



December 6, 2022 9:00 am

1. Call to Order by Mayor Jonathan McCollar
2. Invocation and Pledge of Allegiance by Mayor Pro Tem Shari Barr
3. Recognitions / Public Presentations
 - A) Presentation of a retirement award to Tammy Rushing (Administrative Assistant) who is retiring effective January 1, 2023, after 30 years of service.
4. Public Comments (Agenda Item):
5. Consideration of a Motion to approve the Consent Agenda
 - A) Approval of Minutes
 - a) 11-15-2022 Council Minutes
6. Public Hearing and consideration of a motion to approve an alcohol license in accordance with the City of Statesboro alcohol ordinance Sec. 6-13 (a):

Patel 3190 LLC d/b/a OK Food Mart
3190 Northside Drive West
Statesboro, Ga 30458
License Type: Package Sales – Beer and Wine only
7. Consideration of a Motion to Adopt **Resolution 2022-40**: A Resolution accepting the right of way of "Quail Run Drive" as a public street to be owned and maintained by the City of Statesboro.
8. Consideration of a motion to approve **Resolution 2022-41**: A Resolution approving the submission of a Community Home Investment Program (CHIP) grant application to the Georgia Department of Community Affairs and commitment of matching funds.
9. Consideration of a motion to approve a lease agreement to provide office space to Representative Rick Allen for an additional two years with no rent assessed.
10. Consideration of a motion to award a contract to Y-Delta Inc. in the amount of \$1,632,370.04 for the installation of water and sewer mains at the Bruce Yawn Commerce Park to serve Aspen Aerogels. To be paid for with funds approved in the FY2023 CIP Budget item #WWD-154, using system revenue and grant proceeds.
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 Adjourn



CITY OF STATESBORO
COUNCIL MINUTES
NOVEMBER 15, 2022

Regular Meeting

50 E. Main St. City Hall Council Chambers

5:30 PM

1. Call to Order

Mayor Pro Tem Shari Barr called the meeting to order

2. Invocation and Pledge

Councilmember Paulette Chavers gave the Invocation and led the Pledge of Allegiance.

ATTENDENCE

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

3. Public Comments (Agenda Item): None

Mayor Pro Tem Shari Barr announced the addition of a Resolution to the agenda as item #16.

4. Consideration of a Motion to approve the Consent Agenda

A) Approval of Minutes

a) 11-01-2022 Council Minutes

b) 11-01-2022 Executive Session Minutes

B) Consideration of a grant of license for the package sale of distilled spirits, beer, and wine to Shree Dhan Laxmi, LLC DBA EZ Liquors located at 1525 Fair Road Suite 106.

C) Consideration of motion to approve execution of documents to amend Service Delivery Strategies agreement to allow for extension of provision of water services by the City of Brooklet.

A motion was made to approve the consent agenda.

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

5. Second reading and consideration of a motion to approve Ordinance 2022-08: An Ordinance amending Chapter 2 of the Statesboro Code of Ordinances establishing the Statesboro Business Commission.

A Motion was made to approve **Ordinance 2022-08** amending Chapter 2 of the Statesboro Code of Ordinances establishing the Statesboro Business Commission.

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

6. Public Hearing and Consideration of a Motion to Approve: APPLICATION SE 22-10-01: Samantha Lindley requests a Special Exception from Article IX of the Statesboro Zoning Ordinance in order to allow for a non-medical massage therapy office at 108 South Zetterower Avenue.

A motion was made to open the public hearing.

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

Samantha Lindley and Judy Simmons spoke in favor of the request.
No one spoke against the request.

A motion was made to close the public hearing.

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

A motion was made to approve **APPLICATION SE 22-10-01**: a Special Exception from Article IX of the Statesboro Zoning Ordinance in order to allow for a non-medical massage therapy office at 108 South Zetterower Avenue.

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

7. Public Hearing and Consideration of a Motion to Approve: APPLICATION SE 22-10-02: Kirk Farrelly requests a Special Exception from Article X of the Statesboro Zoning Ordinance in order to develop a tire shop/minor auto repair store at 35 Freedom Way.

A motion was made to open the public hearing.

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

Michael Corcoran with Civil Logistics spoke on behalf of the owner in favor of the request.

No one spoke against the request.

A motion was made to close the public hearing.

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

Mayor Pro Tem Shari Barr voiced her concern regarding the look of tires being out and that this type of business seems to be out of character in the area. A place like this would be more suited in an industrial oriented area.

There was council discussion regarding the landscape buffer between the back of the building and the walking trail. There will be a landscape buffer strip and a strip at least 10 feet wide densely planted with shrubs and or trees at least

three feet high at the time of planting that will possess growth characteristics to produce a dense, compact, screen capable of growing to a height of at least six feet in three years.

A motion was made to approve **APPLICATION SE 22-10-02**: a Special Exception from Article X of the Statesboro Zoning Ordinance in order to develop a tire shop/minor auto repair store at 35 Freedom Way.

RESULT:	Approved 3-1
MOVER:	Councilmember Venus Mack
SECONDER:	Councilmember Paulette Chavers
AYES:	Chavers, Mack, Riggs
ABSENT	Councilmember Phil Boyum
NAYS	Mayor Pro Tem Shari Barr

8. Public Hearing and consideration of a motion to approve an alcohol license in accordance with the City of Statesboro alcohol ordinance Sec. 6-13 (a):
Publix Super Markets, Inc.
101 Tormenta Way
Statesboro, Ga 30458
License Type: Package Sales – Beer and Wine only

A motion was made to open the public hearing.

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

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:	Chavers, Mack, Riggs, Barr
ABSENT	Councilmember Phil Boyum

A motion was made to approve an alcohol license in accordance with the City of Statesboro alcohol ordinance Sec. 6-13 (a): Publix Super Markets, Inc. 101 Tormenta Way Statesboro, Ga 30458 License Type: Package Sales – Beer and Wine only.

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

9. Public Hearing and consideration of a motion to approve Ordinance 2022-09: An ordinance to adopt an amendment to the City of Statesboro Speed Control Ordinance including the accompanying GDOT List of Roadways List Number 09092019 document in order to enforce posted speed limits within the City of Statesboro utilizing speed detection devices.

A motion was made to open the public hearing.

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

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:	Chavers, Mack, Riggs, Barr
ABSENT	Councilmember Phil Boyum

Councilmember John Riggs asked what the process would be to reduce the speed limit from Gentilly to Georgia Avenue on Fair Road from 45 mph to 35mph.

City Manager Charles Penny said we would need to speak with GDOT about reducing speed limits on state roads and that staff will make that request.

A motion was made to approve **Ordinance 2022-09**: An ordinance to adopt an amendment to the City of Statesboro Speed Control Ordinance including the accompanying GDOT List of Roadways List Number 09092019 document in order to enforce posted speed limits within the City of Statesboro utilizing speed detection devices.

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

10. Consideration of a motion to approve a sole source emergency purchase with Y-Delta Inc in the amount of \$36,367.79 for a sewer main repair on Tillman Road. Funding is from Operating Revenues.

A motion was made to approve a sole source emergency purchase with Y-Delta Inc in the amount of \$36,367.79 for a sewer main repair on Tillman Road. Funding is from Operating Revenues.

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

11. Consideration of a motion to award the purchase of three hundred ¾” Sensus domestic water meters and one 10” Sensus commercial water meter from Core&Main Inc in the amount of \$55,300.00. To be purchased with funds approved in the 2023 Water Sewer Operating Budget funded with system revenue.

A motion was made to award the purchase of three hundred ¾” Sensus domestic water meters and one 10” Sensus commercial water meter from Core&Main Inc in the amount of \$55,300.00. To be purchased with funds approved in the 2023 Water Sewer Operating Budget funded with system revenue.

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

12. Consideration of a motion to award the purchase of two 12” Check Valves to Ferguson Waterworks in the amount of \$36,318.00. To be purchased with funds approved in 2023 CIP item #WWD-154, funded with system revenue and grant proceeds.

A motion was made to approve to award the purchase of two 12” Check Valves to Ferguson Waterworks in the amount of \$36,318.00. To be purchased with funds approved in 2023 CIP item #WWD-154, funded with system revenue and grant proceeds.

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

13. Consideration of a motion to award a contract to C&H Pipeline Inc. in the amount of \$366,413.39 with approval to spend up to \$420,000.00 for the installation of 3800’ of 6” steel natural gas main at the Gateway Industrial park to serve Aspen Aerogels. To be paid for with Operating Revenue funds approved in the FY2023 CIP Budget item #NGD-99.

A motion was made to award a contract to C&H Pipeline Inc. in the amount of \$366,413.39 with approval to spend up to \$420,000.00 for the installation of 3800’ of 6” steel natural gas main at the Gateway Industrial park to serve Aspen Aerogels. To be paid for with Operating Revenue funds approved in the FY2023 CIP Budget item #NGD-99.

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

14. Consideration of a motion to award a contract to Vortex Services, LLC in the amount of \$797,065.00 with the approval to spend up to \$850,000.00 to rehabilitate approximately 14000’ of sewer main. This project was funded as part of the 2023 CIP Budget, Item #WWD14, with funds from 2019 SPLOST.

A motion was made to approve to award a contract to Vortex Services, LLC in the amount of \$797,065.00 with the approval to spend up to \$850,000.00 to rehabilitate approximately 14000’ of sewer main. This project was funded as part of the 2023 CIP Budget, Item #WWD14, with funds from 2019 SPLOST.

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

15. Consideration of a motion to award a contract to Yancey Cat in the amount of \$134,034.00 for the purchase of a new Caterpillar 306 CAB A/C Mini Excavator for the Streets Division in the Public Works & Engineering Department per Sourcewell contract. Funding is from 2018 TSPLOST.

A motion was made to award a contract to Yancey Cat in the amount of \$134,034.00 for the purchase of a new Caterpillar 306 CAB A/C Mini Excavator for the Streets Division in the Public Works & Engineering Department per Sourcewell contract. Funding is from 2018 TSPLOST.

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

16. Consideration of a motion to approve Resolution 2022-39: A Resolution to rescind Resolution 2021-29.

A motion was made to approve Resolution 2022-39 to rescind Resolution 2021-29.

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

17. Other Business from City Council:

Mayor Pro Tem Shari Barr congratulated the Tormenta players on their recent win. She also announced the downtown Holiday Celebration will hosted by the DSDA will take place Friday December 2, 2022 and encourages people to attend.

18. City Managers Comments

City Manager Charles Penny invited Mayor and Council to join us on Tuesday November 22, 2022 for the employee luncheon. The luncheon will begin at 11:00 am at the Nesmith Lane Center on Georgia Southern Campus.

Mr. Penny announced that Bill Gross the developer of the old Julia P Bryant property received notification that they are funded for the tax credits to build senior housing. Also the Fernhill Farm project, which is a project we used some of our housing incentive funds has started moving land for an 80 lot subdivision.

Other exciting news is we are getting the busses tomorrow.

19. Public Comments (General): None

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

No Executive Session was held.

21. Consideration of a Motion to Adjourn

A motion was made to adjourn.

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

The meeting was adjourned at 6:17 pm.

Jonathan McCollar, Mayor

Leah Harden, City Clerk

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: 11/29/2022

RE: Patel 3190 LLC DBA OK Food Mart

Policy Issue: Alcohol License Approval

Recommendation:

Consideration of a Motion to approve application for an alcohol license classified as Package Sales (Beer & Wine) & Sunday Sales in accordance with The City of Statesboro alcohol ordinance Sec. 6-13 (a) to be issued to Patel 3190 LLC DBA OK Food Mart located at 3190 Northside Drive West.

Background:

OK Food Mart convenience store located at 3190 Northside Drive West has undergone a change in ownership. This change requires the new owner to apply for a new alcohol license and get approval 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.

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: _____

1. Business Trade Name: OK FOOD MART

D/B/A Name

2. Applicant's Name: AMANKUMAR P PATEL

Name of partnership, llc, corporation, or individual

3. Business Physical Address: 3190 NORTHSIDE DR W, STATESBORO, GA 30458

4. Business mailing address: 3190 NORTHSIDE DR W, STATESBORO, GA 30458

5. Local business phone number: 404-274-1377

Corporate office phone number: _____

6. Name of Manager: AMANKUMAR P PATEL

Person responsible for alcohol licensing issues

7. Phone number for manager: 404-274-1377

8. Email address for manager: patel3190llc@gmail.com

9. Address of manager: 326 BARROW LN, GROVETOWN, GA 30813

10. Purpose of application is:

New Business New Owner

Previous owner's name: Pratik Pandya

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: PATEL 3190 LLC DBA OK FOOD MART

3190 NORTHSIDE DR W, STATESBORO, GA 30458

Do you have an operating or partnership agreement for the LLC, LLP, 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: AMANKUMAR P PATEL Phone #: 404-274-1377

Home Address: 326 BARROW LN, GROVETOWN, GA 30813

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: AMANKUMAR P PATEL Phone #: 404-274-1377

Previous address: 25 SENATE PL APT 433, JERSEY CITY, NJ 07306

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?

YES

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, AMANKUMAR P PATEL, 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.

AMANKUMAR P PATEL

Print full name as signed below

	<u>OWNER</u>	<u>08/30/22</u>
Signature of applicant	Title	Date

Sworn and subscribed before me this 8/30/22 day of August, 20 22.

	<u>11/18/2024</u>
Notary Public	My commission expires

CHARLES ROBINSON
NOTARY PUBLIC
Columbia County
State of Georgia
My Comm. Expires Nov. 18, 2024

Calculation of Basic License Fee

For Calendar Year: _____

Classification:	Mark all that apply	License Fee
1. A. Package Sales (Beer & Wine)	<input checked="" type="checkbox"/>	\$1750
B. Package Sales (Distilled Spirits)	<input type="checkbox"/>	\$5000
Location Reservation	<input type="checkbox"/>	N/A
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: \$ **2,050.00**



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: November 22, 2022

TO: Tax Department

SUBJECT: ALCOHOLIC BEVERAGE APPLICATION (3190 Northside Drive West, Ok Food Mart)

The Department of Planning and Development has reviewed the alcoholic beverage application submitted by Ok Food Mart for 3190 Northside Drive West. The applicant is proposing retail package sale of beer and wine for a “gas station with 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: 3190 Northside Drive West is located in the HOC (Highway Oriented Commercial) district.

2) Zoning Use Classification: Per Article XI, a “gas station with a convenience store” may be classified in the HOC (Highway Oriented Commercial) district as:

- Service to the public.

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 D, E, and F 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

Elizabeth Burns
Planner
Department of Planning & Development

OK Food Mart
3190 Northside Dr.
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	Inspection conducted on 10/4/2022.
Police Department	Jared Akins	Approve	
Legal			

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

From: Jason Boyles, Assistant City Manager
John Washington, Director of Public Works and Engineering

Date: 11/28/2022

RE: Road & Right-of-Way (R/W) Dedication
Quail Run Drive

Policy Issue: Subdivision Regulations

Recommendation:

Staff requests consideration of a motion for Council to authorize the Mayor to execute the attached resolution authorizing the Mayor to accept the road and right-of-way on behalf of the City of Statesboro. The Engineering Department has reviewed all items necessary for road acceptance and recommends approval of the road and right-of-way dedication for Quail Run Drive.

Background:

Quail Run was built in the 1970's. The right of way was never formally dedicated to the city but the city has used and maintained it for many years. The street was only paved part of the way to the end of the street as shown on the subdivision plat. The property as originally subdivided resulted in a number of lots that were undevelopable due to extensive wetlands. The property owner of those lots wants to recombine them into one lot along with the unpaved portion of the street right of way shown in the original subdivision plat. This will result in a large enough area out of the wetlands to build upon. The property owner is formally deeding the existing Right of Way to the City of Statesboro along with additional Right of Way to construct a cul-de-sac.

Budget Impact:

The City of Statesboro will maintain the roadway and limits of right-of-way. The City of Statesboro will construct the cul-de-sac at the end of the existing pavement. This will be funded from the 2018 TSPLOST, CIP ENG-137 in the FY23 budget.

Council Person and District:

Councilmember Phil Boyum, District 1

Attachments:

Right-of-Way Plat
Proposed Resolution

RESOLUTION 2022-40:

RESOLUTION ACCEPTING RIGHT OF WAY OF QUAIL RUN DRIVE AS A PUBLIC STREET TO BE OWNED AND MAINTAINED BY THE CITY OF STATESBORO, GEORGIA.

THAT WHEREAS, James C. Hendry Homebuilders LLC of Statesboro is the owner of the street segment known as Quail Run Drive and wishes to convey said street to the City of Statesboro; and

WHEREAS, with the planned growth of the surrounding area, the City believes it is in the best interest of the public for this road to be a public street, owned and maintained by the City;

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

Section 1. That Quail Run Drive is hereby formally accepted for dedication by the City of Statesboro, Georgia as a public street and right-of-way to be owned and maintained by the City of Statesboro.

Section 2. That this resolution authorize and direct the Mayor of the City of Statesboro, Georgia to accept the dedication of the above described property by virtue of a right of way deed.

Section 3. All that certain, lot, tract or parcel of land lying, situate and being in the 1209th G.M.D., Bulloch County, Georgia, and in the City of Statesboro, containing 1.285 acres and being the proposed sixty (60') foot public right-of-way as shown on a plat prepared by John A. Dotson, Surveyor, dated October 11, 2022, and recorded in Plat Book 69, Page 209, Bulloch County Records. The above referenced plat and the description thereon are by reference incorporated herein for all purposes of this description.

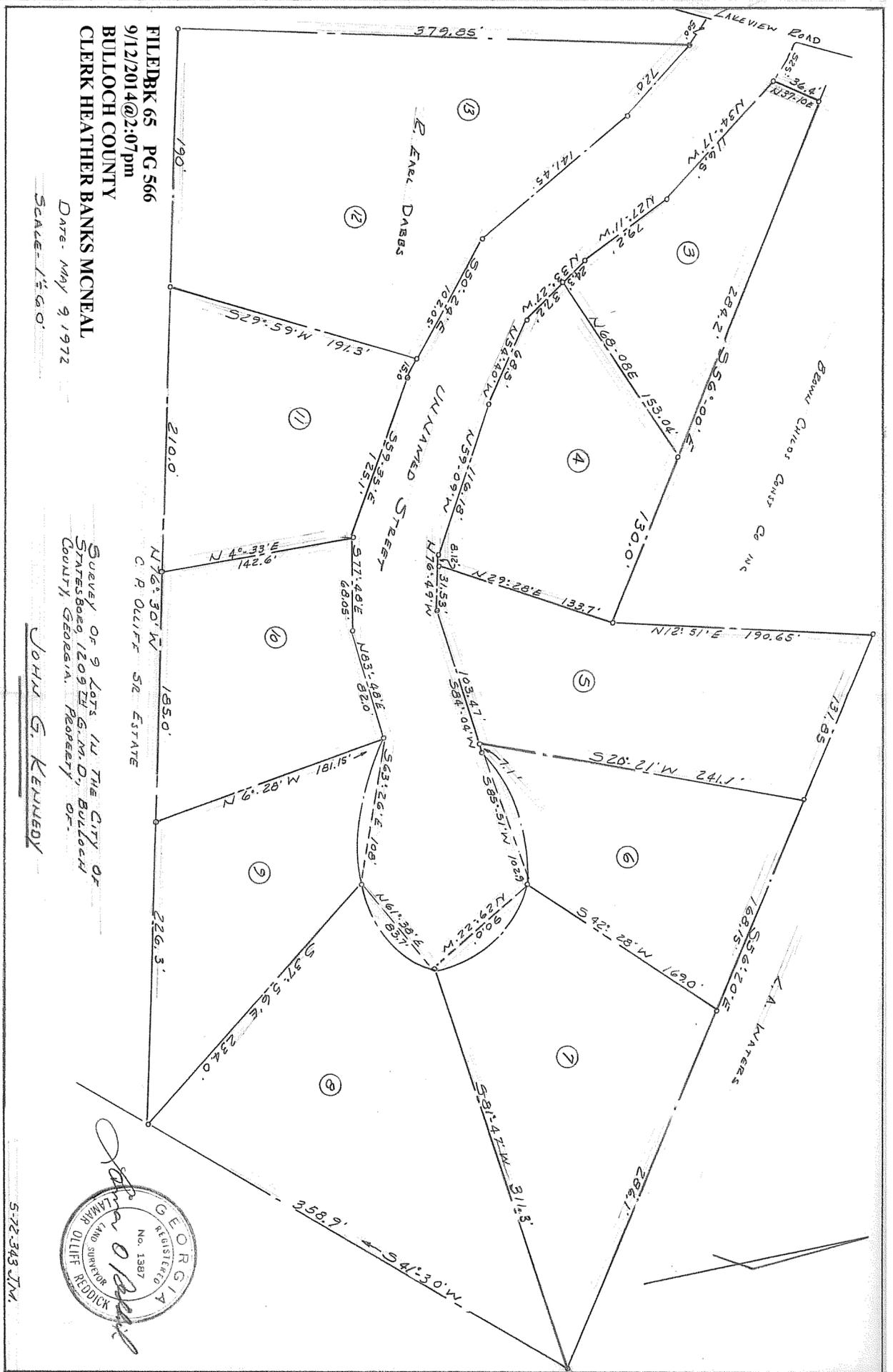
Section 4. That this Resolution shall be and remain effective from and after its date of adoption.

APPROVED AND ADOPTED this _____ day of _____, 2022.

CITY OF STATESBORO, GEORGIA

By: _____
Jonathan McCollar, Mayor

Attest: _____
Leah Harden, City Clerk



FILEDBK 65 PG 566
 9/12/2014@2:07pm
 BULLOCH COUNTY
 CLERK HEATHER BANKS MCNEAL

Date: May 9 1972
 SCALE: 1"=60'

Survey of 9 Lots in the City of
 Statesboro 1209th G.M.D., Bulloch
 County, Georgia. Property of...

JOHN G. KENNEDY



5-22-343 J.M.

Request for Street Dedication

The undersigned owner(s)/developer(s)/authorized agent(s) to dedicate to the City of Statesboro the STREET described below:

Street Name: Quail Run Drive

Starting at Point: Lakeview Road

Ending at Point: Cul-de-Sac/ Property of James C. Hendry Homebuilders, LLC

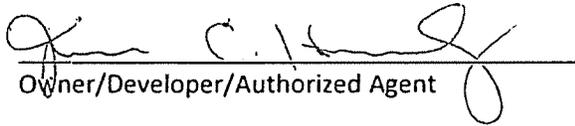
Length (in feet): 816.21' on South border

Width of Right-of-Way (in feet): 60.02'

Name of Subdivision: N/A

Plat Book Number and Page Number (for final subdivision plat): BK 69, PG 209-209

I fully understand and agree that the street described above becomes a City maintained street only after the City approves my dedication request and declares to accept it as part of the City street system.



Owner/Developer/Authorized Agent

10/13/22

Date

9247802726
PARTICIPANT ID
BK:69 PG:209-209
P2022000322

FILED IN OFFICE
CLERK OF COURT
11/15/2022 11:36 AM
HEATHER BANKS MCNEAL, CLERK
SUPERIOR COURT
BULLOCH COUNTY, GA

Heather Banks McNeal

CORNER LEGEND

- RBF = REBAR FOUND
- BRBF = BENT REBAR FOUND
- IPF = IRON PIPE FOUND
- BIPF = BENT IRON PIPE FOUND
- CRBS = CAPPED REBAR SET
- CMF = CONCRETE MARKER FOUND
- CTPF = CRIMPED TOP PIPE FOUND
- AIF = ANGLE IRON FOUND
- NF = NAIL FOUND

REFERENCES

- DEED BOOK 2283, PAGES 325 - 327
- DEED BOOK 2725, PAGES 376-377
- PLAT BOOK 65, PAGE 566

SUBJECT PROPERTY

- 1. PREVIOUS PLAT FOUND IN: BK.65 PG.566
- 2. TAX ID. NUMBER: S25 000009 000
- 3. ADDRESS: QUAIL RUN DRIVE, STATESBORO GA.

LEGEND

- WOODS DRIP LINE
- STORM PIPE
- OHP = OVERHEAD POWER
- G = GAS LINE
- FO = FIBER OPTIC
- UGT = UNDERGROUND TELEPHONE
- S = SANITARY SEWER
- FENCE LINE
- X = POWER POLE
- PP = LIGHT
- LT = ELECTRIC METER
- EB = ELECTRIC BOX
- TSB = TRAFFIC SIGNAL BOX
- TSP = TRAFFIC SIGNAL POLE
- FOB = FIBER OPTIC BOX
- FOP = FIBER OPTIC PEDESTAL
- TB = TELEPHONE BOX
- TP = TELEPHONE PEDESTAL
- GM = GAS METER
- GRV = GAS REGULATOR VALVE
- SSCO = SANITARY SEWER CLEANOUT
- STO MH = STORM MANHOLE
- FTE = FINISHED FLOOR ELEVATION
- PVMT = PAVEMENT
- CONC = CONCRETE
- DS = DOWNSPOUT

CERTIFICATE OF APPROVAL FOR RECORDING

THE FOLLOWING GOVERNMENTAL OFFICIALS HAVE APPROVED THIS PLAT FOR FILING.

Heather Banks McNeal 11-11-2022
Mayor Date
John A. Dotson 11/8/22
Planning and Zoning Director Date

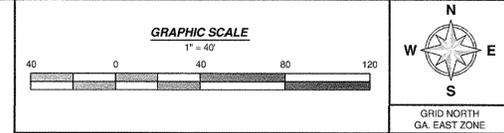
SURVEYOR CERTIFICATION

AS REQUIRED BY SUBSECTION (D) OF O.C.G.A. SECTION 15-6-67, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EVIDENCED BY APPROVAL CERTIFICATIONS, SIGNATURES, STAMPS, OR STATEMENTS HEREON. SUCH APPROVALS OR AFFIRMATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENTAL BODIES BY ANY PURCHASER OR USER OF THIS PLAT AS TO INTENDED USE OF ANY PARCEL. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

MAXWELL-REDDICK
AND ASSOCIATES
ENGINEERING &
LAND SURVEYING
40 JOE KENNEDY BLVD.
STATESBORO, GA 30458
(912) 489-7112 OFFICE
NORTHWINDS III
2500 NORTHWINDS PKWY.
SUITE 560
ALPHARETTA, GA 30009
(404) 698-1618 OFFICE

John A. Dotson
JOHN A. DOTSON, GA. RLS #2500

10-11-2022
DATE



GENERAL SITE NOTES

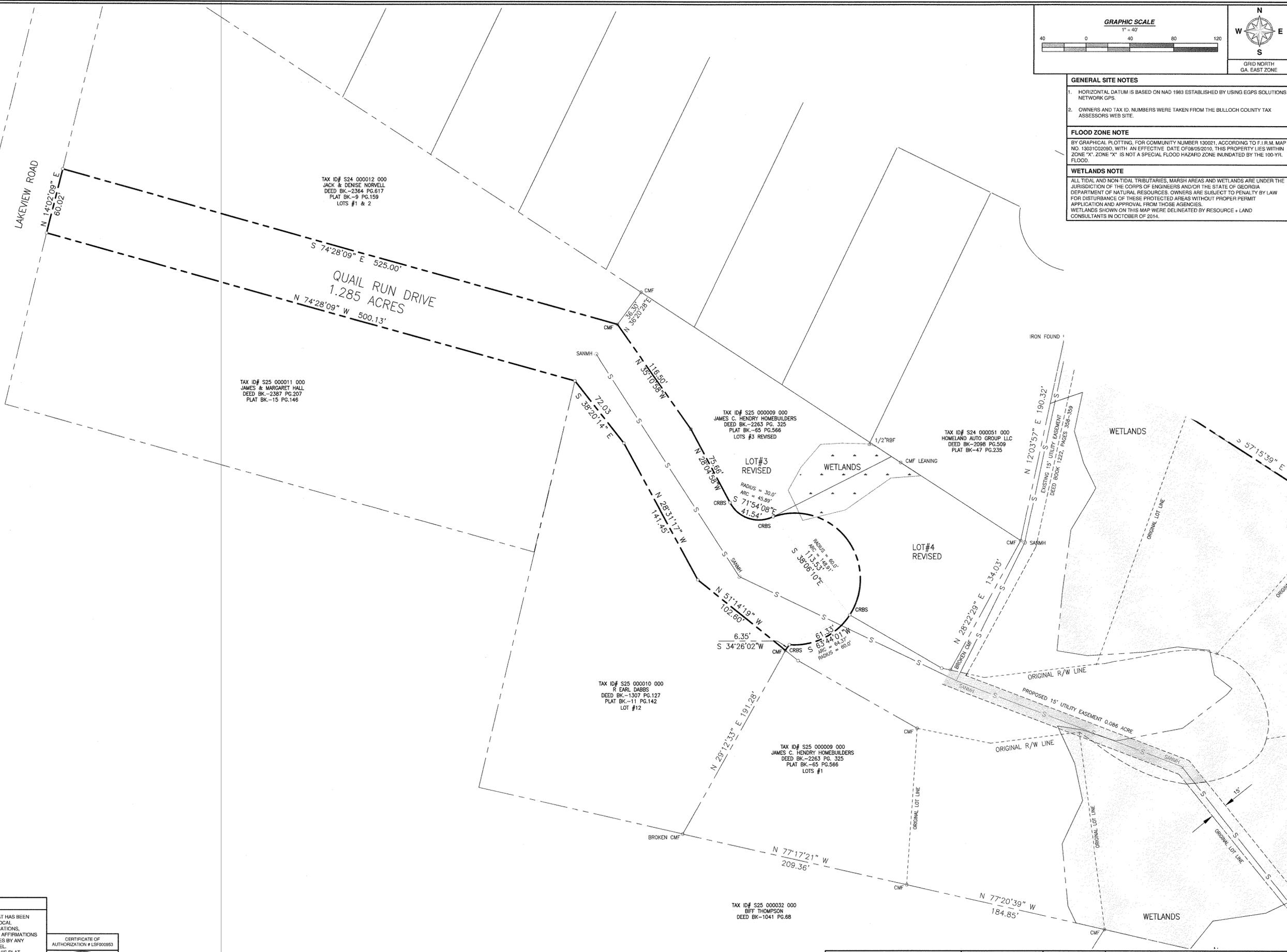
- HORIZONTAL DATUM IS BASED ON NAD 1983 ESTABLISHED BY USING EGPS SOLUTIONS NETWORK GPS.
- OWNERS AND TAX ID. NUMBERS WERE TAKEN FROM THE BULLOCH COUNTY TAX ASSESSORS WEB SITE.

FLOOD ZONE NOTE

BY GRAPHICAL PLOTTING, FOR COMMUNITY NUMBER 130021, ACCORDING TO F.I.R.M. MAP NO. 130102090, WITH AN EFFECTIVE DATE OF 08/05/2010 THIS PROPERTY LIES WITHIN ZONE "X". ZONE "X" IS NOT A SPECIAL FLOOD HAZARD ZONE INUNDATED BY THE 100-YR. FLOOD.

WETLANDS NOTE

ALL TIDAL AND NON-TIDAL TRIBUTARIES, MARSH AREAS AND WETLANDS ARE UNDER THE JURISDICTION OF THE CORPS OF ENGINEERS AND/OR THE STATE OF GEORGIA DEPARTMENT OF NATURAL RESOURCES. OWNERS ARE SUBJECT TO PENALTY BY LAW FOR DISTURBANCE OF THESE PROTECTED AREAS WITHOUT PROPER PERMIT APPLICATION AND APPROVAL FROM THOSE AGENCIES. WETLANDS SHOWN ON THIS MAP WERE DELINEATED BY RESOURCE + LAND CONSULTANTS IN OCTOBER OF 2014.



PRECISION DATA	FIELD EQUIPMENT	DRAWN BY: JD	DRAWING NUMBER
E.O.C. FIELD ERROR PER ANGLE	TRIMBLE R6 GPS	FIELD WORK: 10-11-2022	1
ADJ. METHOD	MAGNETIC LOCATOR	DATE: 10-11-2022	
E.O.C. PLAT	TRIMBLE ACCESS	JOB NO.: 2021-263	
	TRIMBLE S8	SCALE: 1" = 40'	1 OF 1 SHEET

THIS DRAWING WAS PREPARED WITHOUT THE BENEFIT OF AN INVESTIGATION OR SEARCH FOR EASEMENTS, ENCUMBRANCES OR OTHER FACTS OF RECORD, THAT AN ACCURATE TITLE SEARCH MAY DISCLOSE.

PLAT OF PORTION OF THE RIGHT-OF-WAY OF QUAIL RUN DRIVE PREPARED FOR JAMES C. HENDRY LOCATED IN THE 1209TH G.M.D. OF THE CITY OF STATESBORO, BULLOCH COUNTY GA

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 M. 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 and Leah Harden, City Clerk

From: Justin Williams, Planning and Housing Administrator

Date: November 29, 2022

RE: December 6, 2022

Policy Issue: Grant Application

Recommendation: Staff recommends approval of resolution to apply for the FY 2023 Community Home Investment Program (CHIP) Grant.

Background: The City previously approved the use of \$5,000,000 of ARPA funding to be spent to improve housing conditions throughout the City with the Housing Rehabilitation Program. In initial inspections, many homes were identified as exceeding the cap granted for individual home renovations. Utilizing a mixture of CHIP Funding and the allotted funds for housing, identified needs for the community can be impacted for a number of homeowners who would otherwise be excluded.

Budget Impact: \$200,000 from ARPA Housing Rehabilitation Fund

Council Person and District: All

Attachments: CHIP Application Resolution

RESOLUTION 2022 - 41: A RESOLUTION APPROVING SUBMISSION OF A COMMUNITY HOME INVESTMENT PROGRAM (CHIP) GRANT APPLICATION TO THE GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS AND COMMITMENT OF MATCHING FUNDS

WHEREAS, the Mayor and City Council support the increase to the quality of life of the citizens of Statesboro; and,

WHEREAS, the Mayor and City Council have identified through the Urban Redevelopment Plan, Affordable Housing Plan, and Housing Market Study, four neighborhoods in which blight exists; and,

WHEREAS, the Mayor and City Council have determined that housing grant opportunities offered by the Community Home investment Program administered by the Georgia Department of Community Affairs provide viable solutions to ameliorate many of these conditions; and,

WHEREAS, it has been determined that a program to fund new construction/reconstruction of affordable single-family homes is an appropriate use of these funds; and,

WHEREAS, the City has begun the process of redevelopment through the use of ARPA fund through the Statesboro Housing Rehabilitation Program, and;

WHEREAS, a match of is being provided for houses already identified for repair in excess of \$50,000.

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

Section 1. That the Mayor and City Council hereby authorize the submittal to the Georgia Department of Community Affairs of the Community Home Investment Program (CHIP) Grant application.

Section 2. That the Mayor and City Council hereby pledge the minimum amount of \$200,000 of ARPA funds towards housing repair as a match based on the \$50,000 cap listed per home.

Section 3. That the City Council hereby authorizes the Mayor to execute all documents related to the adopted grant including certification of assurances for compliance with all program regulations included in Attachment 8 of the application entitled CHIP Grant Application Certified Assurances.

Adopted this 6th day of December, 2022

CITY OF STATESBORO, GEORGIA

By: _____

Jonathan McCollar, Mayor

Attest: _____

Leah Harden, City Clerk

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: November 30, 2022

RE: December 6, 2022 City Council Agenda Items

Policy Issue: *Lease agreement to provide office space to Representative Rick Allen for an additional two years with no rent assessed.*

Recommendation: Consideration

Background: City has traditionally provided office space in City Hall to our Congressional representative. This lease would continue the placement of the office in City Hall through Rep Allen's current two year term in the U.S. House of Representatives

Budget Impact: None

Council Person and District: All

Attachments: Proposed lease agreement

U.S. House of Representatives

Washington, D.C. 20515

District Office Lease Amendment

(Page 1 of 2 – 118th Congress)

1. **Prior Lease Term.** The undersigned Landlord (“Lessor”) and Member of the U. S. House of Representatives (“Lessee”) agree that they previously entered into a District Office Lease (“Lease”) (along with the District Office Lease Attachment), which covered the period from January 3, 2021 to January 2, 2023 for the lease of office space located at 50 E. Main Street in the city, state and ZIP of Statesboro, GA 30458.
2. **Extended Term.** If applicable, the above referenced Lease is extended through and including January 2, 2025. (This District Office Lease Amendment (“Amendment”) may not provide for an extension beyond January 2, 2025, which is the end of the constitutional term of the 118th Congress.)
3. **Rent and Any Other Changes.** The monthly rent for the extended term of the Lease shall now be -0-. All other provisions of the existing Lease shall remain unchanged and in full effect, except for the following additional terms, which are modified as indicated in the space below [If no additional terms are to be modified, write the word “NONE” below].

NONE

4. **District Office Lease Attachment for 118th Congress.** This Amendment shall have no force and effect unless and until accompanied by an executed District Office Lease Attachment for the 118th Congress and the District Office Lease Attachment for the 118th Congress attached hereto supersedes and replaces any prior District Office Lease Attachment.
5. **Counterparts.** This Amendment may be executed in any number of counterparts and by facsimile copy, each of which shall be deemed to be an original but all of which together shall be deemed to be one and the same instrument.
6. **Section Headings.** The section headings of this Amendment are for convenience of reference only and shall not be deemed to limit or affect any of the provisions hereof.

[Signature page follows.]

U.S. House of Representatives
Washington, D.C. 20515

District Office Lease Amendment
(Page 2 of 2 – 118th Congress)

IN WITNESS WHEREOF, the parties have duly executed this District Office Lease Amendment as of the later date written below by the Lessor or the Lessee.

City of Statesboro

Print Name of Lessor/Landlord/Company

Rep. Rick W. Allen

Print Name of Lessee

By: _____
Lessor Signature

Lessee Signature

Name:

Title:

Date

Date

This District Office Lease Amendment must be accompanied with an executed District Office Lease Attachment.

District Office Lease Attachment

(Page 2 of 5 – 118th Congress)

SECTION B (Additional Lease Terms)

1. **Incorporated District Office Lease Attachment.** Lessor (Landlord) and Lessee (Member/Member-elect of the U.S. House of Representatives) agree that this District Office Lease Attachment (“Attachment”) is incorporated into and made part of the Lease (“Lease”) and, if applicable, District Office Lease Amendment (“Amendment”) to which it is attached.
2. **Performance.** Lessor expressly acknowledges that neither the U.S. House of Representatives (the “House”) nor its Officers are liable for the performance of the Lease. Lessor further expressly acknowledges that payments made by the Chief Administrative Officer of the House (the “CAO”) to Lessor to satisfy Lessee’s rent obligations under the Lease – which payments are made solely on behalf of Lessee in support of his/her official and representational duties as a Member of the House – shall create no legal obligation or liability on the part of the CAO or the House whatsoever. Lessee shall be solely responsible for the performance of the Lease and Lessor expressly agrees to look solely to Lessee for such performance.
3. **Modifications.** Any amendment to the Lease must be in writing and signed by the Lessor and Lessee. Lessor and Lessee also understand and acknowledge that the Administrative Counsel for the CAO (“Administrative Counsel”) must review and give approval of any amendment to the Lease prior to its execution.
4. **Compliance with House Rules and Regulations.** Lessor and Lessee understand and acknowledge that the Lease shall not be valid, and the CAO will not authorize the disbursement of funds to the Lessor, until Administrative Counsel has reviewed the Lease to determine that it complies with the Rules of the House and the Regulations of the Committee on House Administration, and approved the Lease by signing the last page of this Attachment.
5. **Payments.** The Lease is a fixed term lease with monthly installments for which payment is due in arrears on or before the end of each calendar month. In the event of a payment dispute, Lessor agrees to contact the Office of Finance, U.S. House of Representatives, at 202-225-7474 to attempt to resolve the dispute before contacting Lessee.
6. **Void Provisions.** Any provision in the Lease purporting to require the payment of a security deposit shall have no force or effect. Furthermore, any provision in the Lease purporting to vary the dollar amount of the rent specified in the Lease by any cost of living clause, operating expense clause, pro rata expense clause, escalation clause, or any other adjustment or measure during the term of the Lease shall have no force or effect.
7. **Certain Charges.** The parties agree that any charge for default, early termination or cancellation of the Lease which results from actions taken by or on behalf of the Lessee shall be the sole responsibility of the Lessee and shall not be paid by the CAO on behalf of the Lessee.
8. **Death, Resignation or Removal.** In the event Lessee dies, resigns or is removed from office during the term of the Lease, the Clerk of the House may, at his or her sole option, either: (a) terminate the Lease by giving thirty (30) days’ prior written notice to Lessor; or (b) assume the obligation of the Lease and continue to occupy the premises for a period not to exceed sixty (60) days following the certification of the election of the Lessee’s successor. In the event the Clerk elects to terminate the Lease, the commencement date of such thirty (30) day termination notice

District Office Lease Attachment

(Page 3 of 5 – 118th Congress)

shall be the date such notice is delivered to the Lessor or, if mailed, the date on which such notice is postmarked.

9. **Term.** The term of the Lease may not exceed the constitutional term of the Congress to which the Lessee has been elected. The Lease may be signed by the Member-elect before taking office. Should the Member-elect not take office to serve as a Member of the 118th Congress, the Lease will be considered null and void.
10. **Early Termination.** If either Lessor or Lessee terminates the Lease under the terms of the Lease, the terminating party agrees to promptly file a copy of any termination notice with the Office of Finance, U.S. House of Representatives, Attn: Kellie Wilson, via e-mail at FCLeasePayments@mail.house.gov, and with the Administrative Counsel by e-mail at leases@mail.house.gov.
11. **Assignments.** Lessor shall provide thirty (30) days prior written notice to Lessee before assigning any of its rights, interests or obligations under the Lease, in whole or in part, by operation of law or otherwise. Lessor shall promptly file a copy of any such assignment notice with Administrative Counsel by e-mail at leases@mail.house.gov. Lessee and the House shall not be responsible for any misdirected payments resulting from Lessor's failure to file an assignment notice in accordance with this section.
12. **Sale or Transfer of Leased Premises.** Lessor shall provide thirty (30) days prior written notice to Lessee in the event (a) of any sale to a third party of any part of the leased premises, or (b) Lessor transfers or otherwise disposes of any of the leased premises, and provide documentation evidencing such sale or transfer in such notice. Lessor shall promptly file a copy of any such sale or transfer notice with Administrative Counsel by e-mail at leases@mail.house.gov.
13. **Bankruptcy and Foreclosure.** In the event (a) Lessor is placed in bankruptcy proceedings (whether voluntarily or involuntarily), (b) the leased premises is foreclosed upon, or (c) of any similar occurrence, Lessor agrees to promptly notify Lessee in writing. Lessor shall also promptly file a copy of any such notice via e-mail with the Office of Finance, U.S. House of Representatives, Attn: Kellie Wilson, via e-mail at FCLeasePayments@mail.house.gov, and with Administrative Counsel by e-mail at leases@mail.house.gov.
14. **Estoppel Certificates.** Lessee agrees to sign an estoppel certificate relating to the leased premises (usually used in instances when the Lessor is selling or refinancing the building) upon the request of the Lessor. Such an estoppel certificate shall require the review of Administrative Counsel, prior to Lessee signing the estoppel certificate. Lessor shall promptly provide a copy of any such estoppel certificate to Administrative Counsel by e-mail at leases@mail.house.gov.
15. **Maintenance of Common Areas.** Lessor agrees to maintain in good order, at its sole expense, all public and common areas of the building including, but not limited to, all sidewalks, parking areas, lobbies, elevators, escalators, entryways, exits, alleys and other like areas.
16. **Maintenance of Structural Components.** Lessor also agrees to maintain in good order, repair or replace as needed, at its sole expense, all structural and other components of the premises including, but not limited to, roofs, ceilings, walls (interior and exterior), floors, windows, doors, foundations, fixtures, and all mechanical, plumbing, electrical and air conditioning/heating

District Office Lease Attachment

(Page 4 of 5 – 118th Congress)

systems or equipment (including window air conditioning units provided by the Lessor) serving the premises.

17. **Lessor Liability for Failure to Maintain.** Lessor shall be liable for any damage, either to persons or property, sustained by Lessee or any of his or her employees or guests, caused by Lessor's failure to fulfill its obligations under Sections 15 and 16.
18. **Initial Alterations.** Lessor shall make any initial alterations to the leased premises, as requested by Lessee and subject to Lessor's consent, which shall not be unreasonably withheld. The cost of such initial alterations shall be included in the annual rental rate.
19. **Federal Tort Claims Act.** Lessor agrees that the Federal Tort Claims Act, 28 U.S.C. §§ 2671-80, satisfies any and all obligations on the part of the Lessee to purchase private liability insurance. Lessee shall not be required to provide any certificates of insurance to Lessor.
20. **Limitation of Liability.** Lessor agrees that neither Lessee nor the House nor any of the House's officers or employees will indemnify or hold harmless Lessor against any liability of Lessor to any third party that may arise during or as a result of the Lease or Lessee's tenancy.
21. **Compliance with Laws.** Lessor shall be solely responsible for complying with all applicable permitting and zoning ordinances or requirements, and with all local and state building codes, safety codes and handicap accessibility codes (including the Americans with Disabilities Act), both in the common areas of the building and the leased space of the Lessee.
22. **Electronic Funds Transfer.** Lessor agrees to accept monthly rent payments by Electronic Funds Transfer and agrees to provide the Office of Finance, U.S. House of Representatives, with all banking information necessary to facilitate such payments.
23. **Refunds.** Lessor shall promptly refund to the CAO, without formal demand, any payment made to the Lessor by the CAO for any period for which rent is not owed because the Lease has ended or been terminated.
24. **Conflict.** Should any provision of this Attachment be inconsistent with any provision of the attached Lease or attached Amendment, the provisions of this Attachment shall control, and those inconsistent provisions of the Lease or the Amendment shall have no force and effect to the extent of such inconsistency.
25. **Construction.** Unless the clear meaning requires otherwise, words of feminine, masculine or neuter gender include all other genders and, wherever appropriate, words in the singular include the plural and vice versa.
26. **Fair Market Value.** The Lease or Amendment is entered into at fair market value as the result of a bona fide, arms-length, marketplace transaction. The Lessor and Lessee certify that the parties are not relatives nor have had, or continue to have, a professional or legal relationship (except as a landlord and tenant).
27. **District Certification.** The Lessee certifies that the office space that is the subject of the Lease is located within the district the Lessee was elected to represent unless otherwise authorized by Regulations of the Committee on House Administration.

District Office Lease Attachment

(Page 5 of 5 – 118h Congress)

28. **Counterparts.** This Attachment may be executed in any number of counterparts and by facsimile copy, each of which shall be deemed to be an original but all of which together shall be deemed to be one and the same instrument.
29. **Section Headings.** The section headings of this Attachment are for convenience of reference only and shall not be deemed to limit or affect any of the provisions hereof.

IN WITNESS WHEREOF, the parties have duly executed this District Office Lease Attachment as of the later date written below by the Lessor or the Lessee.

City of Statesboro
Print Name of Lessor/Landlord

Rep. Rick W. Allen
Print Name of Lessee

By: _____
Lessor Signature

Lessee Signature

Name:

Title:

Date

Date

From the Member's Office, who is the point of contact for questions? Name <u>Diane Morgan</u> Phone <u>((706)228-1980</u> E-mail <u>diane.morgan</u> @mail.house.gov

This District Office Lease Attachment and the attached Lease or Amendment have been reviewed and are approved, pursuant to Regulations of the Committee on House Administration.

Signed _____ Date _____, 20____.
(Administrative Counsel)

CITY OF STATESBORO

COUNCIL

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



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: Jason Boyles
Assistant City Manager

From: Steve Hotchkiss
Public Utilities Director

Date: 11-28-2022

RE: Recommendation of Bidder for Bruce Yawn Commerce Park Water and Sewer Extension

Policy Issue: Purchasing

Recommendation: Consideration of a motion to award a contract to Y-Delta Inc. in the amount of \$1,632,370.04 for the installation of water and sewer mains at the Bruce Yawn Commerce Park to serve Aspen Aerogels. To be paid for with funds approved in the FY2023 CIP Budget item #WWD-154, using system revenue and grant proceeds.

Background: As part of the agreement between the City, Bulloch County Development Authority and Aspen Aerogels, the city agreed to extend the existing water and sewer mains to a mutually agreed upon location on the Aspen property. This extension will also makes water and sewer available to the last remaining large lot in the park, which has since been announced as the AJIN USA site. The project was formally bid and three qualified bids were received. Our consultants at Hussy Gay Bell Engineering have reviewed all of the bids and have provided a written recommendation to award the contract to Y-Delta Inc. Additionally, the EIP grant administrator, Allen Smith Consulting, has consulted with DCA and provided the attached "clearance" letter for Y Delta as the contractor.

The bids received were higher than our original estimate of \$1,560,710.00 however as part of the agreement between the City and Aspen Aerogels, Aspen agreed to pay all cost above \$1,250,000.00.

Budget Impact: CIP Project WWD-154 was approved in the 2023 Budget to be funded from Operating Revenue funds of \$500,000.00, and grant proceeds of \$750,000.00.

Council Person and District: All

Attachments: HGB Engineering award recommendation letter and bid abstract
DCA Clearance Letter



November 17, 2022

Mr. Steve Hotchkiss
Director of Public Utilities
City of Statesboro
P O Box 348
Statesboro, Georgia 30458

**RE: Southern Gateway Commerce Park Water & Sewer Extension
City of Statesboro, Georgia**

Dear Mr. Hotchkiss:

The following bids were received on November 16, 2022, for the above referenced project:

Y-Delta Inc.	\$	1,632,370.04
Tyson Utility Construction Inc.	\$	1,671,284.28
Mill Creek Construction Co.	\$	1,983,651.90

As indicated, Y-Delta Inc. was the apparent low bidder. Enclosed is the Abstract of Bids for your review. In our opinion, Y-Delta Inc. has the resources to successfully complete the project. We recommend that a contract in the amount of \$1,632,370.04 is awarded to Y-Delta Inc. for the project.

Sincerely,
HUSSEY GAY BELL

Chris Burke, P.E.

SOUTHERN GATEWAY COMMERCE PARK WATER AND SEWER EXTENSION				Y-Delta Inc.		Tyson Utilities Construction Inc.		Mill Creek Construction Co.	
Item No.	Description	Estimated Quantity	Unit	Bid Unit Price	Bid Amount	Bid Unit Price	Bid Amount	Bid Unit Price	Bid Amount
1	12-inch C900 DR18 PVC Water Main installed by opencut	2,420	LF	\$ 105.98	\$ 256,471.60	\$ 73.92	\$ 178,886.40	\$ 81.10	\$ 196,262.00
2	12-inch C900 DR18 RJ PVC Water Main Installed by opencut	360	LF	\$ 126.05	\$ 45,378.00	\$ 89.36	\$ 32,169.60	\$ 96.40	\$ 34,704.00
3	Remove existing 12-inch cap and connect to existing 12-inch water main with 12-inch RJ sleeve and relocate existing line and valve	1	LS	\$ 14,493.87	\$ 14,493.87	\$ 5,179.73	\$ 5,179.73	\$ 3,570.00	\$ 3,570.00
4	12-inch RJ 45° bend	4	EA	\$ 1,414.90	\$ 5,659.60	\$ 1,031.71	\$ 4,126.84	\$ 1,173.00	\$ 4,692.00
5	12-inch RJ 11.25° bend	3	EA	\$ 2,181.42	\$ 6,544.26	\$ 969.58	\$ 2,908.74	\$ 1,173.00	\$ 3,519.00
6	12-inch RJ Cap	1	EA	\$ 1,407.16	\$ 1,407.16	\$ 557.85	\$ 557.85	\$ 555.90	\$ 555.90
7	Fire Hydrant assembly	7	EA	\$ 8,975.72	\$ 62,830.04	\$ 5,423.40	\$ 37,963.80	\$ 5,304.00	\$ 37,128.00
8	12-inch RJ Gate Valve and Box	1	EA	\$ 4,980.91	\$ 4,980.91	\$ 4,031.49	\$ 4,031.49	\$ 4,233.00	\$ 4,233.00
9	12-inch C900 DR18 PVC Gravity Sewer Main Installed by Opencut (10'-14' depth)	40	LF	\$ 141.39	\$ 5,655.60	\$ 107.55	\$ 4,302.00	\$ 203.70	\$ 8,148.00
10	12-inch C900 DR18 PVC Gravity Sewer Main Installed by Opencut (14'-18' depth)	510	LF	\$ 151.29	\$ 77,157.90	\$ 159.10	\$ 81,141.00	\$ 233.90	\$ 119,289.00
11	12-inch C900 DR18 PVC Gravity Sewer Main Installed by Opencut (18'-22' depth)	750	LF	\$ 182.70	\$ 137,025.00	\$ 178.30	\$ 133,725.00	\$ 279.20	\$ 209,400.00
12	12-inch C900 DR18 PVC Gravity Sewer Main Installed by Opencut (22'-26' depth)	1,270	LF	\$ 185.80	\$ 235,966.00	\$ 268.85	\$ 341,439.50	\$ 319.50	\$ 405,765.00
13	12-inch C900 DR18 PVC Gravity Sewer Main Installed by Opencut (26'-30' depth)	310	LF	\$ 205.90	\$ 63,829.00	\$ 352.55	\$ 109,290.50	\$ 375.00	\$ 116,250.00
14	Standard 4-foot Diameter Manhole (10'-14' depth)	1	EA	\$ 2,969.76	\$ 2,969.76	\$ 5,348.91	\$ 5,348.91	\$ 5,049.00	\$ 5,049.00
15	Standard 4-foot Diameter Manhole (14'-18' depth)	2	EA	\$ 9,543.24	\$ 19,086.48	\$ 6,332.45	\$ 12,664.90	\$ 5,610.00	\$ 11,220.00
16	Standard 4-foot Diameter Manhole (18'-22' depth)	2	EA	\$ 13,641.99	\$ 27,283.98	\$ 7,405.60	\$ 14,811.20	\$ 7,089.00	\$ 14,178.00
17	Standard 4-foot Diameter Manhole (22'-26' depth)	4	EA	\$ 14,100.01	\$ 56,400.04	\$ 8,458.15	\$ 33,832.60	\$ 8,976.00	\$ 35,904.00
18	Standard 4-foot Diameter Manhole (26'-30' depth)	1	EA	\$ 20,660.88	\$ 20,660.88	\$ 9,083.25	\$ 9,083.25	\$ 11,730.00	\$ 11,730.00
19	Core and Modify Manhole and Connect New 12-inch PVC Gravity Sewer	1	LS	\$ 25,000.00	\$ 25,000.00	\$ 13,253.00	\$ 13,253.00	\$ 5,100.00	\$ 5,100.00
20	Remove and Replace Gravel Drive	93	SY	\$ 155.72	\$ 14,481.96	\$ 43.69	\$ 4,063.17	\$ 36.00	\$ 3,348.00
21	Construction Entrance/Exit	1	EA	\$ 1,148.00	\$ 1,148.00	\$ 4,800.00	\$ 4,800.00	\$ 3,300.00	\$ 3,300.00
22	Silt Fence: Sd1-NS	5,650	LF	\$ 10.00	\$ 56,500.00	\$ 2.29	\$ 12,938.50	\$ 2.80	\$ 15,820.00
23	Grassing, Fertilizing and Mulching	14,230	SY	\$ 3.00	\$ 42,690.00	\$ 0.56	\$ 7,968.80	\$ 1.00	\$ 14,230.00
24	Remove and Replace Unsuitable Material, Dispose off-site. Replace with Approved Off-Site Fill Material	6,750	CY	\$ 12.50	\$ 84,375.00	\$ 20.48	\$ 138,240.00	\$ 27.00	\$ 182,250.00
25	Remove and Replace Unsuitable Material with Rock	3,050	CY	\$ 37.50	\$ 114,375.00	\$ 112.15	\$ 342,057.50	\$ 123.00	\$ 375,150.00
26	Mobilization, Demobilization, Grading, Misc. Removal and Replacements, Clean-Up, Insurance, Bonds and Other Misc. Items not Specifically Listed but Necessary for a Complete Job.	1	LS	\$ 250,000.00	\$ 250,000.00	\$ 136,500.00	\$ 136,500.00	\$ 162,857.00	\$ 162,857.00
Bid Total					\$ 1,632,370.04		\$ 1,671,284.28		\$ 1,983,651.90
Acknowledge Addendum #1					<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
Bid Bond					<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
MFBE Participation					100%		36%		51%

I certify that this is a correct Abstract of Bids received November 16, 2022.



Chris Burke, P.E.
HUSSEY GAY BELL

Correction made based on unit price

November 29, 2022

The Honorable Johnathan McCollar
Mayor, City of Statesboro
P.O. Box 348
Statesboro, GA 30459

Re: Pending EIP
Contractor Clearance

Dear Mayor McCollar:

This is to acknowledge that on November 29, 2022, the Department of Community Affairs verified that **Y-Delta, Inc.** did not appear on the most recent US General Services Administration's "List of Parties excluded from Federal Procurement and Non-procurement Programs." Please note that this clearance does not mean that DCA is "approving" this contractor.

It is important to keep a copy of this letter in your Federal Labor Standards file for monitoring by DCA. Please note also that a "Notice of Contract Action" should be submitted to DCA whenever a public facility contract is awarded or construction is initiated.

Sincerely,

Cindi Bernhardt

Cindi K. Bernhardt
CDBG Grant Consultant
Office of Community Development

cc: Keeley Garrett, Allen Smith Consulting
Jennifer Fordham, DCA