was made to open the public hearing.

RESULT:	Approved (Unanimous)
MOVER:	Councilmember Paulette Chavers
SECONDER:	Councilmember John Riggs
AYES:	Boyum, Chavers, Mack, Riggs, Barr
ABSENT	

No one spoke for or against the request.

A motion was made to close the public hearing.

RESULT:	Approved (Unanimous)
MOVER:	Councilmember John Riggs
SECONDER:	Councilmember Venus Mack
AYES:	Boyum, Chavers, Mack, Riggs, Barr
ABSENT	

A motion was made to approve the application for an alcohol license to Food Lion located at 325 Northside Drive East.

RESULT:	Approved (Unanimous)
MOVER:	Councilmember John Riggs
SECONDER:	Councilmember Venus Mack
AYES:	Boyum, Chavers, Mack, Riggs, Barr
ABSENT	

Consideration of a motion to approve Resolution 2021-13: A Resolution amending the job position classification and compensation to reclassify the position from Customer Service Representative to Utility Billing Clerk.

A motion was made to approve Resolution 2021-13 amending the job position classification and compensation to reclassify the position from Customer Service Representative to Utility Billing Clerk.

RESULT:	Approved (Unanimous)
MOVER:	Councilmember John Riggs
SECONDER:	Councilmember Paulette Chavers
AYES:	Boyum, Chavers, Mack, Riggs, Barr
ABSENT	

Consideration of a motion to approve Resolution 2021-14: A Resolution approving application for funding in the amount of \$5,000.00 from the 2021 Cigarette Litter Stand request form – KAB Community Grant Application.

A motion was made to approve Resolution 2021-14: approving application for funding in the amount of \$5,000.00 from the 2021 Cigarette Litter Stand request form – KAB Community Grant Application.

RESULT:	Approved (Unanimous)
MOVER:	Councilmember John Riggs
SECONDER:	Councilmember Phil Boyum
AYES:	Boyum, Chavers, Mack, Riggs, Barr
ABSENT	

Consideration of a motion to approve Resolution 2021-15: A Resolution approving application for funding in the amount of \$2,500.00 - \$20,000.00 from the 2021 Cigarette Litter Prevention Program (CLPP) Keep America Beautiful Community Grant Application.

A motion was made to approve Resolution 2021-15 approving application for funding in the amount of \$2,500.00 - \$20,000.00 from the 2021 Cigarette Litter Prevention Program (CLPP) Keep America Beautiful Community Grant application.

RESULT:	Approved (Unanimous)
MOVER:	Councilmember John Riggs
SECONDER:	Councilmember Venus Mack
AYES:	Boyum, Chavers, Mack, Riggs, Barr
ABSENT	

Consideration of a motion to approve Resolution 2021-16: A Resolution approving application for funding in the amount of \$5,000.00 from the 2021 UPS Community & Recovery Tree Planting – KAB Community Grant Application.

A motion was made to approve Resolution 2021-16: A Resolution approving application for funding in the amount of \$5,000.00 from the 2021 UPS Community & Recovery Tree Planting – KAB Community Grant Application.

RESULT:	Approved (Unanimous)
MOVER:	Councilmember John Riggs
SECONDER:	Councilmember Paulette Chavers
AYES:	Boyum, Chavers, Mack, Riggs, Barr
ABSENT	

Consideration of a Motion to approve a contract with South Georgia Family Medicine Associates, P.C. (John Gerguis, M.D.) to serve as the Statesboro Fire Departments Physician (also referred to as Statesboro Fire Department Medical Director).

A motion was made to approve a contract with South Georgia Family Medicine Associates, P.C. (John Gerguis, M.D.) to serve as the Statesboro Fire Departments Physician (also referred to as Statesboro Fire Department Medical Director).

RESULT:	Approved (Unanimous)
MOVER:	Councilmember John Riggs
SECONDER:	Councilmember Paulette Chavers
AYES:	Boyum, Chavers, Mack, Riggs, Barr
ABSENT	

Consideration of a Motion to approve award of contract to GameTime in the amount of \$499,684.22 and authorize the Mayor to execute contract documents for installation of playground equipment at Luetta Moore Park and Grady Street Park.

A motion was made to approve an award of contract to GameTime in the amount of \$499,684.22 and authorize the Mayor to execute contract documents for installation of playground equipment at Luetta Moore Park and Grady Street Park.

RESULT:	Approved (Unanimous)
MOVER:	Councilmember Paulette Chavers
SECONDER:	Councilmember Venus Mack
AYES:	Boyum, Chavers, Mack, Riggs, Barr
ABSENT	

Other Business from City Council:

Councilmember Shari Barr announced that there would be a food drop this Saturday March 20th at Statesboro High School.

City Managers Comments

City Manager Charles Penny deferred to the City Clerk.

City Clerk Leah Harden announced an opening for receiving applications for the Keep Statesboro-Bulloch Beautiful Advisory Board beginning March 22, 2021 and closing April 2, 2021 at 5:00 pm. The applications received will be presented for consideration at the April 6, 2021 Council Meeting.

City Manager Charles Penny introduced Elijah Beniman Williams, an eleventh grader at Statesboro High School who is very involved in student government. He will be spending time in different departments when he is not in school to learn about City government.

City Manager Charles Penny stated that we have completely expended all the funds for the rental assistance program, which was \$100,000.00. We are learning about the American Recovery Act to see what we can use those funds for. We are still waiting on the guidance from the feds. Our money will come through the state because we are a non-entitlement city but right now, we have about \$10 million earmarked for our community. There are people out there who still need help, but we need to know more about what those guidelines are going to be and we will report back to you when we find out more.

Public Comments (General): None

Consideration of a Motion to enter into Executive Session to discuss “Real Estate” in accordance with O.C.G.A. 50-14-3(b).

At 6:04 pm, a motion was made to enter into executive session.

RESULT:	Approved (Unanimous)
MOVER:	Councilmember John Riggs
SECONDER:	Councilmember Venus Mack
AYES:	Boyum, Chavers, Mack, Riggs, Barr
ABSENT	

At 6:14 pm, a motion was made to exit Executive Session.

RESULT:	Approved (Unanimous)
MOVER:	Councilmember John Riggs
SECONDER:	Councilmember Phil Boyum
AYES:	Boyum, Chavers, Mack, Riggs, Barr
ABSENT	

Mayor Jonathan McCollar called the meeting back to order with not action taken in Executive Session.

Consideration of a Motion to Adjourn

A motion was made to adjourn.

RESULT:	Approved (Unanimous)
MOVER:	Councilmember Venus Mack
SECONDER:	Councilmember Paulette Chavers
AYES:	Boyum, Chavers, Mack, Riggs, Barr
ABSENT	Councilmember Venus Mack

The meeting was adjourned at 6:15 pm.

Jonathan McCollar, Mayor

Leah Harden, City Clerk

CITY OF STATESBORO



COUNCIL

Phil Boyum, District 1
Paulette Chavers, District 2
Venus Mack, District 3
John Riggs, District 4
Shari Barr, District 5

Jonathan McCollar, Mayor
Charles Penny, City Manager
Leah Harden, City Clerk
I. Cain Smith, City Attorney

50 EAST MAIN STREET • P.O. BOX 348
STATESBORO, GEORGIA 30459-0348

To: Charles Penny, City Manager
Jason Boyles, Assistant City Manager

From: John Washington, Director - Public Works and Engineering

Date: March 19, 2021

RE: Asset Surplus and Disposition

Policy Issue: Purchasing Policy Section: Vehicle and Equipment Surplus and Disposition

Recommendation:

Staff recommends and request the consideration of a motion for approval of disposition and surplus in the Public Works and Engineering Department to include a 1985 Case Backhoe in Stormwater Division and 2006 New Holland Tractor in Streets Division.

Background:

The equipment listed below has exceeded its useful life cycle for the City and have been replaced with new units. Due to age and maintenance associated with each, the items below are requested to be declared surplus and approved for disposition:

1985 Case 480F Backhoe
2006 New Holland Tractor Model TN75A2, Vin#HJE056292

Budget Impact:

Reduce Maintenance Cost

Council Person and District:

N/A (citywide)

Attachment(s): None

CITY OF STATESBORO

COUNCIL

Phillip A. Boyum, District 1
Paulette Chavers, District 2
Venus Mack, District 3
John Riggs, District 4
Shari Barr, District 5



Jonathan McCollar, Mayor
Charles Penny, City Manager
Leah Harden, City Clerk
Cain Smith, City Attorney

50 EAST MAIN STREET • P.O. BOX 348
STATESBORO, GEORGIA 30459-0348

To: City Manager Charles Penny & City Clerk Leah Harden

From: Tax Department

Date: 3/29/2021

RE: Neelkanth 18, LLC DBA Food Mart

Policy Issue: Mayor and Council shall approve application in accordance with City of Statesboro Alcohol Ordinance Chapter 6-13 (a):

No new alcoholic beverage license to sell, dispense, pour or offer to sell, dispense or pour any distilled spirits, alcoholic beverages, wine, beer or malt beverages within the corporate limits of the City of Statesboro shall be issued to a new owner or new location until the application has been approved by the mayor and city council after a public hearing.

Recommendation: Planning & Development, Fire Department, Police Department, and Legal recommended approval

Budget Impact: None

Council Person & District: Phil Boyum, District 1

Attachments: Application & Department Approvals

Application for License to Sell Alcoholic Beverages
City of Statesboro, Georgia

Please be advised that knowingly providing false or misleading information on this document is a felony pursuant to O.C.G.A. § 16-10-20 which states:

A person who knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact; makes a false, fictitious, or fraudulent statement or representation; or makes or uses any false writing or document, knowing the same to contain any false, fictitious, or fraudulent statement or entry, in any matter within the jurisdiction of any department or agency of state government or of the government of any county, city, or other political subdivision of this state shall, upon conviction thereof, be punished by a fine of not more than \$1,000.00 or by imprisonment for not less than one nor more than five years, or both.

The undersigned applicant hereby applies to the City of Statesboro, Georgia for a license to sell alcoholic beverages within the corporate limits of the City of Statesboro. A non-refundable \$200 application fee must be tendered with the application. (cash, credit card, certified check, or money order made payable to City of Statesboro)

Date application was received by tax/license office: _____

1. Business Trade Name: Food Mart
D/B/A Name

2. Applicant's Name: Neelkanth 18, LLC
Name of partnership, llc, corporation, or individual

3. Business Physical Address: 18 E. Parrish St.
Statesboro, GA 30458

4. Business mailing address: 18 E. Parrish St.
Statesboro, GA 30458

5. Local business phone number: 912-764-6699
Corporate office phone number: 912-227-9840

6. Name of Manager: Sangitababen Patel
Person responsible for alcohol licensing issues

7. Phone number for manager: 912-227-9840

8. Email address for manager: psangita29@yahoo.com

9. Address of manager: _____

10. Purpose of application is:

New Business _____ New Owner

Previous owner's name: _____

If the business name has changed, list previous name: _____

If the business address has changed, list the previous address: _____

11. Indicate where the business will be located:

- Above ground
- Street or ground floor level

Section 6-10(D) Any person within the City of Statesboro who works as a bouncer, either as an employee, agent, or subcontractor whose responsibilities in an establishment that is licensed to sell alcoholic beverages for on-premises consumption shall have their alcoholic beverage security permit on their person at all times while acting as an employee, agent or subcontractor of the licenses. An alcoholic beverage security permit shall be readily available for inspection upon the request of any Statesboro Police Department Officer, City Code Enforcement Officer, or the City Manager/his designee.

12. Type of Business: _____ Individual _____ Corporation _____ Partnership LLC

Complete **EITHER** numbers 13, 14, and 15 **OR** 16, 17, and 18 in the section below:

13. If applicant is an individual: Attach a copy of the trade name affidavit.

Full Legal Name: _____ Phone #: _____

Home Address: _____

Have you completed the financial affidavit attached to this application? _____

14. If applicant is a partnership, LLC, or LLP: Attach trade name affidavit. If an LLC or LLP, attach a copy of certificate of LLC or LLP as filed with the Clerk of Superior Court and trade name affidavit, a copy of your **operating agreement** and/or partnership agreement, as well as other documents listed below that establish ownership rights of members or partners.

Name & address of partnership, LLC, or LLP: Neelkanth 18, LLC

Do you have an operating or partnership agreement for the LLC, LLC, or partnership? Yes

If not, what documents establish the ownership rights of the members/partners? _____

15. Members of LLC and/or partners:

Full Legal Name: Sangita baken Patel Phone #: 912-227-9840

Home Address: _____

Full Legal Name: _____ Phone #: _____

Home Address: _____

Full Legal Name: _____ Phone #: _____

Home Address: _____

Has each member/partner completed a financial affidavit to attach to this application? _____

(Attach additional pages if necessary)

Corporation/Stockholders: All corporate applicants who are corporations shall list the names and addresses of all stockholders and the percentage of stock owned by each. If a named stockholder therein is another corporation, the same information shall be given for the Stockholding Corporation. If, during the life of the license, the identity of the stockholders or their percentage of ownership should change, that information shall be sent to the Finance Department.

16. If applicant is a corporation: Attach a copy of the articles of incorporation, trade name affidavit, current annual corporation registration with the Georgia Secretary of State, as well as the bylaws, the shareholders agreement, and other documents listed below that identify ownership rights.

Name of Corporation: _____

Home Office address: _____

Mailing address (if different): _____

Date & Place of incorporation: _____

Do you have a shareholders agreement?: _____

If not, what documents establish the ownership rights of the shareholders? _____

17. Officers:

Full Legal Name: _____ Phone #: _____

Home address: _____

Percentage of stock owned: _____ Office held: _____

Full Legal Name: _____ Phone #: _____

Home address: _____

Percentage of stock owned: _____ Office held: _____

Full Legal Name: _____ Phone #: _____

Home address: _____

Percentage of stock owned: _____ Office held: _____

****Attach additional pages if necessary****

18. Stockholders: (if different than officer names)

Full Legal Name: _____ Phone #: _____

Home address: _____

Percentage of stock owned: _____ Office held: _____

Full Legal Name: _____ Phone #: _____

Home address: _____

Full Legal Name: _____ Phone #: _____

Home address: _____

****Attach additional pages if necessary****

Has each shareholder completed the financial affidavit attached to this application? _____

19. If there is any individual or officer who has resided at his/her current address LESS THAN 5 years, complete the information below:

Name: _____ **Phone #:** _____

Previous address: _____

Dates lived there: _____

Previous address: _____

Dates lived there: _____

Previous address: _____

Dates lived there: _____

Name: _____ **Phone #:** _____

Previous address: _____

Dates lived there: _____

Previous address: _____

Dates lived there: _____

Previous address: _____

Dates lived there: _____

Name: _____ **Phone #:** _____

Previous address: _____

Dates lived there: _____

Previous address: _____

Dates lived there: _____

Previous address: _____

Dates lived there: _____

20. Name & address of owner of the property (land & building) where the business will be located:

21. Is the commercial space where the business is to be located rented or leased? Leased

If yes, state name and address of lessor or landlord, and provide a copy of the lease with this application:

22. Does any person or firm have any interest in the proposed business as a silent, undisclosed partner or joint venture; or has anyone agreed to split the profits/receipts from the proposed business with any persons, firm, company, corporation, or other entity? No

If yes, provide name of person/firm, address, and amount of percentage of profits or receipts to be split:

23. Is there anyone connected with this business that is not a legal resident of the United States and at least 21 years of age? No

If yes, give full details on a separate sheet of paper.

If anyone connected with this business is not a US Citizen, can they legally be employed in the United States?

If yes, please explain on a separate sheet of paper and submit copies of eligibility.

24. Is there anyone connected with this business that has applied for a beer, wine, and/or liquor license from the City of Statesboro or other city/county in the State of Georgia, or other political subdivision and been denied such? No

If yes, please provide details on a separate sheet of paper.

25. Is there anyone connected with this business who holds another alcohol license in any retail category or any license under any wholesale category? No

If yes, please provide details on a separate sheet of paper.

26. Is there anyone connected with this business that has been convicted within 15 years immediately prior to the filing of this application with any felony or for whom outstanding indictments, accusations, or criminal charges exist charging such individual with any of such offenses and for which no final disposition has occurred? No

If yes, please provide details on a separate sheet of paper.

Calculation of Basic License Fee

For Calendar Year: 2021

<u>Classification:</u>	<u>Mark all that apply</u>	<u>License Fee</u>
1. Package Sales	<input checked="" type="checkbox"/>	\$1750
2. On Premise License Types		
A. Bar	<input type="checkbox"/>	\$4300
B. Bar with Kitchen	<input type="checkbox"/>	\$4300
C. Event Venue	<input type="checkbox"/>	\$2500
D. Low Volume	<input type="checkbox"/>	\$750
E. Pub	<input type="checkbox"/>	\$5600
F. Restaurant	<input type="checkbox"/>	\$2800
3. Caterer	<input type="checkbox"/>	\$200
4. Brewer, manufacturer of malt beverages only	<input type="checkbox"/>	\$1750
5. Broker	<input type="checkbox"/>	\$1750
6. Importer	<input type="checkbox"/>	\$1750
7. Manufacturer of Wine only	<input type="checkbox"/>	\$1750
✓ 8. Sunday Sales Permit	<input checked="" type="checkbox"/>	\$300
9. In Room Service Permit	<input type="checkbox"/>	\$150

Total Due: \$ 2050



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
09/16/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Kishan Raja Agency Inc 452 Shoal Circle Lawrenceville GA 30046 INSURED Neelkanth 18 LLC DBA Food Mart 18 E Parrish St Statesboro, GA 30458	CONTACT NAME: PHONE (A/C, No, Ext): 770-895-3446 FAX (A/C, No): 470-305-5749 E MAIL ADDRESS: ADDRESS: INSURER(S) AFFORDING COVERAGE NAIC # INSURER A: NorGUARD Insurance Company INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:
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COVERAGES	CERTIFICATE NUMBER:	REVISION NUMBER:
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THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR INSR	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR			NEBP126311	09/14/2020	09/14/2021	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ Included GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMPROP AGG \$ 2,000,000 \$
	GEN'L AGGREGATE LIMIT APPLIES PER <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC						\$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB EXCESS LIAB DED RETENTION \$						OCCUR CLAIMS MADE EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		Y/N	N/A			WC STATUTORY LIMITS OTHER EL EACH ACCIDENT \$ EL DISEASE - EA EMPLOYEE \$ EL DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

CERTIFICATE HOLDER	CANCELLATION
	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE Kishan Raja



City of Statesboro
Department of Planning and Development Memorandum

50 East Main Street

P.O. Box 348

» (912) 764-0630

Statesboro, Georgia 30458 Statesboro, Georgia 30459 » (912) 764-0664 (Fax)

DATE: March 25, 2021

TO: Tax Department

SUBJECT: ALCOHOLIC BEVERAGE APPLICATION (18 East Parrish Street, Food Mart)

The Department of Planning and Development has reviewed the alcoholic beverage application submitted by Food Mart for 18 East Parrish Street. The applicant is proposing retail package sales of malt beverages and wine for a “grocery store” at the location. The proposed sale of alcoholic beverages is permitted at the location and **the application may be APPROVED**. Staff’s recommendation is based on the following:

1) Zoning District: 18 East Parrish Street is located in the HOC (Highway Oriented Commercial) district.

2) Zoning Use Classification: Per Article XI, by reference to Article VIII, a “grocery store” may be classified in the HOC (Highway Oriented Commercial) district as:

- Retail or wholesale establishments

3) Alcohol Beverages Proximity Restrictions: The Department of Planning & Development has reviewed the subject property for consistency with the proximity restrictions of Chapter 6, Section 6-7 (d) of *Statesboro Codes and Ordinances*. The proposed location is required to adhere to the regulations set forth by O.C.G.A. § 3-3-21. As per Chapter 6-7, Class B and C licenses shall be issued for a location only if the location complies with the proximity requirements provided by O.C.G.A. § 3-3-21 as measured by the rules and regulations promulgated by the Georgia Department of Revenue. The proposed location is required to adhere to the proximity requirements and package sales for off-premises consumption governed by O.C.G.A. § 3-3-21.

The Department of Planning and Development recommendation of **approval** is based on the information provided within the business occupational tax application submitted for our review. This approval does not confer rights to open or operate the proposed business until all dimensional requirements of the *Statesboro Zoning Ordinance*, or applicable requirements of any other chapter of City Code have been met.

The Department of Planning & Development encourages all applicants to access the *Statesboro Zoning Ordinance* online at <http://www.statesboroga.gov/>. The applicant is also encouraged to consult directly with representatives of the Engineering, Fire, and other permitting departments if any work on the building or site is occurring to determine whether or not building or site plans associated with the proposed use are necessary.

Respectfully,

Elizabeth Burns
City Planner I

Food Mart
18 E Parrish St
Statesboro, Ga 30458

Please enter your recommendations and comments with your full name.

Alcohol License Review

Department Full Name Recommendation Comments

Planning & Development	Elizabeth Burns	Approve	
Fire Department	Justin Taylor	Approve	3/29/2021
Police Department	Jared Akins	Approve	No reason for denial noted
Legal	Cain Smith	Approve	

CITY OF STATESBORO

COUNCIL

Phillip A. Boyum, District 1
Paulette Chavers, District 2
Venus Mack, District 3
John Riggs, District 4
Shari Barr, District 5



Jonathan McCollar, Mayor
Charles Penny, City Manager
Leah Harden, City Clerk
Cain Smith, City Attorney

50 EAST MAIN STREET • P.O. BOX 348
STATESBORO, GEORGIA 30459-0348

To: City Manager Charles Penny & City Clerk Leah Harden

From: Tax Department

Date: 3/30/2021

RE: Top Stop 3, LLC DBA Go Market

Policy Issue: Mayor and Council shall approve application in accordance with City of Statesboro Alcohol Ordinance Chapter 6-13 (a):

No new alcoholic beverage license to sell, dispense, pour or offer to sell, dispense or pour any distilled spirits, alcoholic beverages, wine, beer or malt beverages within the corporate limits of the City of Statesboro shall be issued to a new owner or new location until the application has been approved by the mayor and city council after a public hearing.

Recommendation: Planning & Development, Fire Department, Police Department, and Legal recommended approval

Budget Impact: None

Council Person & District: Paulette Chavers, District 2

Attachments: Application & Department Approvals

Application for License to Sell Alcoholic Beverages
City of Statesboro, Georgia

Please be advised that knowingly providing false or misleading information on this document is a felony pursuant to O.C.G.A. § 16-10-20 which states:

A person who knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact; makes a false, fictitious, or fraudulent statement or representation; or makes or uses any false writing or document, knowing the same to contain any false, fictitious, or fraudulent statement or entry, in any matter within the jurisdiction of any department or agency of state government or of the government of any county, city, or other political subdivision of this state shall, upon conviction thereof, be punished by a fine of not more than \$1,000.00 or by imprisonment for not less than one nor more than five years, or both.

The undersigned applicant hereby applies to the City of Statesboro, Georgia for a license to sell alcoholic beverages within the corporate limits of the City of Statesboro. **A non-refundable \$200 application fee must be tendered with the application.** (cash, credit card, certified check, or money order made payable to City of Statesboro)

Date application was received by tax/license office: 3/24/2021

1. Business Trade Name: TOP STOP 3, LLC GO MARKET
D/B/A Name

2. Applicant's Name: PARTH PATEL
Name of partnership, llc, corporation, or individual

3. Business Physical Address: 2855 NORTHSIDE DRIVE W STE A, STATESBORO, GA 30458

4. Business mailing address: 2855 NORTHSIDE DRIVE W STE A, STATESBORO, GA 30458

5. Local business phone number: 912-259-9135

Corporate office phone number: 912-921-9024

6. Name of Manager: PARTH PATEL
Person responsible for alcohol licensing issues

7. Phone number for manager: 912-921-9024

8. Email address for manager: TOPSTOP3.LLC@GMAIL.COM

9. Address of manager: _____

10. Purpose of application is:

New Business _____ New Owner

Previous owner's name: LINDSEY MARTIN

If the business name has changed, list previous name: FIVE POINT STORE LLC

If the business address has changed, list the previous address: _____

11. Indicate where the business will be located:

- Above ground
- Street or ground floor level

Section 6-10(D) Any person within the City of Statesboro who works as a bouncer, either as an employee, agent, or subcontractor whose responsibilities in an establishment that is licensed to sell alcoholic beverages for on-premises consumption shall have their alcoholic beverage security permit on their person at all times while acting as an employee, agent or subcontractor of the licenses. An alcoholic beverage security permit shall be readily available for inspection upon the request of any Statesboro Police Department Officer, City Code Enforcement Officer, or the City Manager/his designee.

12. Type of Business: Individual Corporation Partnership LLC

Complete **EITHER** numbers 13, 14, and 15 **OR** 16, 17, and 18 in the section below:

13. If applicant is an individual: Attach a copy of the trade name affidavit.

Full Legal Name: _____ Phone #: _____

Home Address: _____

Have you completed the financial affidavit attached to this application? _____

14. If applicant is a partnership, LLC, or LLP: Attach trade name affidavit. If an LLC or LLP, attach a copy of certificate of LLC or LLP as filed with the Clerk of Superior Court and trade name affidavit, a copy of your operating agreement and/or partnership agreement, as well as other documents listed below that establish ownership rights of members or partners.

Name & address of partnership, LLC, or LLP: TOP STOP 3, LLC

Do you have an operating or partnership agreement for the LLC, LLC, or partnership? YES

If not, what documents establish the ownership rights of the members/partners? _____

15. Members of LLC and/or partners:

Full Legal Name: PARTH PATEL Phone #: 912-921-9024

Home Address: _____

Full Legal Name: _____ Phone #: _____

Home Address: _____

Full Legal Name: _____ Phone #: _____

Home Address: _____

Has each member/partner completed a financial affidavit to attach to this application? YES

(Attach additional pages if necessary)

Corporation/Stockholders: All corporate applicants who are corporations shall list the names and addresses of all stockholders and the percentage of stock owned by each. If a named stockholder therein is another corporation, the same information shall be given for the Stockholding Corporation. If, during the life of the license, the identity of the stockholders or their percentage of ownership should change, that information shall be sent to the Finance Department.

16. If applicant is a corporation: Attach a copy of the articles of incorporation, trade name affidavit, current annual corporation registration with the Georgia Secretary of State, as well as the bylaws, the shareholders agreement, and other documents listed below that identify ownership rights.

Name of Corporation: _____

Home Office address: _____

Mailing address (if different): _____

Date & Place of incorporation: _____

Do you have a shareholders agreement?: _____

If not, what documents establish the ownership rights of the shareholders? _____

17. **Officers:**

Full Legal Name: _____ Phone #: _____

Home address: _____

Percentage of stock owned: _____ Office held: _____

Full Legal Name: _____ Phone #: _____

Home address: _____

Percentage of stock owned: _____ Office held: _____

Full Legal Name: _____ Phone #: _____

Home address: _____

Percentage of stock owned: _____ Office held: _____

****Attach additional pages if necessary****

18. **Stockholders:** (if different than officer names)

Full Legal Name: _____ Phone #: _____

Home address: _____

Percentage of stock owned: _____ Office held: _____

Full Legal Name: _____ Phone #: _____

Home address: _____

Full Legal Name: _____ Phone #: _____

Home address: _____

****Attach additional pages if necessary****

Has each shareholder completed the financial affidavit attached to this application? _____

19. If there is any individual or officer who has resided at his/her current address LESS THAN 5 years, complete the information below:

Name: _____ **Phone #:** _____

Previous address: _____

Dates lived there: _____

Previous address: _____

Dates lived there: _____

Previous address: _____

Dates lived there: _____

Name: _____ **Phone #:** _____

Previous address: _____

Dates lived there: _____

Previous address: _____

Dates lived there: _____

Previous address: _____

Dates lived there: _____

Name: _____ **Phone #:** _____

Previous address: _____

Dates lived there: _____

Previous address: _____

Dates lived there: _____

Previous address: _____

Dates lived there: _____

20. Name & address of owner of the property (land & building) where the business will be located:

KARAN PATEL

32 CONSERVATION DRIVE, SAVANNAH GA 31419

21. Is the commercial space where the business is to be located rented or leased? YES

If yes, state name and address of lessor or landlord, and provide a copy of the lease with this application:

KARAN PATEL

32 CONSERVATION DRIVE, SAVANNAH GA 31419

22. Does any person or firm have any interest in the proposed business as a silent, undisclosed partner or joint venture; or has anyone agreed to split the profits/receipts from the proposed business with any persons, firm, company, corporation, or other entity? NO

If yes, provide name of person/firm, address, and amount of percentage of profits or receipts to be split:

23. Is there anyone connected with this business that is not a legal resident of the United States and at least 21 years of age? NO

If yes, give full details on a separate sheet of paper.

If anyone connected with this business is not a US Citizen, can they legally be employed in the United States?

If yes, please explain on a separate sheet of paper and submit copies of eligibility.

24. Is there anyone connected with this business that has applied for a beer, wine, and/or liquor license from the City of Statesboro or other city/county in the State of Georgia, or other political subdivision and been denied such? NO

If yes, please provide details on a separate sheet of paper.

25. Is there anyone connected with this business who holds another alcohol license in any retail category or any license under any wholesale category? NO

If yes, please provide details on a separate sheet of paper.

26. Is there anyone connected with this business that has been convicted within 15 years immediately prior to the filing of this application with any felony or for whom outstanding indictments, accusations, or criminal charges exist charging such individual with any of such offenses and for which no final disposition has occurred? NO


If yes, please provide details on a separate sheet of paper.

27. Is there anyone connected with this business that has been convicted within 5 years immediately prior to the filing of this application of the violation of any state, federal, or local ordinance pertaining to the manufacture, possession, transportation or sale of malt beverages, wine, or intoxicating liquors, or the taxability there of a crime involving moral turpitude or of a crime involving soliciting for prostitution, pandering, gambling, letting premises for prostitution, keeping a disorderly place, the traffic offense of hit and run or leaving the scene of an accident or any misdemeanor serious traffic offense? NO
If yes, please provide details on a separate sheet of paper.
28. Is there anyone connected with this business that has been convicted for selling alcohol to an under-age person within the last 3 year period? NO
If yes, please provide details on a separate sheet of paper.
29. Is there anyone connected with this business that is an official or public employee of the City of Statesboro, any State or Federal agency, or whose duties include the regulation or policing of alcoholic beverages or licenses, or any tax collecting activity? NO
If yes, please provide details on a separate sheet of paper.
30. Have you or the applicant had any vehicles, trailers, or property belonging to you or the company in which you or any of such persons have or had an interest in ever been seized, condemned or forfeited as contraband by the State of Georgia or the United States for the reason the same was being used or intended for the use in criminal activities? NO
If yes, please provide details on a separate sheet of paper.
31. Will live nude performances or adult entertainment be a part of this business operation? NO
If yes, the City of Statesboro Ordinance 6-164 prohibits alcohol in an establishment having adult entertainment.

I, PARTH PATEL / TOP STOP 3, LLC, solemnly swear, subject to the penalties O.C.G.A. sec 16-10-20 as provided above which I have read and understood, that all information required in this application for license to sell alcoholic beverages and supporting documents is true and correct to the best of my knowledge and I fully understand that any false information will cause the denial or revocation of any alcohol license issued by the City of Statesboro license. I also fully understand that knowingly providing false information under oath in this affidavit will subject me to criminal prosecution and possible imprisonment.

PARTH PATEL

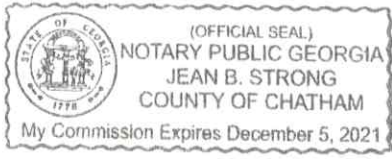
Print full name as signed below

<u></u>	OWNER	<u>03-22-21</u>
Signature of applicant	Title	Date
<u>65124111067</u> <u>661020</u>		
	<u>67041022</u>	

Sworn and subscribed before me this 22nd day of MARCH, 2021.


Notary Public

My commission expires _____



Calculation of Basic License Fee

For Calendar Year: _____

<u>Classification:</u>	<u>Mark all that apply</u>	<u>License Fee</u>
1. Package Sales	<input checked="" type="checkbox"/>	\$1750
2. On Premise License Types		
A. Bar	<input type="checkbox"/>	\$4300
B. Bar with Kitchen	<input type="checkbox"/>	\$4300
C. Event Venue	<input type="checkbox"/>	\$2500
D. Low Volume	<input type="checkbox"/>	\$750
E. Pub	<input type="checkbox"/>	\$5600
F. Restaurant	<input type="checkbox"/>	\$2800
3. Caterer	<input type="checkbox"/>	\$200
4. Brewer, manufacturer of malt beverages only	<input type="checkbox"/>	\$1750
5. Broker	<input type="checkbox"/>	\$1750
6. Importer	<input type="checkbox"/>	\$1750
7. Manufacturer of Wine only	<input type="checkbox"/>	\$1750
8. Sunday Sales Permit	<input checked="" type="checkbox"/>	\$300
9. In Room Service Permit	<input type="checkbox"/>	\$150

Total Due: \$ 2050.⁰⁰



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

3/12/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER BULLDOG INSURANCE, INC. 713 Forest Parkway SUITE # B FOREST PARK, GA 30297	CONTACT NAME:		
	PHONE (A/C, No, Ext): (404) 361-2075	FAX (A/C, No): (404) 361-8525	
E-MAIL ADDRESS:			
INSURER(S) AFFORDING COVERAGE		NAIC #	
INSURER A: ARROWHEAD INSURANCE			
INSURER B:			
INSURER C:			
INSURER D:			
INSURER E:			
INSURER F:			

INSURED TOP STOP 3, LLC DBA GO MARKET
2855 NORTHSIDE DRIVE W STE A,
STATESBORO, GA 30458

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS

NSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			BP15053104	3/12/2021	3/12/2022	EACH OCCURRENCE	\$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 100,000
							LIQUOR LIABILITY	\$ 5,000
							PERSONAL & ADV INJURY	\$ 1,000,000
							GENERAL AGGREGATE	\$ 2,000,000
							PRODUCTS - COMP/OP AGG	\$ 2,000,000
							LIQUOR LIABILITY	1,000,000
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	\$
	<input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY						BODILY INJURY (Per person)	\$
							BODILY INJURY (Per accident)	\$
							PROPERTY DAMAGE (Per accident)	\$
								\$
	UMBRELLA LIAB						EACH OCCURRENCE	\$
	EXCESS LIAB						AGGREGATE	\$
	DED							\$
	RETENTION \$							\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						PER STATUTE	OTH-ER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		N/A				E.L. EACH ACCIDENT	\$
							E.L. DISEASE - EA EMPLOYEE	\$
							E.L. DISEASE - POLICY LIMIT	\$
A	BPP			BP15053104	3/12/2021	3/12/2022	DED \$ 1000	\$ 40,000
A	PUMPS CANOPY			BP15053104	3/12/2021	3/12/2022	2 % W&H	\$ 160,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

LOCATION

2855 NORTHSIDE DRIVE W STE A , STATESBORO, GA 30458

CERTIFICATE HOLDER	CANCELLATION
THE CITY OF STATESBORO REVENUE DEPARTMENT P O BOX 1228 SAVANNAH GA 31402	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE
	AZFAR HAQUE

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City of Statesboro
Department of Planning and Development Memorandum

50 East Main Street

P.O. Box 348

» (912) 764-0630

Statesboro, Georgia 30458 Statesboro, Georgia 30459 » (912) 764-0664 (Fax)

DATE: March 29, 2021

TO: Tax Department

SUBJECT: ALCOHOLIC BEVERAGE APPLICATION (2855 Northside Drive, Go Mart)

The Department of Planning and Development has reviewed the alcoholic beverage application submitted by Go Mart for 2855 Northside Drive. The applicant is proposing retail package sales of malt beverages and wine for a “convenience store” at the location. The proposed sale of alcoholic beverages is permitted at the location and **the application may be APPROVED**. Staff’s recommendation is based on the following:

1) Zoning District: 2855 Northside Drive is located in the HOC/R6 (Highway Oriented Commercial/Single Family Residential) district.

2) Zoning Use Classification: Per Article XI, by reference to Article VIII, a “convenience store” may be classified in the HOC (Highway Oriented Commercial) district as:

- Retail or wholesale establishments

3) Alcohol Beverages Proximity Restrictions: The Department of Planning & Development has reviewed the subject property for consistency with the proximity restrictions of Chapter 6, Section 6-7 (d) of *Statesboro Codes and Ordinances*. The proposed location is required to adhere to the regulations set forth by O.C.G.A. § 3-3-21. As per Chapter 6-7, Class B and C licenses shall be issued for a location only if the location complies with the proximity requirements provided by O.C.G.A. § 3-3-21 as measured by the rules and regulations promulgated by the Georgia Department of Revenue. The proposed location is required to adhere to the proximity requirements and package sales for off-premises consumption governed by O.C.G.A. § 3-3-21.

The Department of Planning and Development recommendation of **approval** is based on the information provided within the business occupational tax application submitted for our review. This approval does not confer rights to open or operate the proposed business until all dimensional requirements of the *Statesboro Zoning Ordinance*, or applicable requirements of any other chapter of City Code have been met.

The Department of Planning & Development encourages all applicants to access the *Statesboro Zoning Ordinance* online at <http://www.statesboroga.gov/>. The applicant is also encouraged to consult directly with representatives of the Engineering, Fire, and other permitting departments if any work on the building or site is occurring to determine whether or not building or site plans associated with the proposed use are necessary.

Respectfully,

Elizabeth Burns
City Planner I

Go Market
2855 Northside Dr W Ste A
Statesboro, Ga 30458

Please enter your recommendations and comments with your full name.

Alcohol License Review

Department Full Name Recommendation Comments

Planning & Development	Elizabeth Burns	Approve	
Fire Department	Fallon Brown	Approve	
Police Department	Jared Akins	Approve	
Legal	Cain Smith	Approve	



STATESBORO POLICE DEPARTMENT

Ph 912-764-9911

25 West Grady Street, Statesboro, Georgia 30458

Fx 912-489-5050

TO: Charles Penny, City Manager

FROM: Mike Broadhead, Chief of Police

DATE: April 6, 2021

RE: Annual Wrecker Agreement

POLICY ISSUE: Adoption of Annual Wrecker Agreement

RECOMMENDATION: That Council approve the July 1, 2021-June 30, 2022 Wrecker Agreement.

BACKGROUND: The City maintains a Wrecker Agreement with local businesses that conduct motor vehicle tows. The Agreement provides companies with requirements in order to be used by the City to tow vehicles at the City's request. In order to be placed on the wrecker rotation, companies must agree to, and abide with, the Agreement. As an example, if the police respond to a motor vehicle crash and a driver requires a tow from the scene, and that driver does not have a personally preferred towing service, the City will contact the next wrecker available under the rotation. This Agreement has been adopted annually by City Council.

There are no proposed changes to last year's Agreement aside from the dates.

BUDGET IMPACT: There is no budget impact.

COUNCIL DISTRICT: All

ATTACHMENTS: Updated Wrecker Agreement.

STATESBORO POLICE DEPARTMENT TOWING ROTATION AGREEMENT

July 01, 2021 to June 30, 2022

DEFINITIONS

1. SPD: The Statesboro Police Department
2. Company: The towing company making application for Rotation
3. Owner: Person(s) that own and/or operate/manage a company
4. Operator: An approved tow truck driver/operator
5. Yard: A secured impoundment facility that meets the requirements of the Department of Public Safety's Rule 570-6-1-08
6. Normal Business Hours: 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding State holidays
7. Sanctions: A penalty, including but not limited to, warnings, suspensions, and/or termination

DISCLAIMER

SPD is seeking to establish a Towing Rotation list to be used when a sworn officer requests the removal and towing of a motor vehicle. SPD reserves the right to make changes to the Agreement, with sufficient notice to the Companies.

Being on the SPD Towing Rotation List is a privilege and not a right. This does not create a contract between SPD and the Company. To be eligible for inclusion on the SPD Towing Rotation List towing Companies must submit, during the application period, their Towing Rotation Application. Companies must agree to comply with the rules and regulations as set forth in this Towing Rotation Agreement. Companies must also follow all Federal, State, and local laws and regulations related to towing companies. Failure to comply with the terms of this Agreement or applicable Federal, State, or local laws or regulations may lead to sanctions against the Company. These sanctions are described further by this Agreement.

The signature of the duly authorized representative on the Application and Agreement signifies that the company acknowledges the following:

- the entire document has been read
- the information provided by the Company is complete and accurate
- that the Company and all of its employees are bound by the provisions of the Agreement
- that the Company understands the requirements for inclusion on the Towing Rotation List
- that the Company accepts all conditions of the Agreement
- that the Company accepts responsibility for the actions of its owners and operators
- that the Company's inclusion on the SPD Towing Rotation List is a discretionary privilege and not a right

- that the Company's inclusion on the SPD Towing Rotation List does not guarantee an equal or specific number of calls while on the rotation
- that falsification of any portion of this Application or Agreement, including in any documentation provided in support of the Application, shall be cause for immediate removal from the Towing Rotation List
- that any such falsifications may later result in criminal prosecution

DESCRIPTION

1. This rotation and agreement will be effective July 1, 2021 to June 30, 2022 unless terminated earlier at the discretion of SPD.
2. Renewals and enrollments for existing and/or new companies must be completed each year during the renewal/enrollment period specified by SPD.

APPLICATION REQUIREMENTS

1. SPD will receive sealed packets until June 1, 2021 at 4:00 p.m. at 25 West Grady Street, Statesboro, Georgia. Packets delivered by this date and time will be processed in preparation for the July 1, 2021 implementation date.
2. Packets must be complete in order to be considered.
3. SPD reserves the right to reject all application, to waive any informality or technicality, and to accept applications deemed to be in the best interest of the Agency.
4. Packets which include trucks, drivers, yards, owners, operators, or managers not qualifying for participation per the terms of this Agreement will not be considered.

CONDITIONS APPLYING TO THE COMPANY

1. The Company is responsible for submitting all information requested as part of this application
2. Managers who do not drive or operate tow trucks must submit original GCIC criminal histories not older than 30 days. Arrests that do not have dispositions listed will not be acceptable for the background check without a court document showing formal disposition of the charges.
3. Managers must be in compliance with the following criteria:
 - a. Must be legally authorized to work in the United States
 - b. Shall not have been convicted in Georgia of murder, rape, armed robbery, kidnapping, aggravated sodomy, aggravated sexual battery, aggravated child molestation, any felony crime involving an assault or battery against a law enforcement officer or government official, or any felony crime involving sexual conduct. For purposes of this definition, a conviction includes a guilty verdict, a guilty plea, or a plea of Nolo Contendere and includes anyone placed under a Court's supervision to avoid an adjudication of guilt under a First Offender sentence or Pre-Trial Diversion program. The date of conviction is the date on which any of these sentences was imposed by the Court.
 - c. Shall not have been convicted in any other state of a crime similar to the Georgia offenses listed above.

- d. Shall not have been declared incompetent by reason of mental defect or disease without a later adjudication restoring said competency by a Court.
 - e. Shall not be a Registered Sex Offender in Georgia or in any other state.
 - f. Shall not have any convictions in Georgia or any other state involving violence, moral turpitude, weapons, illegal use/possession of any substance, domestic violence, resisting arrest, obstructing justice, or theft within the past 5 years. This applies to misdemeanors and felonies. For purposes of this definition, moral turpitude means conduct which is done knowingly contrary to justice, honesty, or good morals; has an element of falsification or fraud, or contains an element of harm or injury directed to the person or property of another.
4. The Company must maintain at least one approved yard within 7 miles of the city limits.
 5. If the Company has only one approved Driver, and if that Driver is to be unavailable or out of service for any length of time, the Company shall not use an unauthorized driver during that time period.
 6. The Company must maintain general liability and property damage insurance equivalent to that required by the Georgia Department of Public Safety Rule 570-6-1-09 governing nonconsensual towing. The City of Statesboro shall be listed as an additional insured and the Company shall provide proof to SPD that the City of Statesboro is so listed.
 7. The Company shall provide evidence of Worker's Compensation Insurance and shall maintain said coverage throughout the rotation year as required per Georgia law.
 8. The Company will be available 24 hours a day, 7 days a week. The towing company called to tow a vehicle must be at the scene of the call within 20 minutes, except under extraordinary circumstances. The wrecker which arrives must bear the markings of the towing company which was contacted to respond. If the wrecker contacted does not arrive within 20 minutes then another towing service may be requested to respond and the first company sanctioned.
 9. The Company bears the responsibility for ensuring that it can respond to requests. SPD's Dispatch Center will attempt to contact Companies on the list by phone one time and then move on to the next towing service on the list. It is not Dispatch's responsibility to continue to call the towing service. If a Company cannot be reached and the next service is contacted, SPD's Dispatch will note this fact and forward the information to the Operations Bureau Captain.
 10. For all regular rotation calls, the Company agrees to bill for towing and storage at the exact same rate as provided in the "Nonconsensual Towing Maximum Rate Tariff" adopted and published annually by the Mayor and City Council of Statesboro. In cases of tows which are longer than one hour, an on-scene SPD supervisor may sign the tow receipt, noting the wrecker's arrival and departure from the scene, and thereby authorize billing at an additional \$15.00 per additional quarter hour. For purposes of this section, the tow begins when the SPD dispatcher or officer contacts the Company. It ends when the wrecker departs the scene with the vehicle in tow.
 11. If the Company initiates proceedings to perfect and enforce its lien rights against the vehicle as provided for in Chapter 3 of Title 40 of the Official Code of Georgia, the Company may assess the actual costs of postage for providing notice via certified mail or statutory overnight delivery to the owner.

12. Only those charges allowed per this agreement may be charged to a vehicle owner or insurance company. There will be no additional charges allowed for cleanup of any debris or spills at the scene. SPD may perform audits on Company billing receipts.
13. The Company will ensure that all operators, assistants, trainees, and any other employees have sufficient experience and/or training in currently recommended towing techniques. It will also ensure that they are capable of performing their duties in a lawful, safe, proper, and efficient manner.
14. The dispatch phone number shall be answered in the name of the Company making application.
15. The Company agrees not to use unapproved managers, drivers, operators, yards, or trucks. New managers, drivers, operators, yards, and trucks may be added by submitting the required information and supporting documentation. The Company must immediately notify SPD of any and all changes to Company information including the removal of any yard, truck, driver, or operator.
16. The Company shall state their regular business hours on the application and shall maintain those hours while serving on the Towing Rotation List.
17. Applications for inclusion on SPD's Towing Rotation List shall constitute agreement and consent by the person or entity making the application for inspections by SPD personnel. These inspections include, but are not limited to, entry onto the premises during normal business hours, inspection of records, inspection of the conditions on the yard, and inspection of equipment. These inspections are for purposes of determining compliance with the terms set forth in this agreement.
18. Only those Companies contacted by SPD's Dispatch from the Towing Rotation List may respond to an SPD tow request. Companies are prohibited from responding to calls based on surveillance, either in person or by overhearing radio traffic and responding. Further, the Company contacted by Dispatch from the Towing Rotation List must be the one which responds. Companies are not permitted to cover for one another without the List itself being changed at the direction of the Chief of Police or his/her designee.
19. The Company will maintain complete and accurate records of all SPD-requested tows and shall provide SPD with said records upon request. Failure to maintain such records will result in sanctions up to suspension or removal from the Towing Rotation List.
20. The Company agrees that all work will be performed using equipment declared on the Company's application and approved for use by SPD. No work on behalf of SPD will be performed by equipment, employees, or agents of the Company not declared on the Company's application. The only exceptions are when specialized equipment is needed for the towing of vehicles requiring special handling. In that case, a subcontractor may be utilized.
21. The Company will ensure that tow truck operators provide only those services that are necessary or requested and will, at the time of the tow, provide the owner or driver of the vehicle (if present on scene) with the following:
 - a. the location where the vehicle will be stored
 - b. a copy of the current rate schedule
 - c. the terms of the vehicle recovery
22. The Company shall make every effort to resolve legitimate claims for damage or theft that are obviously related to the towing and/or storage of the vehicle. This will be done in a timely

manner. Vehicles that are damaged as a result of the tow may result in the Company being sanctioned up to suspension or removal from rotation.

23. The Company shall provide SPD officers on scene any requested information regarding the Company, driver, truck, equipment, yard, or any other fact deemed pertinent.
24. The Company shall ensure that once the Operator is given control of the vehicle at the tow scene a notation is made on the invoice describing any property removed from the vehicle and the name of the person removing it.
25. Operators shall not leave the scene of a tow on a traffic collision until all debris, oils, and radiator fluids (including all absorbent material) have been properly removed unless permitted by the SPD officer.
26. The Company shall provide renewal copies of occupation tax certificates, local/state/federal licenses, insurance, registration, Motor Carrier Certification, and driver certificates to SPD at the time the item is renewed. As the Companies should reasonably know when these items are due, Companies will be suspended without notice until the renewed copies are provided or may be terminated if the renewal is not received within 30 days of the previous expiration. Notification by an insurance company or the State of Georgia that a required element of this Agreement has been revoked shall be cause for immediate suspension without notification by SPD.
27. The Company shall ensure that all owners, operators, office staff, and any other Company employees shall cooperate fully and honestly with SPD officers at the scene of traffic collisions. Dishonesty and/or failure to cooperate may result in sanctions up to termination from the Towing Rotation List.
28. The Company shall ensure that all owners, managers, and operators report to SPD at 25 West Grady Street no later than July 1 of each year to sign authorization forms for bi-annual criminal and driver's history checks to be conducted.
29. The Company must submit a Georgia E-Verify affidavit form or exemption affidavit along with its application packet.

CONDITIONS APPLYING TO THE OPERATOR

1. Operators shall comply with all Federal, State, and local laws and regulations when engaged in Rotation Towing.
2. Each Owner and Operator must submit original GCIC criminal histories not older than 30 days. Arrests that do not have dispositions listed will not be acceptable for the background check without a court document showing formal disposition of the charges.
3. An SPD identification card shall only be issued to Owners and Operators who meet the following criteria:
 - a. Must be legally authorized to work in the United States
 - b. Shall not have been convicted in Georgia of murder, rape, armed robbery, kidnapping, aggravated sodomy, aggravated sexual battery, aggravated child molestation, any felony crime involving an assault or battery against a law enforcement officer or government official, or any felony crime involving sexual conduct. For purposes of this definition, a conviction includes a guilty verdict, a guilty plea, or a plea of Nolo Contendere and includes anyone placed under a Court's supervision to avoid an adjudication of guilt

under a First Offender sentence or Pre-Trial Diversion program. The date of conviction is the date on which any of these sentences was imposed by the Court.

- c. Shall not have been convicted in any other state of a crime similar to the Georgia offenses listed above.
 - d. Shall not have been declared incompetent by reason of mental defect or disease without a later adjudication restoring said competency by a Court.
 - e. Shall not be a Registered Sex Offender in Georgia or in any other state.
 - f. Shall not have any convictions in Georgia or any other state involving violence, moral turpitude, weapons, illegal use/possession of any substance, domestic violence, resisting arrest, obstructing justice, or theft within the past 5 years. This applies to misdemeanors and felonies. For purposes of this definition, moral turpitude means conduct which is done knowingly contrary to justice, honesty, or good morals; has an element of falsification or fraud, or contains an element of harm or injury directed to the person or property of another.
4. Each Owner and Operator must submit his driving record, not older than 30 days, from the Georgia Department of Public Safety.
 5. Each Owner or Operator who responds to Rotation calls shall clearly display a valid SPD identification card which has been issued to that Owner or Operator for his/her specific Company. ID cards are non-transferable and shall be used for official, Rotation calls only. The use of ID cards to obtain credit, complete a financial transaction, or secure a gratuity is prohibited. The card remains the property of SPD and shall be surrendered to SPD upon termination. The Company is responsible for making sure that the ID card is returned to SPD and shall not destroy or dispose of said ID cards.
 6. Operator error that results in excess of \$1,000.00 in damage to a vehicle or which causes bodily injury may result in the Company being sanctioned and the Operator being permanently banned from participating in the Towing Rotation List.
 7. Using an unauthorized Operator on a Rotation call may result in a Company's immediate termination from the Towing Rotation List.

CONDITIONS APPLYING TO THE TRUCKS AND EQUIPMENT

1. Each tow truck shall comply with the equipment requirements as established by the Georgia Department of Public Safety's Rule 570-6-1-11.
2. Tow trucks must comply with all Federal, State, and local laws.

CONDITIONS APPLYING TO THE STORAGE YARD/LOT

1. Yards/lots shall be located within a 7 mile radius of the city limits of Statesboro and in compliance with the requirements of the Georgia Department of Public Safety's Rule 570-6-1-.08 governing non-consensual towing.
2. The Company shall provide owner access to vehicles towed subject to a Rotation call during the normal business hours on the Company's application. If the Company provides access to the vehicle outside of the normal business hours listed on the application, the Company may charge

the owner “after hours fees” as prescribed in the “Nonconsensual Towing Maximum Rate Tariff” adopted and published annually by the Mayor and City Council.

3. Companies, upon being contacted by the vehicle owner or authorized agent will comply with the following:
 - a. A representative of the Company will respond within 20 minutes and by appointment
 - b. The Company will not charge the vehicle owner or authorized agent an additional fee for responding to the yard during normal business hours for the purposes of any of the following activities:
 - i. Releasing a vehicle
 - ii. Releasing life essential personal property contained within the vehicle
 - iii. Inspecting the condition of the vehicle
4. Yards that experience frequent problems with theft from, or vandalism to, towed or stored vehicles may be prohibited from accepting vehicles towed under the Towing Rotation List.
5. All property removed from towed vehicles by the Company for “safekeeping” must be listed on the invoice received by the vehicle owner.
6. The Company shall ensure that the storage yard operator maintains a log of individuals who have been given access to vehicles for the purpose of removing personal property. Such a log shall show the name, vehicle, date, time, and receipt number.

COMPLAINTS PROCEDURES

1. The Company shall cooperate with SPD in any inquiry regarding a complaint alleging that any part of this agreement has been violated by the Company.
2. As a matter of practicality, the enforcement of certain articles in this Agreement occurs primarily as violations are reported to SPD.
3. SPD shall be the determining authority as to the severity of any violation. Complaints will be delivered to the Dispatch Supervisor, registered with the Operations Bureau Captain, and then assigned out for investigation. The Operations Bureau Captain will then make a recommendation to the Chief of Police or his/her designee as to the appropriate disposition of the complaint and any potential sanctions.

PENALTIES FOR VIOLATION OF THE TERMS OF THIS AGREEMENT

1. SPD has an obligation to the public regarding the safety of vehicles and their contents when towed and stored at SPD request and by a Company operating under the Towing Rotation List. When circumstances warrant, it may be necessary to immediately suspend a towing company from the Rotation and continue said suspension until the situation can be thoroughly investigated and a fair decision rendered.
2. Actions that may result in a Company’s suspension or termination from the SPD Towing Rotation List include, but are not limited to:
 - a. requesting or demanding a vehicle owner sign any financial responsibility disclaimers
 - b. charging unauthorized fees
 - c. holding life-essential personal property “hostage” for payment to the company
 - d. expiration of liability or workers compensation insurance

- e. failure to maintain complete and accurate records of Rotation towed vehicles
 - f. threats
 - g. operating a tow truck or Company in violation of law
 - h. using unauthorized company operators, trucks, or yards on rotation calls
 - i. serious operator error
 - j. vehicle damage sustained during the towing process
 - k. operating unsafe tow trucks
 - l. moving a yard to another location without prior notification to SPD
 - m. operating a yard which does not have an office on site unless the yard and off-site storage location is approved by SPD
 - n. falsifying information on this application
 - o. revocation/suspension of driving or towing privileges by the State of Georgia
3. Following an investigation, the Company will be notified by email or U.S. mail of any sanctions deemed appropriate by SPD
 4. SPD will determine the length of any suspension. Suspension may result in a Company being denied participation for any length of time in the current Rotation, extended into a proceeding Rotation, permanently, or as determined by the Chief of Police or his designee.
 5. A company, yard, truck, or driver may be suspended or terminated from the Rotation for practices determined by SPD to be unlawful, unreasonable, or otherwise not in the best interests of the public and as outlined in this Application.
 6. A violation of any part of this Agreement may be the cause for sanctions.
 7. If SPD removes, suspends, or sanctions a Company on the Rotation the Company will be furnished with the reasons for said sanctions, in writing, within 5 days of imposition of said sanctions. The Company has the right to appeal this decision to the Mayor and City Council. In order to appeal such a decision, the Company shall file a written notice of appeal with the City Clerk within 30 days of receipt of the written decision by SPD. Upon receipt of a notice of appeal, the City Clerk shall place the appeal on the agenda for the next meeting of the Mayor and City Council for hearing.

AFFIRMATION AND ACKNOWLEDGEMENT

I hereby declare under criminal penalty of the State of Georgia that the information contained in the foregoing STATESBORO POLICE DEPARTMENT TOWING ROTATION AGREEMENT application is true and correct. I agree to be bound by all of the terms and conditions contained in the foregoing application and acknowledge that by signing below, I have read the application in its entirety. I agree to abide by the terms and conditions set forth in the application. I agree to accept responsibility for ensuring that all employees of the Company comply with the provisions of the application.

Company Owner

Printed name: _____

Company name: _____

Date: _____

Phone number: _____

Email address: _____

Mailing address: _____

CITY OF STATESBORO

COUNCIL

Phillip A. Boyum
Paulette Chavers
Venus Mack
John C. Riggs
Shari Barr



Jonathan McCollar, Mayor
Charles Penny, City Manager
Leah Harden, City Clerk
Cain Smith, City Attorney

50 EAST MAIN STREET • P.O. BOX 348
STATESBORO, GEORGIA 30459-0348

To: Charles Penny, City Manager and Leah Harden, City Clerk

From: Cain Smith, City Attorney

Date: March 29, 2021

RE: April 6, 2021 City Council Agenda Items

Policy Issue: *Amendment of lease agreement with GSU Business Innovation Group (Board of Regents of the University System of Georgia) to expand leased premises to include "Suite C" (former location of Cake) located at 58 East Main Street*

Recommendation: Consideration

Background: City has Intergovernmental Rental Agreement with Board of Regents located at 58 East Main Street and 62 East Main Street. This amendment would include Suite C under the same terms of previous rental agreement regarding other parcels entered into on June 2, 2015.

Budget Impact: None

Council Person and District: Phil Boyum District 5

Attachments: Proposed lease agreement

STATE OF GEORGIA
COUNTY OF BULLOCH

**FIRST AMENDMENT TO
INTERGOVERNMENTAL RENTAL AGREEMENT**

THIS FIRST AMENDMENT TO INTERGOVERNMENTAL RENTAL AGREEMENT (the “First Amendment”) made and entered into this ___ day of April, 2021, by and between **MAYOR AND CITY COUNCIL OF THE CITY OF STATESBORO**, whose address for the purpose of this First Amendment is 50 East Main Street, Statesboro, Georgia 30458, party of the first part, hereinafter called “Landlord” and **BOARD OF REGENTS OF THE UNIVERSITY SYSTEM OF GEORGIA**, whose address for the purpose of this First Amendment is 270 Washington Street, N.W., Atlanta, Georgia 30334, party of the second part, hereinafter called “Tenant”.

WITNESSETH:

WHEREAS, the Landlord and Tenant are parties to an Intergovernmental Rental Agreement dated June 2, 2015, (the “Agreement”) wherein Landlord leased to Tenant, for the benefit of Georgia Southern University (the “Institution”), approximately 4,880 square feet located in certain property at 58 East Main Street, Suite “D”, Statesboro, Bulloch County, Georgia, and as more particularly described in Exhibit “A” to the Agreement (the “Premises”); and

WHEREAS, Section 2 of the Agreement contains options to renew the Agreement through June 30, 2035, and Landlord and Tenant have exercised options to extend the Term through the current renewal expiration date of June 30, 2021; and

WHEREAS, Suite “C”, which is located at 58 East Main Street in Statesboro, Georgia, and totals approximately 1,250 square feet, was recently vacated and is available for occupancy; and

WHEREAS, Tenant desires to rent Suite “C” from Landlord, and Landlord desires to rent Suite “C” to Tenant; and

WHEREAS, Landlord and Tenant desire to amend the Agreement to revise the description of the Premises and to make such other modifications to the Agreement as further set forth below; and

WHEREAS, Landlord has duly authorized and approved the First Amendment at its regular meeting on April 6, 2021; and

WHEREAS, in accordance with the University System of Georgia Board of Regents’ Policy, the Vice Chancellor for Real Estate and Facilities is authorized and empowered to execute the First Amendment on behalf of Tenant.

NOW THEREFORE, in consideration of the sum of Ten and 00/100 (\$10.00) Dollars, the mutual covenants and agreements herein contained and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Landlord and Tenant hereby agree as follows:

1. Effective Date. The First Amendment shall be effective as of the date of this Agreement (the “Effective Date”).
2. Revision to the Premises. Effective as of the Effective Date, “Exhibit “A”, Legal Description” originally attached to the Agreement is hereby deleted in its entirety and “Exhibit “A”, Floorplans” attached hereto is hereby inserted in lieu thereof and incorporated into the Agreement.
3. Construction of Agreement. In construing this First Amendment, all headings and titles are for the convenience of the parties only and shall not be considered a part of this First Amendment. Whenever required by the context, the singular shall include the plural and the masculine shall include the feminine and vice versa. This First Amendment shall not be construed as if prepared by one of the parties, but rather according to its fair meaning as a whole as if both parties had prepared it.
4. Partial Invalidity. The provisions of this First Amendment shall be deemed independent and severable, and the invalidity or partial invalidity or enforceability of any one provision shall not affect the validity of enforceability of any other provision hereof.
5. Successors and Assigns. The terms and provisions hereof shall be binding upon and inure to the benefit of Landlord and Tenant, and upon the heirs, executors, representatives, administrators, successors and assigns of Landlord and Tenant.
6. Agreement in Full Force and Effect. The Agreement, as hereby amended, is hereby ratified, confirmed and continued in all respects, and all covenants, terms and conditions of the Agreement, as hereby amended, are hereby incorporated herein by this reference.
7. Georgia Law. This First Amendment shall be construed and interpreted under the laws of the State of Georgia.
8. Entire Agreement. The Agreement, as modified by this First Amendment, constitutes the entire understanding between the parties with respect to the transaction contemplated herein, and all prior or contemporaneous oral agreements, understandings, representations and statements, and all prior written agreements, understandings, letters of intent and proposals are merged into the Agreement, as modified by this First Amendment. All other terms and conditions of the Agreement shall remain in full force and effect unless otherwise modified herein.

(Signatures on Next Page)

IN WITNESS WHEREOF, Landlord and Tenant have hereunto executed, signed, and delivered this First Amendment as of the day, month, and year first above written.

LANDLORD:
MAYOR AND CITY COUNCIL OF THE CITY OF
STATESBORO

By: _____

Name: Jonathan M. McCollar

Title: Mayor

Attest: _____

Name: Leah Harden

Title: City Clerk

BOARD OF REGENTS OF THE
UNIVERSITY SYSTEM OF GEORGIA

By: _____

Sandra Lynn Neuse
Vice Chancellor for Real Estate & Facilities

Attest: _____

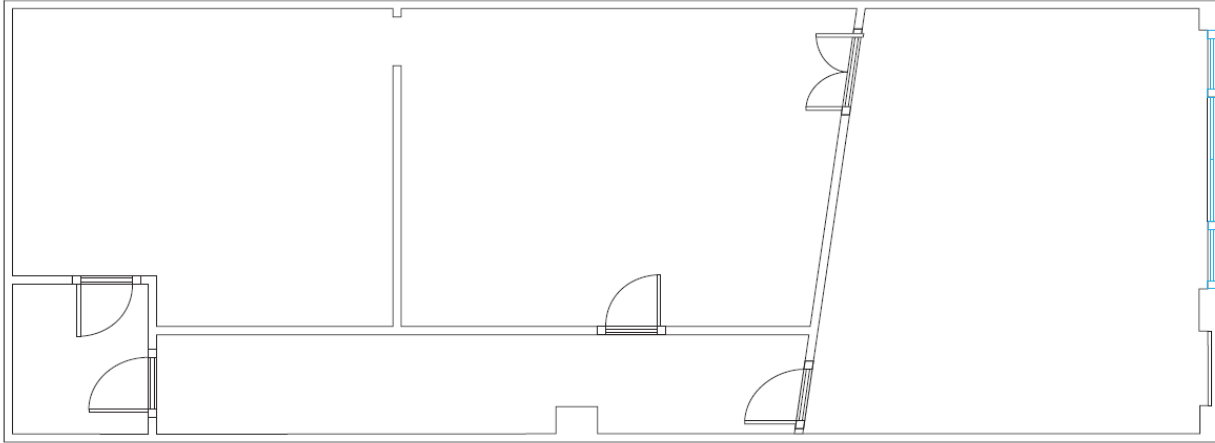
Alan Travis
Assistant Vice Chancellor

EXHIBIT "A"

Floorplans

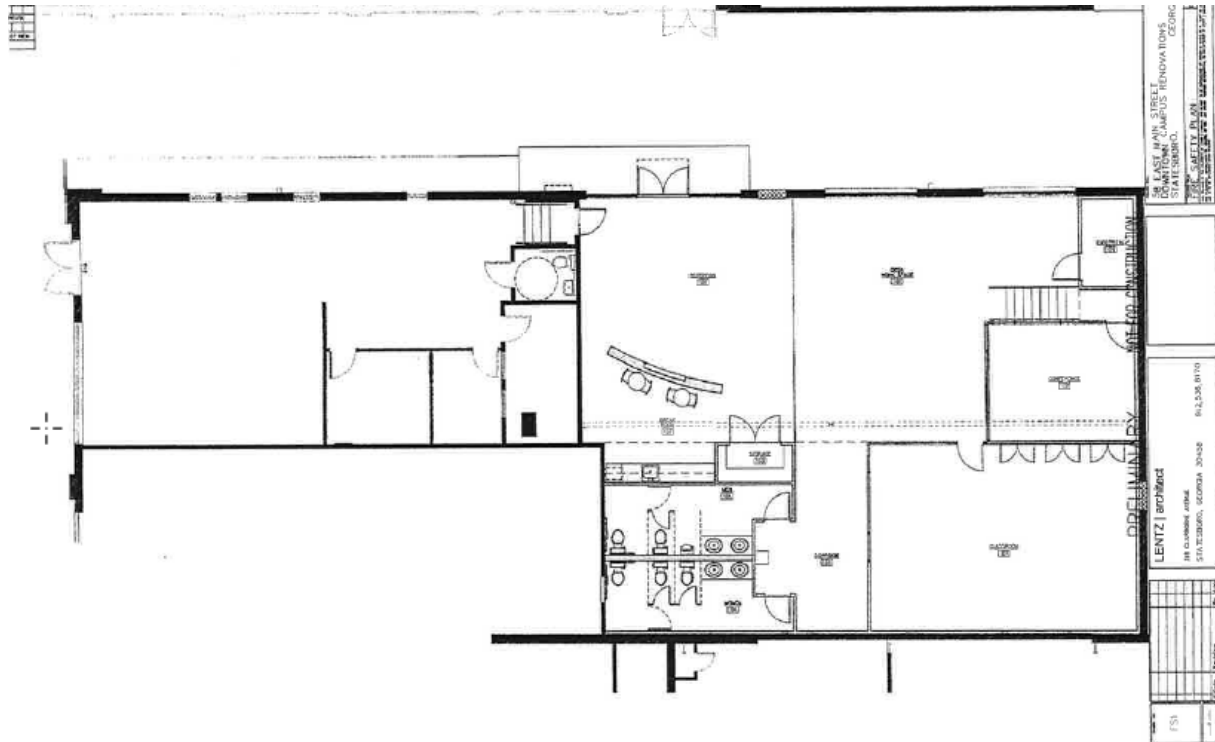
58 East Main Street, Statesboro, Georgia

Suite "C" – Approximately 1,250 square feet



and

Suite "D" – Approximately 4,880 square feet



CITY OF STATESBORO

COUNCIL

Phillip A. Boyum, District 1
Paulette Chavers, District 2
Venus Mack, District 3
John Riggs, District 4
Shari Barr, District 5



Jonathan McCollar, Mayor
Charles Penny, City Manager
Leah Harden, City Clerk
Cain Smith, City Attorney

50 EAST MAIN STREET • P.O. BOX 348
STATESBORO, GEORGIA 30459-0348

To: Charles Penny, City Manager
Jason Boyles, Assistant City Manager

From: John Washington, Director - Public Works & Engineering

Date: March 29, 2021

RE: Local Government Scrap Tire Amnesty Day Abatement Program

Policy Issue: City of Statesboro Grant Policy

Recommendation:

Staff requests approval to submit an application to Georgia Environmental Protection Division (GA EPD) requesting \$15,000.00 in funds for the removal of tires collected at a one-time tire Amnesty Day event for residents in Statesboro and Bulloch County, Georgia.

Background:

This will be the first year that the City of Statesboro has participated in this program. The Local Government Scrap Tire Amnesty Day Abatement Program administered by the GA EPD provides financial reimbursement to qualified local governments for the collection and recycling of scrap tires at a one-time tire Amnesty Day event. The one-time event will be scheduled to one particular day where residents of Statesboro and Bulloch County ONLY will be able to participate and dispose of their roadway tires. No more than 20 tires will be allowed per resident. No tractor or skidder tires will be taken for recycling.

The only financial obligation is City forces for the labor and equipment necessary to collect the tires. No local match in funds are required.

Budget Impact:

None

Council Person or District:

N/A (citywide)

Attachments:

Resolution
Application

RESOLUTION #2021-17:

A RESOLUTION APPROVING APPLICATION FOR FUNDING FROM THE LOCAL GOVERNMENT SCRAP TIRE AMNESTY DAY ABATEMENT PROGRAM

THAT WHEREAS, The Mayor and City Council have found that the community of Statesboro and Bulloch County are in need of a way to properly recycle used roadway tires and are found to be a nuisance that creates adverse effects on the environment and quality of life of the citizens of in the community; and,

THAT WHEREAS, the Mayor and City Council have found that the Local Government Scrap Tire Amnesty Day Abatement Program is desirable in order to provide a day where individuals from Statesboro and Bulloch County, Georgia, can come and safely dispose of scrap tires from the local community; and,

WHEREAS, City staff shall prepare an application to said program to provide funding for an amount up to \$15,000.00 for reimbursement for costs incurred in the proper disposal of scrap tires collected at the Amnesty Day in Statesboro and Bulloch County, Georgia; and,

Whereas, said Program allows for reimbursement of funds for a one day Tire Amnesty Day event; and,

Whereas, said Program requires no additional financial match:

NOW THEREFORE, BE IT RESOLVED by, the Mayor and City Council of Statesboro, Georgia as follows:

Section 1. That the Mayor and City Council hereby authorize the submittal of application to the Georgia Environmental Protection Division for funding from the Local Government Scrap Tire Amnesty Day Abatement Program.

Section 2. That the Mayor and City Council hereby authorize to execute all documents related to the application of said grant.

APPROVED AND ADOPTED this ____ day of _____, 2021.

CITY OF STATESBORO, GEORGIA

By: _____

Jonathan McCollar, Mayor

Attest: _____

Leah Harden, City Clerk

GA EPD Scrap Tire Amnesty Application

I. CONTACT INFORMATION

Government/Authority _____	Project Manager _____	Secondary Contact _____
Federal Tax ID _____	Title _____	Title _____
Mailing Address _____	Email _____	Email _____
City/State/ZIP _____	Phone _____	Phone _____
County _____		

II. AMNESTY EVENT INFORMATION


Event Name _____	Event Date(s)* _____	Alternate Date(s) _____
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*NOTE: If the date changes after execution of the agreement, the awardee must notify EPD in writing of the new date and the reason for the change. If events are more than one week apart, each event must have a separate application and contract.

A. COST ESTIMATE

Enter the estimated number of scrap tires that you think will be collected and the fixed costs for the event below.

Type of Tire	Number of Tires	Passenger Tire Equivalent (PTE)
Passenger		-
Truck		-
Large Off-the-Road (OTR)		-
<i>Total</i>	0	-

Estimated Tons _____	0.00	Inbound Freight _____
Rate per Ton _____		Flat Fuel Charge _____
Estimated Processing Cost _____	\$0.00	 \$0.00
		<i>Total</i> _____
		\$0.00
		Cost per PTE _____
		\$0.00

B. COLLECTION AND STORAGE

List all collection / drop-off locations to be used during the event. If you have more than three, list them in your email.

Facility Name	Address	City	ZIP

--	--	--	--

List all locations where scrap tires will be temporarily stored after the event while awaiting transport to a processing facility, if different from collection sites listed above.

Facility Name	Address	City	ZIP

Is the temporary storage site approved or permitted by EPD to store scrap tires?

- Yes - List the approval/permit numbers: 
- No - Sites must be approved or permitted by EPD before the contract is executed. See "Storage" tab below for guidelines.

C. CARRIERS AND PROCESSORS

List all tire carriers and beneficial reuse scrap tire processors you plan to use and their permit or approval numbers.*

	Name	Permit or Approval Number
Carrier		
Carrier		
Processor		
Processor		

*NOTE: If you change carriers or processors after the execution of the agreement, you must notify EPD in writing of the new contractors and the reason for the change.

[You can find lists of permitted tire carriers and permitted/approved beneficial scrap tire processors on the STAR program's website: https://epd.georgia.gov/star-program](https://epd.georgia.gov/star-program)

III. ACKNOWLEDGEMENTS

	YES	NO	N/A
Permitted tire carriers and permitted/approved beneficial reuse scrap tire processors will be used.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Procurement of contractors will follow current city/county procurement policy.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Appropriate safety measures will be taken while performing scrap tire abatement.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Liability waivers will be completed for volunteers, if applicable.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If there are any changes in the project after the execution of the agreement, awardee will notify EPD in writing (e.g., estimated cost of project, event date, location of temporary storage/collection sites, carriers/processors).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
To the best of your ability, scrap tires will not be collected from businesses that generate scrap tires (e.g., retail tire dealers).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
While awaiting transport to a scrap tire processor, tires will be stored in a manner that is protective of human health and the environment.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

All scrap tires collected during the event will be removed within 30 days of event date.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Final report, reimbursement request, and other required documents will be submitted to EPD within 90 days of event date.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

IV. AUTHORIZATION

I, the undersigned authorized representative, certify that to the best of my knowledge, the information contained herein is true and correct.

Name _____ Date _____

Title _____

Address _____

City/State _____

ZIP _____

Sign: X _____



- To use the e-sign feature:**
1. Save this document to your computer;
 2. Click on 'View Signatures' at the top;
 3. Click the down-arrow next to 'Signer 1' in the pop-up window at the right;
 4. Click 'Sign' and type your signature in the box

APPLICATION INSTRUCTIONS

Email this completed form and any required attachments to: epd.star@dnr.ga.gov. Please include the local government name in the subject line.

Questions? Call EPD at 404-675-6013 or email epd.star@dnr.ga.gov.

Please allow 90 days for processing.

CITY OF STATESBORO

COUNCIL

Phillip A. Boyum, District 1
Paulette Chavers, District 2
Venus Mack, District 3
John Riggs, District 4
Shari Barr, District 5



Jonathan McCollar, Mayor
Charles Penny, City Manager
Leah Harden, City Clerk
Cain Smith, City Attorney

50 EAST MAIN STREET • P.O. BOX 348
STATESBORO, GEORGIA 30459-0348

To: Charles Penny, City Manager
Jason Boyles, Assistant City Manager

From: John Washington, Director - Public Works & Engineering

Date: March 29, 2021

RE: Local Government Scrap Tire Right-of-Way (ROW) Abatement Program

Policy Issue: City of Statesboro Grant Policy

Recommendation:

Staff requests approval to submit an application to Georgia Environmental Protection Division (GA EPD) requesting \$6,000.00 in funds for the removal of scrap tires from the City of Statesboro, Georgia public right-of-ways.

Background:

This will be the third year that the City of Statesboro has participated in this program. The Local Government Scrap Tire Right-of-Way Abatement Program administered by the Georgia Environmental Protection Division provides financial reimbursement to qualified local governments for the collection and recycling of scrap tires from public right-of-ways. Public Works Streets and Parks Division works hard to collect and maintain the city right-of-ways by participating weekly tire collection throughout the fiscal year. The collection of right-of-way tires promotes safety of motorists on city roadways, and reduces environmental concerns.

The only financial obligation is City forces for the labor and equipment necessary to collect the tires. No local match in funds are required.

Budget Impact:

None

Council Person or District:

N/A (citywide)

Attachments:

Resolution
Application

RESOLUTION #2021-18:

A RESOLUTION APPROVING APPLICATION FOR FUNDING FROM THE LOCAL GOVERNMENT SCRAP TIRE ABATEMENT PROGRAM

THAT WHEREAS, The Mayor and City Council have found that scrap tires in the public right-of-way is a nuisance that creates adverse effects on the environment and quality of life of the citizens of Statesboro, Georgia; and,

THAT WHEREAS, the Mayor and City Council have found that the Local Government Scrap Tire Right-of-Way Abatement Program is desirable in order to provide financial support to the safe and effective removal of scrap tires from the public right-of-way in City of Statesboro, Georgia; and,

WHEREAS, City staff shall prepare an application to said program to provide funding for an amount up to \$6,000.00 for reimbursement for costs incurred in the collection and proper disposal of scrap tires removed from the public right-of-ways in Statesboro, Georgia; and,

Whereas, said Program allows for the disbursement funds over 12 month period; and,

Whereas, said Program requires no additional financial match:

NOW THEREFORE, BE IT RESOLVED by, the Mayor and City Council of Statesboro, Georgia as follows:

Section 1. That the Mayor and City Council hereby authorize the submittal of application to the Georgia Environmental Protection Division for funding from the Local Government Scrap Tire Right-of-Way Abatement Program.

Section 2. That the Mayor and City Council hereby authorize to execute all documents related to the application of said grant.

APPROVED AND ADOPTED this ____ day of _____, 2021.

CITY OF STATESBORO, GEORGIA

By: _____

Jonathan McCollar, Mayor

Attest: _____

Leah Harden, City Clerk

GA EPD Scrap Tire Right-of-Way Application

I. CONTACT INFORMATION

Government/Authority _____	Project Manager _____	Secondary Contact _____
Federal Tax ID _____	Title _____	Title _____
Mailing Address _____	Email _____	Email _____
City/State/ZIP _____	Phone _____	Phone _____
County _____		

II. RIGHT-OF-WAY PROJECT INFORMATION


Site Name* _____

*For example, all ROWs in the county, or a smaller boundary, such as the name of neighborhood or political district.

A. COST ESTIMATE

Enter the estimated number of scrap tires that you think will be collected and the fixed costs for the project below. After the agreement is executed, if it's determined that the project cost will exceed the approved amount of funding, you must notify EPD and submit an amendment application.

Type of Tire	Number of Tires	Passenger Tire Equivalent (PTE)
Passenger		-
Truck		-
Large Off-the-Road (OTR)		-
<i>Total</i>	0	-

Estimated Tons _____	0.00	Inbound Freight _____
Rate per Ton _____		Flat Fuel Charge _____
Estimated Processing Cost _____	\$0.00	 \$0.00
		<i>Total</i> \$0.00
		Cost per PTE \$0.00

B. STORAGE

List all locations where the scrap tires will be temporarily stored while awaiting transport to a processing facility. If more than four, please list the others in your email. If a site does not have a permit or approval number that allows the storage of scrap tires, see the "Storage" tab below for guidance.

Name	Address	City	ZIP	Permit/Approval #

C. CARRIERS AND PROCESSORS

List all tire carriers and beneficial reuse scrap tire processors you plan to use and their permit or approval numbers below. If you change carriers or processors after the execution of the agreement, you must notify EPD in writing (email is acceptable) of the new contractors and the reason for the change.

Name	Permit or Approval Number



III. ACKNOWLEDGEMENTS

	YES	NO	N/A
Permitted tire carriers and permitted/approved beneficial reuse scrap tire processors will be used.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Procurement of contractors will follow current city/county procurement policy.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Appropriate safety measures will be taken while performing scrap tire abatement.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Liability waivers will be completed for volunteers, if applicable.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If there are any changes in the project after the execution of the agreement, awardee will notify EPD in writing (e.g., estimated cost of project, event date, location of temporary storage/collection sites, carriers/processors).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
While awaiting transport to a scrap tire processor, tires will be stored in a manner that is protective of human health and the environment.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scrap tire removal will begin within 90 days of the executed agreement date.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Final report, reimbursement request, and other required documents will be submitted to EPD within 30 days of project completion.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

IV. AUTHORIZATION

I, the undersigned authorized representative, certify that to the best of my knowledge, the information contained herein is true and correct.

Name _____

Date _____

Title _____

Address _____

Sign: **X** _____



To use the e-signature feature:
 1. Save this document to your computer;

X

City/State

ZIP

2. Click on 'View Signatures' at the top;
3. Click the down-arrow next to 'Signer 1' in the pop-up window at the right;
4. Click 'Sign' and type your signature in the box

APPLICATION INSTRUCTIONS

Email this completed form and any required attachments to: epd.star@dnr.ga.gov. Please include the local government name in the subject line.

Questions? Call EPD at 404-675-6013 or email epd.star@dnr.ga.gov.

Please allow 90 days for processing.

CITY OF STATESBORO

COUNCIL

Phillip A. Boyum, District 1
Paulette Chavers, District 2
Venus Mack, District 3
John Riggs, District 4
Shari Barr, District 5



Jonathan McCollar, Mayor
Charles Penny, City Manager
Leah Harden, City Clerk
Cain Smith, City Attorney

50 EAST MAIN STREET • P.O. BOX 348
STATESBORO, GEORGIA 30459-0348

To: Charles Penny, City Manager
Leah Harden, City Clerk

From: Jason Boyles, Assistant City Manager

Date: March 31, 2021

RE: Proposal by Freese & Nichols to Perform Additional Hydraulic and Hydrology Study
Along Little Lotts Creek for the Creek on the Blue Mile Project

Policy: Amendment to Agreement with Freese & Nichols

Recommendation:

Staff recommends amendment to the agreement with Freese & Nichols in the amount of \$65,000.00 to perform hydraulic and hydrology modeling study of the flood plain for the Creek on the Blue Mile project.

Background:

In late 2020 Freese & Nichols completed work on the feasibility study for the Creek on the Blue Mile project. The final report indicated that the project will have an estimated cost that exceeds available funding for the project. As a result, staff has been working with Freese & Nichols and the Creek Committee to develop alternatives for the project that will allow the project to move forward.

In order to develop viable alternatives to study it is necessary to perform additional modeling of Little Lotts Creek. This will allow the project engineer to determine the accuracy of the existing flood insurance rate maps (FIRM) which were developed in the 1970's and to create alternative cross-sectional templates for consideration. This work would typically be included in the engineering phase of the project for revisions to the flood plain maps; however, it is being advanced to provide guidance during the alternatives development phase. This work is anticipated to take approximately 4 months to complete.

Budget Impact: Work will be paid from the State Direct Investment (grant).

Council Person and District:

Paulette Chavers, District 2
Venus Mack, District 3
John Riggs, District 4

Attachments: Proposal from Freese & Nichols

March 30, 2021

City of Statesboro
Attn: Mr. John Washington, City Engineer
50 E. Main St | Statesboro, GA | 30458

Re: Proposal for Professional Engineering Services
Additional Hydraulics and Hydrology Modeling for Creek on the Blue Mile Project

Dear Mr. Washington:

Freese and Nichols, Inc. (FNI) respectfully submits this proposal for professional engineering services to you and the City of Statesboro (Client, City) for the development of additional hydraulics and hydrologic modeling along Little Lotts Creek for the conceptual design of the Creek of the Blue Mile project. The area of interest is along Little Lotts Creek approximately from West Jones Avenue to Gentilly Road in Statesboro, Georgia.

PROJECT UNDERSTANDING

The City has requested value engineering services on the Creek on the Blue Mile concept by considering options to reduce the project costs. FNI will consider additional modifications to the downstream area beyond Zetterower Ave., the conceptual layout of the promenade section, and the dam and reservoir configuration upstream of College Street to provide a revised project concept that reduces overall construction costs.

The project area consists of Zone AE, which are areas that will be inundated during the 1% annual chance event, as determined using detailed methods. The area also includes regulatory floodways, which are areas that must be kept free of obstruction in order to convey the 1% annual chance event without causes a rise of a designated amount, typically one foot. FNI understands that the Bulloch County Flood Insurance Study (FIS) for this area became effective August 5, 2010. This area is located primarily on FEMA Flood Insurance Rate Map (FIRM) panel 13031C0217D.

SCOPE OF SERVICES – BASIC SERVICES

The FNI team will perform the following tasks as Basic Services.

TASK 1 – Data Collection

1. FNI will request the FEMA effective models using the Electronic Data Request (EDR) process to obtain the latest models. FEMA typically takes 6 weeks to supply the models and workmaps.
2. FNI will obtain and review the FIRMs and the FIS. Existing USGS topographic maps or city topography will be obtained for watershed delineations.
3. Bridge or culvert data within study limits collected by EMC will be utilized.
4. FNI assumes that cross section survey data collected by EMC can be used in conjunction with the FEMA model and no additional survey is required.

TASK 2 – FEMA Base Modeling

FNI will complete base modeling following the steps outlined by FEMA for the CLOMR process to assess the regulatory 100-year floodplain limits for Little Lotts Creek in its existing configuration. In this effort, FNI will complete the following:

1. **Duplicate Effective Hydrology Model** – FNI will review the FEMA effective hydrology model for Little Lotts Creek, its incoming tributaries, and relevant boundary conditions. FNI assumes that the effective hydrology modeling was developed using regional regression equations. FNI assumes that the hydrology modeling conducted in the previous studies for the Creek on the Blue Mile project, which was conducted in XP-SWMM, will comprise the “best available data.” FNI will prepare a model that meets FEMA requirements using this data.
2. **Duplicate Effective Hydraulics Model** - FNI will review the FEMA effective hydraulics model. If needed, the model will be imported from HEC-2 to HEC-RAS, latest edition. FNI will run effective floodplain and floodway models on in-house computers to compare results published in the FIS. This model iteration is the “Duplicate Effective” Model. This is required to ensure that the Effective Model’s input data have been transferred correctly to the FNI’s equipment.
3. **Corrected Effective Hydraulics Model** - FNI will make a copy of the Duplicate Effective model and evaluate the model for possible updates within the project limits. FNI will make model parameter updates, add additional cross sections, incorporate update topographic data as needed, or make updates that reflect floodplain construction that occurred prior to the date of the effective model but was not incorporated. These steps create a “Corrected Effective” floodplain and floodway models which will be compared to the values published in the FIS.
4. **Pre-Project Hydrology Model** - FNI will make a copy of the Updated Effective Hydrology Model and make modifications to reflect significant manmade changes that have occurred within the floodplain since the date of the Current Effective Model, but prior to the construction of the Creek on the Blue Mile project, if needed. If no significant modifications have occurred since the date of the Effective Model, then this model will be identical to the Corrected Effective Model. FNI will incorporate the watershed data from the feasibility study as needed.
5. **Pre-Project Hydraulics Model** - FNI will make a copy of the Updated Effective Hydraulics Model and make modifications to reflect significant manmade changes that have occurred within the floodplain since the date of the Current Effective Model, but prior to the construction of the Creek on the Blue Mile project, if needed. If no modifications have occurred since the date of the Effective Model, then this model will be identical to the Corrected Effective Model.
6. **Client Meeting** – After the completion of Task 2, FNI will schedule and conduct a meeting with the city to review the results of the FEMA base modeling.

TASK 3 – Post-Project Conditions Modeling

FNI will consider the modifications to the current project concept to identify opportunities for reducing project costs while limiting flood impacts to the 75-foot-wide easement through the proposed development. FNI will model the following general scenarios or combination of scenarios to better identify opportunities for improvements to project benefits and/or costs:

- a. Original concept without additional upstream storage with allowance for more frequent flooding within the promenade area.
- b. Original concept with additional upstream storage with allowance for more frequent flooding within the promenade area.
- c. Stream channel improvements downstream of Zetterower Avenue to improve conveyance efficiency.
- d. Promenade configuration including channel dimensions and slopes to improve _____.
- e. Dam/reservoir modifications to reduce the amount of excavation required and the associated wetlands impacts.

Based on the scenarios noted above, FNI will develop the following models:

1. **Post-Project Hydrology Model** – FNI will create a copy of the Pre-Project model and make modifications to reflect the revised or post-project conditions.
2. **Post-Project Hydraulics Model** – FNI will create a copy of the Pre-Project model and make modifications to reflect the revised or post-project conditions in scenarios “A” through “E,” described above.

FNI assumes that FEMA coordination such as the development of applications for Conditional Letter of Map Revision (CLOMR), Letter of Map Revision (LOMR), and/or Physical Map Revision (PMR) are not part of Basic Services.

Client Meeting– After the completion of Task 3, FNI will schedule and conduct a meeting with the city to review the results of the modeling and recommended modifications to the original concept.

TASK 4 – GIS Mapping

FNI will prepare maps of the proposed flood limits based on the recommended modifications to the current project concept. The mapping will indicate the location and extents of the recommended modifications.

TASK 5 – Engineer’s Opinion of Probable Cost (OPCC)

FNI will revise the project OPCC based on the recommended modifications. This OPCC will be concept- or planning-level for long-range planning.

TASK 6 – Report

FNI will prepare a supplemental report documenting the proposed modifications, modeling results, and revised OPCC and provide up to ten printed copies and one electronic copy of the report.

Task 7 - Final Review Meetings

Client Meeting - After the completion of Task 6, FNI will schedule and conduct a meeting with the city to review the report and exhibits for the proposed modifications.

Stakeholder Meeting – FNI will meet with the city and other stakeholders after the initial meeting with the city to review the results of the study and proposed modifications to the original concept.

SCHEDULE AND FEE

FNI proposes to perform the tasks noted above for a lump sum amount of \$65,000. These services are to be performed in accordance with Attachment SCH. If FNI's services are delayed through no fault of FNI, FNI shall be entitled to equitable adjustment of compensation and FNI shall be entitled to adjust contract schedule consistent with the number of days of delay.

ADDITIONAL SERVICES/ ASSUMPTIONS

The following services are not included in this Scope of Services and will be considered Additional Services, which FNI can perform if requested by the Client under separate authorization: survey grade topography or data collection, permitting, easement acquisition, bid phase services, construction administration services, traffic control plans, geotechnical borings, aquatic or benthic survey, Phase I archaeological survey, monitoring activities, wetland mitigation services, floodplain modification or FEMA coordination (e.g. LOMR, CLOMR), operation & maintenance plan development, coordination with federal authorities (e.g. FEMA, USFWS), or public involvement.

We appreciate this opportunity to submit this proposal. If additional information or clarification is desired, please do not hesitate to contact us.

FREESE AND NICHOLS, INC.

George Kelley, P.E.
Project Manager

John S. Wolfhope, P.E.
Vice-President



Innovative approaches
Practical results
Outstanding service

360 Interstate N Parkway, Suite 250 • Atlanta, Georgia 30339 • 404-334-4310

www.freese.com

Attachment SCH

Project Schedule: SBO Additional Services

