

A G E N D A
City Council Meeting
Monday, February 5, 2024 – 6:00 p.m.

➤ **OPENING**

- **Call to Order**
- **Invocation**
- **Pledge of Allegiance**
- **Roll Call**

➤ **FORMAL PUBLIC COMMENT**

- **New Gym Complex Update by Patrick Graham from CHA**

Formal Public Comment – City Council Agenda Protocol

The City of Garden City has identified this portion of the meeting to allow individuals an opportunity to formally address the City Council on issues of importance. Garden City requires that individuals who desire to formally address the City Council submit a written request form outlining the subject matter that they intend to discuss so that they can be placed on the meeting agenda. Members of the public desiring to be placed on the agenda to present or address matters to the City Council must submit a formal ***“REQUEST TO BE PLACED ON THE CITY COUNCIL AGENDA”*** form to the Office of the City Manager at least 10 days prior to the requested City Council meeting date that you wish to speak. City Council meetings are held on the first and third Monday of each month so the request must be submitted no later than 5:00 pm on the Friday which constitutes 10 days prior. The request can be done in person, regular mail, fax or e-mail and the speaker should obtain acknowledgement of the request from the City to demonstrate that the 10 day requirement has been met. The request form may be obtained from the Office of the City Manager and on the City's website www.gardencity-ga.gov. The request should state the name of the individual(s) desiring to be heard and the subject matter to be presented to City Council. Requests may be referred at the discretion of the City Manager, to appropriate staff for mediation prior to being placed on the public agenda. Please be advised the completion of a request form does not entitle the speaker to be added to the agenda.

➤ RECEIPT OF INFORMAL PUBLIC COMMENT

- **Procedure:** To best manage this meeting section, any person who desires to address the City Council must sign up using the process outlined on the website where this meeting is advertised. Once recognized by the Mayor, the person will be allowed to speak in accordance with the Informal Public Comment–Speaker Protocols outlined below.

Informal Public Comment – Speaker Protocol

The City of Garden City believes that any member of the general public should be afforded the opportunity to address the City Council provided that designated rules are followed by the speaker. Any member of the public who wishes to address the City Council and offer public comment on items within the City Council's jurisdiction, may do so during the Informal Public Comment period of the meeting. However, no formal action will be taken on matters that are not part of the posted agenda. Informal Public Comments are scheduled for a total of fifteen (15) minutes and each person will be limited to three (3) minutes. In order to ensure the opportunity for all those desiring to speak before the Council, there is no yielding of time to another speaker. Speakers not heard during the limited fifteen (15) minute period will be first to present their comments at the next Council meeting. The opportunity to address City Council on a topic of his/her choice shall be used by an individual only one (1) time per month. It may not be used to continue discussion on an agenda item that has already been held as a public hearing. Matters under negotiation, litigation, or related to personnel will not be discussed. If a member of the general public would like to address the City Council during the Informal Public Comment portion of the meeting, please respectfully indicate your desire to address the City Council when the Mayor solicits members of the general public to come forward and speak. You will be recognized by the Mayor and asked to come forward to the podium so that you can address the City Council in accordance with the rules outlined herein. Once the speaker has been recognized to speak, he/she will be given three (3) minutes to address the City Council. The speaker should not attempt to engage the City Council and/or Staff in a discussion/dialogue and the speaker should not ask specific questions with the expectation that an immediate answer will be provided as part of the three (3) minute time frame since that is not the intent of the Informal Public Comment period. If the speaker poses a question or makes a request of the City, the Mayor may refer the issue or request to the City Manager for follow up. At the conclusion of the three (3) minute time period, the speaker will be notified that his/her time has elapsed and the next speaker will be recognized to come forward to the podium and address the City Council. The Mayor may rule out of order any Speaker who uses abusive or indecorous language, if the subject matter does not pertain to the City of Garden City, or if the Speaker(s) attempts to engage the City Council Members in a discussion or dialogue on issues. City Council shall not discuss non-agendized matters because it does not give the public adequate notice. Accordingly, City Council shall be limited to asking factual and clarifying questions of staff, and when appropriate, the Council may consider placing a matter on a future agenda. In addition, it is not reasonable to expect staff to respond to any of a variety of issues on which they may or may not be prepared to respond to on a moment's notice, so the City Manager may respond, or direct staff to respond at a later time.

➤ PUBLIC HEARINGS

- **PC-01-24-1072 – Subdivision Request:** Receipt of public comment on a request by Global Investment Traders LLC for a variance of Section 90-12 (reduction in lot size) to subdivide 4021 6th Street into two substandard lots.
- **Alcoholic Beverage License Application (Pa'Latinos):** Receipt of public comment on an alcoholic beverage license application made by Yuridia Maldonado to sell wines, beer and/or malt beverages at Pa'Latinos, 5208 August Road, Garden City, Georgia.

Speaking to a Public Hearing Item Protocol

In the interests of time and to ensure fairness of all persons who appear before the City Council to speak for or against a public hearing item, speakers will be limited to three (3) minutes each to address City Council except as described herein. One speaker for the Petitioner may address the City Council for no more than 10 minutes, unless extended by the Mayor. In an effort help the City Council and the general public to better understand the issues, the Mayor may request that a City staff member address the City Council from the podium. Speakers from the general public may only speak when recognized by the Mayor during the public hearing. Speakers will be asked to come to the podium to address the City Council for three (3) minutes and they shall state their name and resident address for the record.

Speakers addressing City Council on a public hearing item should coordinate comments to respect City Council's time limits. Groups should select a spokesperson to present the major points that summarize their position and opinions. Speakers are urged to be brief and non-repetitive with their comments. Comments shall specifically address the public hearing item before the City Council, and the speaker shall maintain appropriate tone and decorum when addressing the City Council. City Council may ask questions of the applicant, speakers, or staff during these proceedings only for the purpose of clarifying information. The speaker shall not direct derogatory comments to any individual, organization, or business. At the conclusion of the three (3) minute time period, the speaker will be notified that his/her time has elapsed, and the next speaker will be recognized to come forward to the podium and address the City Council. Once the public hearing is closed on an item, there will be no further opportunity for formal or informal public input at a City Council meeting.

***PROCEDURES FOR CONDUCTING PUBLIC HEARINGS ON PROPOSED ZONING DECISIONS BEFORE
GARDEN CITY'S MAYOR AND COUNCIL AND STANDARDS GOVERNING THE EXERCISE OF
CITY COUNCIL'S ZONING POWER***

Procedures for Conducting Public Hearings on Proposed Zoning Decisions:

All public hearings conducted by the Mayor and Council on Garden City, Georgia, on proposed zoning decisions shall be conducted as follows:

- (1) All public hearings by the Mayor and Council on zoning amendments shall be chaired by the Mayor.
- (2) The Mayor shall open the hearing by stating the specific zoning amendment being considered at the public hearing and further stating that printed copies of the adopted standards governing the exercise of the Mayor and Council's zoning power and the procedures governing the hearing are available to the public.
- (3) The Director of the City's Planning and Zoning Department shall advise the Mayor and Council of the recommendation of the Planning Commission when applicable.
- (4) The Mayor shall determine the number of attendees who desire to testify or present evidence at the hearing.
- (5) When there is a large number of individuals wishing to testify at a hearing, the Mayor may invoke time limits on individual speakers. In such cases, these time limits shall apply to all speakers. Proponents, including the petitioner or the petitioner's agent requesting the zoning decision, shall have no less than ten (10) minutes for the presentation of data, evidence, and expert opinions; opponents of the proposed decision shall have an equal minimum period of time. The Mayor may grant additional time; provided, however, an equal period of time shall be granted both sides.
- (6) The petitioner requesting such zoning decision, or the applicant's agent, shall be recognized first and shall be permitted to present and explain the request for the zoning decision. Thereafter, all individuals who so desire shall be permitted to speak in favor of the zoning decision.
- (7) After all individuals have had an opportunity to speak in accordance with subparagraph (6) above, those individuals present at the public hearing who wish to speak in opposition to the requested zoning decision shall have an opportunity to speak.
- (8) The Mayor may limit repetitious comments in the interest of time and may call for a show of hands of those persons present in favor of or opposed to the proposed decision.
- (9) It shall be the duty of the Mayor to maintain decorum and to assure the public hearing on the proposed decision is conducted in a fair and orderly manner.
- (10) Once all parties have concluded their testimony, the Mayor shall adjourn the public hearing.

Standards Governing the Exercise of The Zoning Powers of Garden City's Mayor and Council:

Prior to making a zoning amendment, the Mayor and Council shall evaluate the merits of a proposed amendment according to the following criteria:

- (1) Is this request a logical extension of a zoning boundary which would improve the pattern of uses in the general area?
- (2) Is this spot zoning and generally unrelated to either existing zoning or the pattern of development of the area?
- (3) Could traffic created by the proposed use or other uses permissible under the zoning sought traverse established single-family neighborhoods on minor streets, leading to congestion, noise, and traffic hazards?
- (4) Will this request place irreversible limitations or cause material detriment on the area similarly zoned as it is or on future plans for it?
- (5) Is there an imminent need for the rezoning and is the property likely to be used for the use requested?
- (6) Would the proposed use precipitate similar requests which would generate or accelerate adverse land use changes in the zone or neighborhood?

➤ **Approval of City Council Minutes**

- Consideration of the minutes from the January 16th Pre-Agenda Session and City Council Minutes.

City Manager's Report

- Updates and announcements

➤ **ITEMS FOR CONSIDERATION**

- **Resolution – Withdrawal of Pending Petition to Annex (5524 Silk Hope Road):** A resolution to grant the request of 1143 & 1145 Dean Forest Road, LLC, to withdraw the company's pending petition to annex its property located at 5524 Silk Hope Road, and, at the same time, to grant the request of the company for the City to accept, for processing purposes only, the company's renewed petition to annex the same property.
- **Resolution – Proposed Annexation Legislation:** A resolution of the Mayor and Council of the City of Garden City, Georgia, relative to the approval of a recommendation to the Local Legislative Delegation to propose local legislation dealing with annexation.
- **Resolution – Statewide Mutual Aid & Assistance Agreement:** A resolution authorizing Garden City, Georgia, to execute that certain Statewide Mutual Aid & Assistance Agreement with the Georgia Emergency Management Agency/Homeland Security and any county or other municipality within the State of Georgia also executing same, to ensure the timely provision of mutual aid in times of emergencies and to further ensure the reimbursement of costs incurred by participating parties who render assistance.
- **Resolution – City Council Meeting Schedule Amendment:** A resolution to amend the regular meeting schedule of the Garden City City Council to eliminate the February 19, 2024, regular city council meeting due to the President's Day holiday; and to establish a meeting of the City Council on February 20, 2024.
- **Alcoholic Beverage License Application (Pa'Latinos):** Consideration of an alcoholic beverage license application made by Yuridia Maldonado to sell wines, beer and/or malt beverages at Pa'Latinos, 5208 August Road, Garden City, Georgia.
- **Personnel Matter**

➤ **ADJOURN**



MEMORANDUM

To: Garden City Planning Commission & Board of Appeals
From: Denise R. Grabowski, AICP, LEED AP, Planning Manager Consultant
Date: January 3, 2024
Re: PC01-24-1072 – 4021 6th Street

Application Type	Variance
Case Number	PC01-24-1072
Applicant	Global Investment Traders LLC
Name of Project	NA
Property Address	4021 6 th Street
Parcel IDs	60019 10016
Area of Property	0.28 acres
Current Zoning	R2
Current Land Use	Vacant

GENERAL INFORMATION

Project Description: The applicant is proposing to subdivide the lot to build two single family homes. The applicant received approval from the Board of Appeals to build a quadplex on the existing lot, but has revised his plans based on development costs.

The applicant is requesting a variance from section 90-72 of the Garden City Zoning Ordinance which requires 8,400 square feet and 80' lot width to build a single-family home. This request will be heard for action by the Board of Appeals.

Section 70-38 of the Garden City Subdivision Regulations requires that variances pertaining to the subdivision of land are granted by Mayor and Council following a recommendation from the Planning Commission. This request will be heard for a recommendation by the Planning Commission.

FINDINGS

Staff has determined this application is complete and contains all the required information. In conformance with the City of Garden City Zoning Ordinance Section 90-213(3), the Board of Appeals may authorize upon appeal in specific cases such variance from the terms of the zoning ordinance as will not be contrary to the public interest where owing to special conditions a literal



enforcement of the provisions of this chapter will, in an individual case, result in practical difficulty or unnecessary hardship. Such variance may be granted in such individual cases of practical difficulty or unnecessary hardship upon a finding by the board of appeals that:

1. *There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography;*
No, there are no unique size or shape dimensions of the lot.
2. *The application of this chapter to this particular piece of property would create practical difficulty or unnecessary hardship;*
No, the applicant of this chapter would not create a hardship.
3. *Conditions are peculiar to the particular piece of property involved; and*
Most of the lots in this neighborhood are 40' x 150', which is consistent with the applicant's proposed subdivision.
4. *Relief, if granted, would not cause substantial detriment to the public good or impair the purpose and intent of this chapter.*
Approval of the variance will not be a detriment to the public good or impair the purpose and intent of this chapter.

RECOMMENDATION

Recommend approval of the variance request to Mayor and Council to allow for the subdivision of the lot into two equal lots.

Note:

Approval, if granted, by the Planning Commission only constitutes the initial step in the overall process and additional requirements still must be met prior to commencement of any construction activities. The Petitioner should note that final approval of the site plan will require City staff approval of the detailed engineering plans for the project through the City's standard process and a Land Disturbance Activity (LDA) Permit must be issued prior to construction. The Petitioner should also note that final approval of the site architectural plans will require City staff approval via its standard process and a building permit must be issued before vertical construction shall commence.

City of Garden City Variance Application



Development Information

Development Name (If applicable)

6th Street

Property Address

4021 6th Street, Savannah, GA 31415

Current Zoning	Current Use
R2	R2
Parcel ID	Total Site Acreage
60019 10016	0.28 acres

Section of the zoning code from which you are seeking a variance:

Minimum lot width is 80' for single family homes. Seeking a variance to subdivide the existing lots into two 40' wide lots that are 6,000 ft2 each.

Describe the variance request you are requesting.

The variance request is to allow a lot width of 40' so that we can construct two single family homes on the subject address.

Would denial of this request create practical difficulty or an unnecessary hardship?

This would not create an unnecessary hardship. However, this request

Does the property have extraordinary and exceptional conditions because of its size, shape or topography?

The topography makes use of the rear of the property difficult which makes the original concept for this lot impractical due to parking requirements for the quadplex. Building two single family homes will help with extra developmental costs.

Are the conditions of the property unique to this piece of property?

Other properties may have similar conditions. However, no other properties are available in the market to evaluate.

Would approval of this variance request cause any detriment to adjoining properties or the community?

Approval of this variance will not cause any detriment to the community. Having two single family homes will be consistent with other homes in the area.

Please provide any additional information that you deem relevant.

This request is to allow the construction of two 3BR/2BA 1,300 ft2 single family homes that will contribute to and improve the existing style and character of the community. The developer is committed to using hardiboard for exterior siding to provide long term quality.

City of Garden City Variance Application



Applicant Information

Owner	
Name	Address
Global Investment Traders, LLC / Naser Jaber	160 Marshview Drive, Richmond Hill, GA 31324
Phone	Email
601-832-7243	home@gitsav.com

Nature of Ownership Interest

Is the Owner an: Individual Partnership Sole Proprietor Firm Corporation Association

Note: If a corporation, submit a list of officers, directors & major stockholders with name, address and title.

If a partnership: Submit list of all partners with name, address and title.

Engineer/Surveyor	<input type="checkbox"/> Same as authorized agent	<input type="checkbox"/> Check here to receive staff review comments via email
Company Name	Contact (Individual Name)	
Michael Jim Gardner	Jim Gardner	
Phone	Email	
912-661-0479	mghunts@gmail.com	

Authorized Agent (Requires Authorized Agent Form)

Check here to receive staff review comments via email

Company Name	Contact (Individual Name)
Phone	Email

Campaign Contribution

List below the names of local government officials, Garden City City Council, to whom campaign contributions were made, within two (2) years immediately preceding the filing of this application, which campaign contributions total \$250.00 or more or to whom gifts were made having a total value of \$250.00 or more.

Elected Official's Name	Amount or Description of Gift

I understand that I will need to attend or be represented by a duly authorized agent at the meeting of the Board of Zoning Appeals and that my application cannot be approved unless I am represented.

Naser Jaber
Print Name

Naser Jaber
Signature

12/5/2023
Date

OFFICE USE ONLY			
Received By	Date Received	Case Number	
Submittal Format <input type="checkbox"/> Electronic <input type="checkbox"/> Paper <input type="checkbox"/> Both	Fee Amount Paid	Invoice Number	

THIS AREA RESERVED FOR
CLERK OF SUPERIOR COURT

New 1,200 ft²
home

New proposed
property line

VICINITY MAP
NOT TO SCALE

NOTES:

1. ELEVATIONS ARE BASED ON NAVD 88, UNLESS OTHERWISE NOTED.
2. COORDINATES AND DIRECTIONS ARE BASED ON GEORGIA STATE PLANE COORDINATE SYSTEM (HGD83), EAST ZONE.
3. ACCORDING TO FIRM MAP NO. 130-25101325, REVISED 6/15/2018, THE PROPERTY SHOWN ON THIS PLAT LIES IN ZONE X, NOT A 100 YEAR FLOOD ZONE.
4. SANITARY SEWER SYSTEM AND WATER SYSTEM UNDER JURISDICTION OF GARDEN CITY.
5. GARDEN CITY ZONING R-2 RESIDENTIAL.

TOPOGRAPHIC & RETRACEMENT
VEY OF LOTS 9 AND 11, BLOCK S.
DUNDEE WARD, GARDEN CITY
CHATHAM COUNTY, GEORGIA.

SURVEYED FOR:
GLOBAL INVESTMENT TRADERS, LLC.
SEPTEMBER 29, 2023 JOB NO.2023092
LAST REVISED N/A DRAWN BY DJP

ALSO KNOWN AS 4021 6th STREET

THIS PLAT IS NOT A RETRACEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL OR MAKE ANY CHANGES TO ANY EXISTING PROPERTY BOUNDARIES. THE RECORDING INFORMATION OF THE PLAT IS FOR RECORDATION PURPOSES ONLY. THE CHANGES TO THE PROPERTY PARCEL OR PARCELS ARE STATED IN THE RECORDATION INFORMATION. THE PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMIT, SURVEY, MAINTAIN LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE. THIS PLAT IS FOR RECORDATION PURPOSES ONLY. THE PLAT 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 SOCIETY OF SURVEYORS, THE PROFESSION OF ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-57.

MICHAEL J. GARDNER
CA REG. LAND SURVEYOR NO. 228

10/10/2012



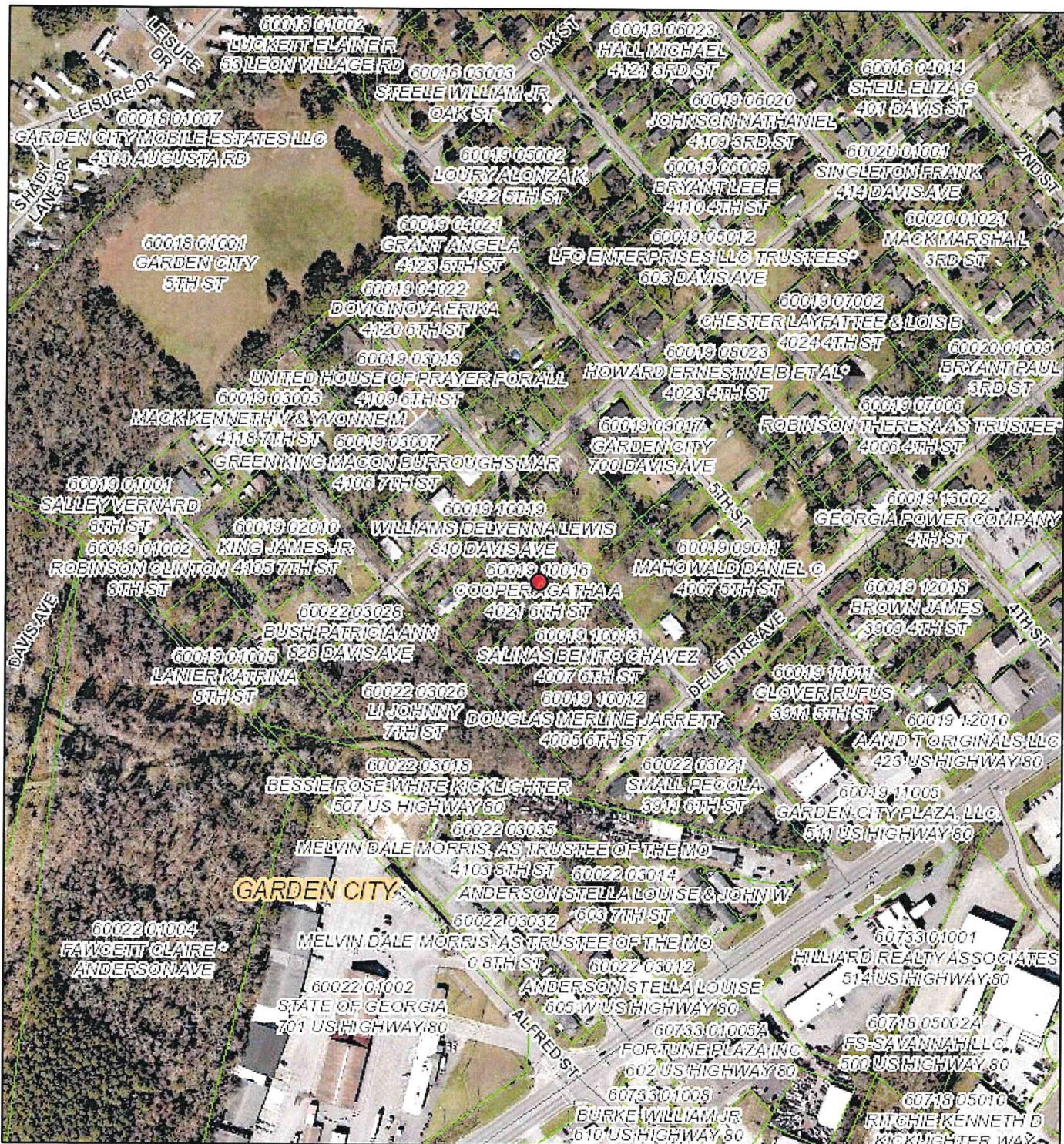
EQUIPMENT USED: TOPCON 236W
SINGLE PRISM
ANGULAR ERROR: 1" PER
ADJUSTED BY: OBSERVATION
FLAT CLOSURE = 1/ INF.
FIELD CLOSURE = 1/203,618
FIELD SURVEY: 9/23/2023



MICHAEL JIM GARDNER
LAND SURVEYOR

120 VARNEDOE AVENUE
GARDEN CITY, GEORGIA 31408
PHONE: (912) 964-8262

Variance: 4021 6th Street





City of Garden City
100 Central Avenue, Garden City, Georgia 31405
Phone: 912.966.7777 Fax: 912.966.2735
Email: Occtax@gardencity-ga.gov

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE

Date Filed: 4/12/23

For the Year: 2023
Expires at December 31 of the above year.

Type of License (check all that apply)

<input checked="" type="checkbox"/> Spirituous Liquors (package)	\$2,722.00	<input checked="" type="checkbox"/> Beer and/or malt beverages	\$682.00
<input type="checkbox"/> Spirituous Liquors (by the drink)	\$2,722.00	<input checked="" type="checkbox"/> Wines	\$236.00
<input checked="" type="checkbox"/> Advertising Cost	\$95.00		

TOTAL: \$1013.00

Business Information

Business Name: Pa'Latinos YMQ Interprices Inc.

D/B/A (if applicable): Pa'Latinos

Business Address: 5208 Augusta Rd Business Phone: _____

Mailing Address: Same Emergency Phone: _____
(If different from Business Address)

City: Garden City State: GA Zip Code: 31408

Business Email Address: _____

What other kinds of business will be conducted at this location? grocery store

List all persons with a financial interest in the business:

(For corporations, include all stockholders who own more than 10% of the outstanding stock of the corporation.)

Name	Address	% Ownership
<u>Yuridia Maldonado</u>	<u>_____</u>	<u>100%</u>

Has any person having an interest in said business been convicted of any violation of law other than a traffic violation? Served time in prison, or other correctional institution? Yes No

If Yes, describe circumstances: _____

THIS PAGE FOR OFFICE USE ONLY

Application received by:

Weltff

Date:

6/12/23

POLICE DEPARTMENT REVIEW

Fingerprinted by:

JK for license

Date:

1/10/24

Separate report submitted to the City Administrator:

Reyes
Police Chief

Date:

1/24/24

Public Hearing held on:

Date advertised in Savannah Morning News:

Action of Council:

Approval Denial

License(s) Issued:

Date:

SYNOPSIS

Pre-Agenda Session **Tuesday, January 16, 2024**

Call to Order: Mayor Campbell called the pre-agenda session to order at approximately 5:30 p.m. Councilmember Daniel gave the opening prayer.

Attendees

City Council Members: Mayor Bruce Campbell, Mayor Pro-tem Marcia Daniel, Councilmember Richard Lassiter, Jr., Councilmember Natalyn Morris, and Councilmember Debbie Ruiz. Absent: Councilmember Gwyn Hall and Councilmember Kim Tice.

Staff Members: Scott Robider, City Manager; James P. Gerard, City Attorney; Rhonda Ferrell-Bowles, Finance Director/Clerk of Council; Gil Ballard, Chief of Police; and Veronica Enoch, Executive Assistant.

Purchasing Card Usage: The City Manager gave an overview of the purchasing card procedures.

Review of Council Agenda Items: The City Manager gave an overview of the items for consideration.

The City Attorney gave an overview of the nomination and voting ballot process for appointing people to serve on the Board of Zoning Appeals and Planning Commission.

Councilmember Morris inquired about the high turnover percentage of employees. The City Manager stated that it is for the reasons that I have already informed you all about and personally spoken with you about. The Police Chief noted that he had had turnover in his department.

Councilmember Morris stated that we have an excellent compensation and benefits package. She asked what are some of the reasons they are giving for leaving on their exit interviews.

Councilmember Daniel asked if Code Enforcement was fully staffed. The City Manager said we received applications, but they don't have experience.

Adjournment: The Mayor and City Council unanimously adjourned the pre-agenda session at approximately 5:55 p.m.

M I N U T E S

City Council Meeting Tuesday, January 16, 2024 – 6:00 p.m.

Call to Order: Mayor Campbell called the meeting to order at approximately 6:00 p.m.

Opening: Mayor Campbell gave the invocation and led the City Council in the pledge of allegiance to the flag.

Roll Call

City Council Members: Mayor Bruce Campbell, Mayor Pro-tem Marcia Daniel, Councilmember Richard Lassiter, Jr., Councilmember Natalyn Morris, and Councilmember Debbie Ruiz. Absent: Councilmember Gwyn Hall and Councilmember Kim Tice.

Staff Members: Scott Robider, City Manager; James P. Gerard, City Attorney; Rhonda Ferrell-Bowles, Finance Director/Clerk of Council; Gil Ballard, Chief of Police; and Andrew Guzman, IT Technician.

Informal Public Comment: Mayor Campbell opened the floor to receive public comment from the audience. Given that there were no speakers, Mayor Campbell closed the public comment portion of the meeting.

Public Hearings

PC2338 – Rezoning Request: Mayor Campbell opened the public hearing to receive public comment on a request by Harold Yellin, representing 1143 and 1445 Dean Forest Road LLC, to rezone 5524 Silk Hope Road from R-A to R-2.

Mayor Campbell asked if anyone wished to speak for the rezoning request.

Attorney Harold Yellin, representing the petitioner, gave an overview of the rezoning request. He stated that this is a triangular piece of the property that will be easier to develop by including it with the other larger piece already zoned R2.

Given that there were no other speakers in favor, Mayor Campbell asked if there was anyone who wished to speak against the rezoning request.

Ms. Diane Brannen stated that she opposed the rezoning and provided the City Council with information about a possible historic cemetery on the property being considered for rezoning. She requested that the City require the developer to put a 500-foot buffer between the development and current residents.

Councilmember Daniel asked if the cemetery would be included in the buffer zone. Ms. Brannen said it looks like the graveyard would if a generous buffer is required. Councilmember Daniel said I've lived in Silk Hope most of my life, and no one knew anything about a cemetery being there.

Mr. Brannen stated that he had been researching the cemetery and found death certificates for three people buried there. He noted that if you send in bulldozers, it would damage the graves.

Councilmember Morris asked if anyone has looked into designating the cemetery as a historical site. Mr. Brannen said no one knew the cemetery was there until recently.

Mr. Bishop said I'm against the rezoning and inquired about the buffer distance. The City Manager said that this is not a question-and-answer period. He noted the buffer is part of the site plan process.

Attorney Harold Yellin stated that this is the zoning hearing tonight. The discussion regarding a more significant buffer would come under the site plan. He said we hadn't heard of a cemetery on the property until tonight.

The City Manager stated that the Planning Commission recommended approval of the request without any contingencies.

Given no other speakers, Mayor Campbell closed the public hearing.

Alcoholic Beverage License Application (Andrewye Inc.): Mayor Campbell opened the public hearing to receive public comment on an alcoholic beverage license application made by Sunzhu Ye to sell beer and/or malt beverages at Andrewye Inc., 309 Highway 80, Garden City, Georgia.

Given no speakers, Mayor Campbell closed the public hearing.

Alcoholic Beverage License Application (La Favorita): Mayor Campbell opened the public hearing to receive public comment on an alcoholic beverage license application made by Angel Lares to sell beer and/or malt beverages at La Favorita Latin Grocery, Inc., 1550 Dean Forest Road, STE H, Garden City, Georgia.

Given no speakers, Mayor Campbell closed the public hearing.

City Council Minutes: Councilmember Lassiter motioned to approve the minutes from the November 20, 2023, pre-agenda session, city council meeting, and the January 8, 2024 workshop. The motion was seconded by Councilmember Daniel and passed without opposition.

Items for Consideration

First Reading - Ordinance - Zoning Map Amendment (0 Dean Forest Road): The Clerk of Council read the first reading of the heading of an ordinance to amend the zoning ordinance and zoning map of Garden City, Georgia, as amended, to rezone from an R-1 zoning classification to a C-2 zoning classification certain property owned by Glit Industries, LLC, at 0 Dean Forest Road.

Councilmember Ruiz motioned to approve the ordinance on the first reading. The motion was seconded by Councilmember Daniel and passed without opposition.

Councilmember Lassiter motioned to suspend the rules of council to hold the second reading of the ordinance. The motion was seconded by Councilmember Morris and passed without opposition.

Second Reading - Ordinance - Zoning Map Amendment (0 Dean Forest Road): The Clerk of Council read the second reading of the heading of an ordinance to amend the zoning ordinance and zoning map of Garden City, Georgia, as amended, to rezone from an R-1 zoning classification to a C-2 zoning classification certain property owned by Glit Industries, LLC, at 0 Dean Forest Road.

Councilmember Lassiter motioned to adopt the ordinance on the second reading. The motion was seconded by Councilmember Ruiz and passed without opposition.

Resolution – New Gym Construction Manager Services: The Clerk of Council read the heading of a resolution authorizing the City manager to negotiate for subsequent approval by the City Council a construction management services contract, including a cost budget and time schedule, with Lavender & Associates, Inc., to provide construction management services for the City's new multi-purpose recreation complex.

Councilmember Lassiter motioned to adopt the resolution. The motion was seconded by Councilmember Morris and passed without opposition.

Resolution – Cloud Hosting Services: A resolution of the Mayor and Council approving the purchase from Avatara, LLC, of Cloud Hosting Services for the City's software and data and authorizing the City Manager to negotiate and enter into an agreement for the provisions of such services providing for implementation; and providing for an effective date.

Councilmember Morris motioned to table the resolution for further study. The motion was seconded by Councilmember Daniel and passed without opposition. The City Manager stated that we have asked GIRMA to give us a quote on increasing the City's cyber security insurance coverage.

Resolution – Enterprise Fleet Management Services: The Clerk of Council read the heading of a resolution approving agreements with Enterprise FM Trust and Enterprise Fleet Management for the lease and maintenance of vehicles to be added to the City's vehicle fleet.

The City Manager stated that the agreement was for five (5) vehicles as follows: (2) 2023 Ford Explorers XLT SUV (City Manager & Police Chief), (2) 2023 Ram 1500 Classic Tradesman half-ton crew cab pickup trucks (Wastewater Division), and (1) 2023 Ford F-150 half-ton pick-up Police Responder truck.

Councilmember Morris motioned to adopt the resolution. The motion was seconded by Councilmember Lassiter and passed without opposition.

Resolution - Emergency Purchase of Two Police Vehicles: The Clerk of Council read the heading of a resolution ratifying the emergency purchase of two police vehicles.

Councilmember Lassiter motioned to adopt the resolution. The motion was seconded by Councilmember Morris and passed without opposition.

Board of Zoning Appeals/Planning Commission Appointments: Consideration of the Mayor and City Council's nominations for appointment to serve on the City's consolidated Board of Zoning Appeals/Planning Commission.

Mayor Campbell asked for nominations from the City Council

Councilmember Daniel nominated Michael Bruner, Wayne Joyner, Judy Malonano, and Charles Orrel.

Councilmember Lassiter nominated Gina Harley, Michael Bruner, Charles Orrel, and Chad Flowers.

Councilmember Morris nominated Chad Flowers, Michael Bruner, Charles Orrel, and Gina Harley.

Councilmember Ruiz nominated Charles Orrel, Michael Bruner, Wayne Joyner, and Judy Malonano.

Mayor Campbell nominated Wayne Joyner, Judy Malonano, Michael Bruner, and Charles Orrel.

Given no other nominations, the Mayor and City Council cast their vote by completing paper ballots and giving them to the City Attorney to tabulate.

The City Attorney stated that Michael Bruner received five votes, Charles Orrel received five votes, Wayne Joyner received three, Judy Malonano received three, Gina Harley received two, and Chad Flowers received two.

Alcoholic Beverage License Application (Andrewye Inc.): Consideration by the Mayor and Council of an alcoholic beverage license application made by Sunzhu Ye to sell beer and/or malt beverages at Andrewye Inc., 309 Highway 80, Garden City, Georgia.

Councilmember Lassiter motioned to approve the alcoholic beverage license application. The motion was seconded by Councilmember Ruiz and passed without opposition.

Alcoholic Beverage License Application (La Favorita): Consideration by the Mayor and Council of an alcoholic beverage license application made by Angel Lares to sell beer and/or malt beverages at La Favorita Latin Grocery, Inc., 1550 Dean Forest Road, STE H, Garden City, Georgia.

Councilmember Ruiz motioned to approve the alcoholic beverage license application. The motion was seconded by Councilmember Lassiter and passed without opposition.

Adjournment: Given no other items on the agenda to discuss, Mayor Campbell called for a motion to adjourn the meeting. Councilmember Lassiter motioned to adjourn the meeting at approximately 6:40 p.m. The motion was seconded by Councilmember Morris and passed without opposition.

Transcribed & submitted by: The Clerk of Council

Accepted & approved by: The City Council on 2/25/24

RESOLUTION

WHEREAS, 1143 & 1145 Dean Forest Road, LLC, has requested the City to accept its withdrawal of its pending petition to annex its property located at 5524 Silk Hope Road in Savannah, Georgia 31405 (Chatham County, Georgia, Property Tax Number 1-990-01-011) and, at the same time, to accept its renewed petition to annex the same property attached hereto as Exhibit "A" so that Chatham County, Georgia, may be re-notified by the City of the proposed annexation and the procedures set forth in Official Code of Georgia Annotated Section 36-36-92 et seq. can be followed to resolve any valid objections properly raised by the County to the proposed annexation;

WHEREAS, good cause exists for the granting of the aforesaid requests of 1143 & 1145 Dean Forest Road, LLC;

NOW, THEREFORE, be it resolved by the Mayor and Council of Garden City, Georgia, as follows:

1. The City hereby grants the request of 1143 & 1145 Dean Forest Road, LLC, to withdraw the company's pending petition to annex its property located at 5524 Silk Hope Road in Savannah, Georgia 31405 (Chatham County, Georgia, Property Tax Number 1-990-01-011), and, at the same time, grants the request of the company for the City to accept, for processing purposes only, the company's renewed petition to annex the same property attached hereto as Exhibit "A" which the Mayor is hereby authorized to execute.
2. The City shall notify Chatham County, Georgia, of the withdrawal of the pending annexation petition and of its receipt and approval, for processing purposes, of the renewed annexation petition, and shall follow the procedures set forth in Official Code of Georgia Annotated Section 36-36-92 et seq. for resolving any valid objections properly raised by the County to the proposed annexation.

ADOPTED this ____ day of February, 2024.

THE MAYOR AND COUNCIL FOR GARDEN CITY,
GEORGIA

By: _____
RHONDA FERRELL- BOWLES,
Clerk of Council

RECEIVED AND APPROVED this the _____ day of February, 2024.

BRUCE CAMPBELL, Mayor

Exhibit "A"

STATE OF GEORGIA)
)
COUNTY OF CHATHAM)

PETITION FOR ANNEXATION

February 5, 2024

To the Mayor and Council of Garden City, Georgia.

1. The undersigned, being the sole owner of one hundred (100%) percent of the real property within the territory described herein, does respectfully request that the Mayor and City Council of Garden City, Georgia, annex the territory described below to the City of Garden City, Georgia, and extend the city boundaries to include the same.

2. The territory to be annexed is unincorporated and contiguous (as defined in O.C.G.A., § 36-36-20) to the existing corporate limits of Garden City, Georgia, and the description of such territory is as follows:

ALL that certain lot, tract, or parcel of land measuring 6.56 acres, more or less, situate, lying, and being in the 7th G.M. District of Chatham County, Georgia, shown and designated as Lot 1 on a plat entitled "Plat of a Subdivision of 49.86 Acres of Land in the 7th G.M.D. of Chatham County, GA, being a portion of Silk Hope Plantation, formerly known as the C.E. Daniel Tract," prepared by Lester Land Surveying, dated April 25, 1981, and recorded in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Plat Book 3-P, Page 146, said plat being incorporated herein by reference and being made a part hereof for better determining the metes bounds courses and distances of the subject property.

The above-described property is the same property that was conveyed to 1143 & 1145 Dean Forest Road, LLC, by Terry L. Wilkes and Marcia Wilkes pursuant to a Limited Warranty Deed dated November 15, 2022, filed for record, and recorded on January 11, 2023, in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Deed Book 3002, Page 723.

Said property and the improvements located thereon are more commonly known as 5524 Silk Hope Road, Savannah, Georgia,

known as 5524 Silk Hope Road, Savannah, Georgia, and have been assigned a Tax Parcel Identification Number of 1-0990-01-011.

3. It is requested that this territory to be annexed shall be zoned to a R-2 zoning classification.

Respectfully submitted this 5th day of February, 2024.

1143 & 1145 Dean Forest Road, LLC

By: 
Mark A. Turner, Manager

ACCEPTED this _____ day of February, 2024, for processing purposes alone.

Rhonda Ferrell Bowles,
Clerk of Council

RECEIVED AND APPROVED, this _____ day of February, 2024, for processing purposes alone.

BRUCE CAMPBELL, Mayor

CITY OF GARDEN CITY, GEORGIA
RESOLUTION
(APPROVAL OF RECOMMENDATION TO
LEGISLATIVE DELEGATION FOR
PROPOSED ANNEXATION)

A RESOLUTION OF THE MAYOR AND COUNCIL
OF THE CITY OF GARDEN CITY, GEORGIA,
RELATIVE TO THE APPROVAL OF A RECOMMENDATION
TO THE LOCAL LEGISLATIVE DELEGATION TO
PROPOSE LOCAL LEGISLATION DEALING WITH
ANNEXATION

WHEREAS, on November 20, 2023, the Mayor and Council passed a resolution requesting that the matter of annexing certain areas to the South of, and contiguous to, Garden City's present City limits in unincorporated Chatham County, Georgia, as described on the Exhibit "A" attached thereto, be introduced into both houses of the Georgia General Assembly by local legislation; and,

WHEREAS, after further consideration and study, the Mayor and Council deem it to be in the best interest of the City to change the areas proposed for annexation to those that are more particularly described on the annexation map (plat and aerial versions) which is attached hereto as Exhibit "A" and made a part hereof; and,

WHEREAS, the City has received numerous annexation requests from the owners of property within the revised areas now proposed for annexation; and,

WHEREAS, the Mayor and Council is desirous to respond to the popular request for annexation and effect such annexation through the introduction of local legislation, the passage of which would be conditioned upon approval by more than one-half of the votes cast by electors residing in the areas to be annexed in a referendum held pursuant to Official Code of Georgia Annotated Section 36-36-16.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF GARDEN CITY, GEORGIA, in regular meeting, that:

1.

The Mayor and Council of Garden City, Georgia, hereby revises its prior annexation resolution dated November 20, 2023, by requesting that the matter of annexing the modified areas South of, and contiguous to, the City's present City limits in unincorporated Chatham County, Georgia, as more particularly described on the attached Exhibit "A", be introduced into both houses of the Georgia General Assembly by local legislation once its legal counsel and

the Office of Legislative Council of the Georgia General Assembly determine, address, and satisfy any legal preconditions for introducing such legislation.

SO RESOLVED in meeting assembled in Garden City, Georgia, this _____ day of February, 2024.

BRUCE CAMPBELL, Mayor

Attest:

RHONDA FERRELL-BOWLES,
Clerk of Council

Marcia Daniel, Councilperson

Gwyn Hall, Councilperson

Richard Lassiter, Councilperson

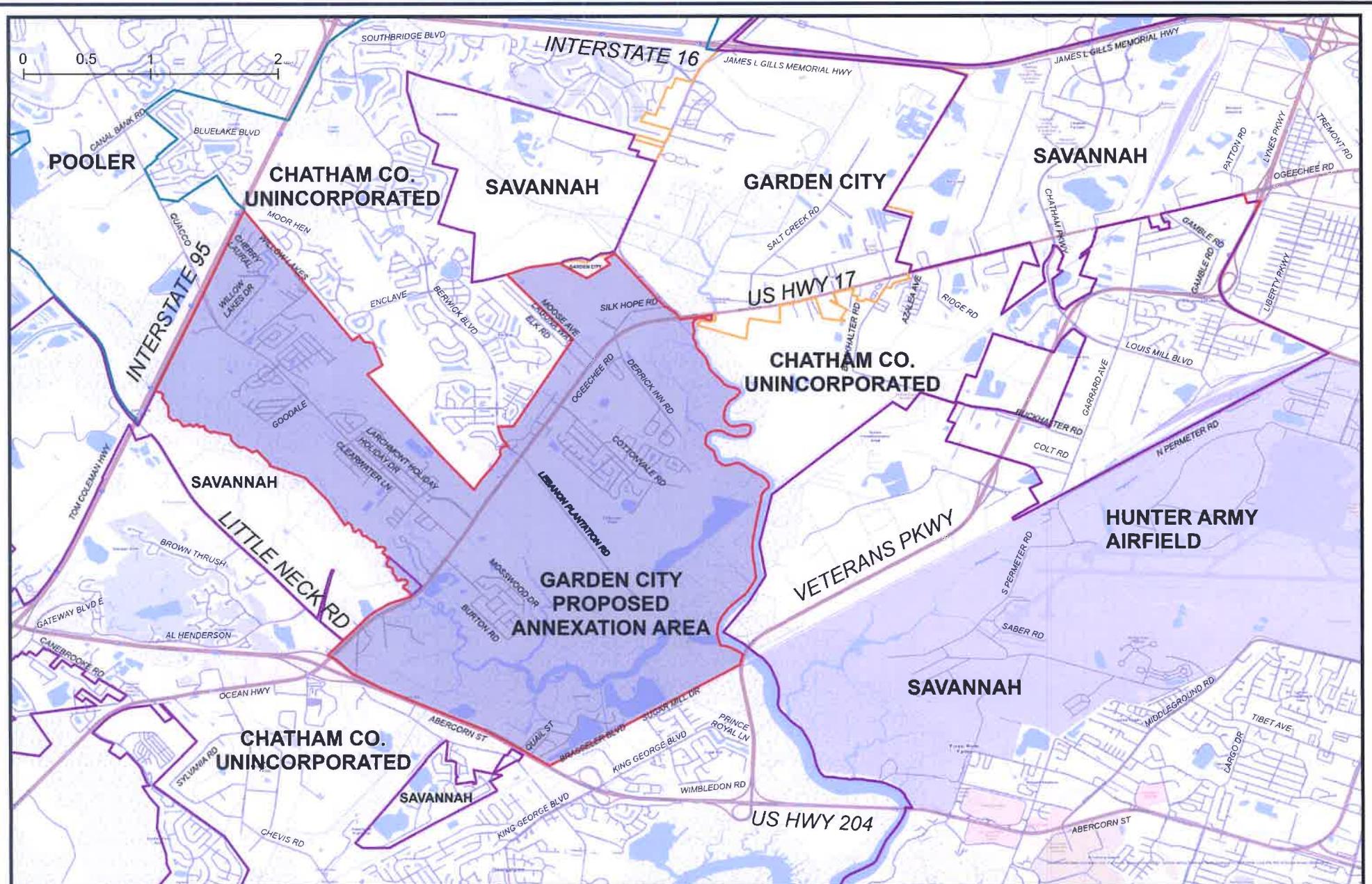
Natalyn Morris, Councilperson

Debbie Ruiz, Councilperson

Kim Tice, Councilperson

EXHIBIT "A"

ANNEXATION MAP FOR GARDEN CITY, GEORGIA
(Plat and Aerials Versions)



Annexation Map for Garden City

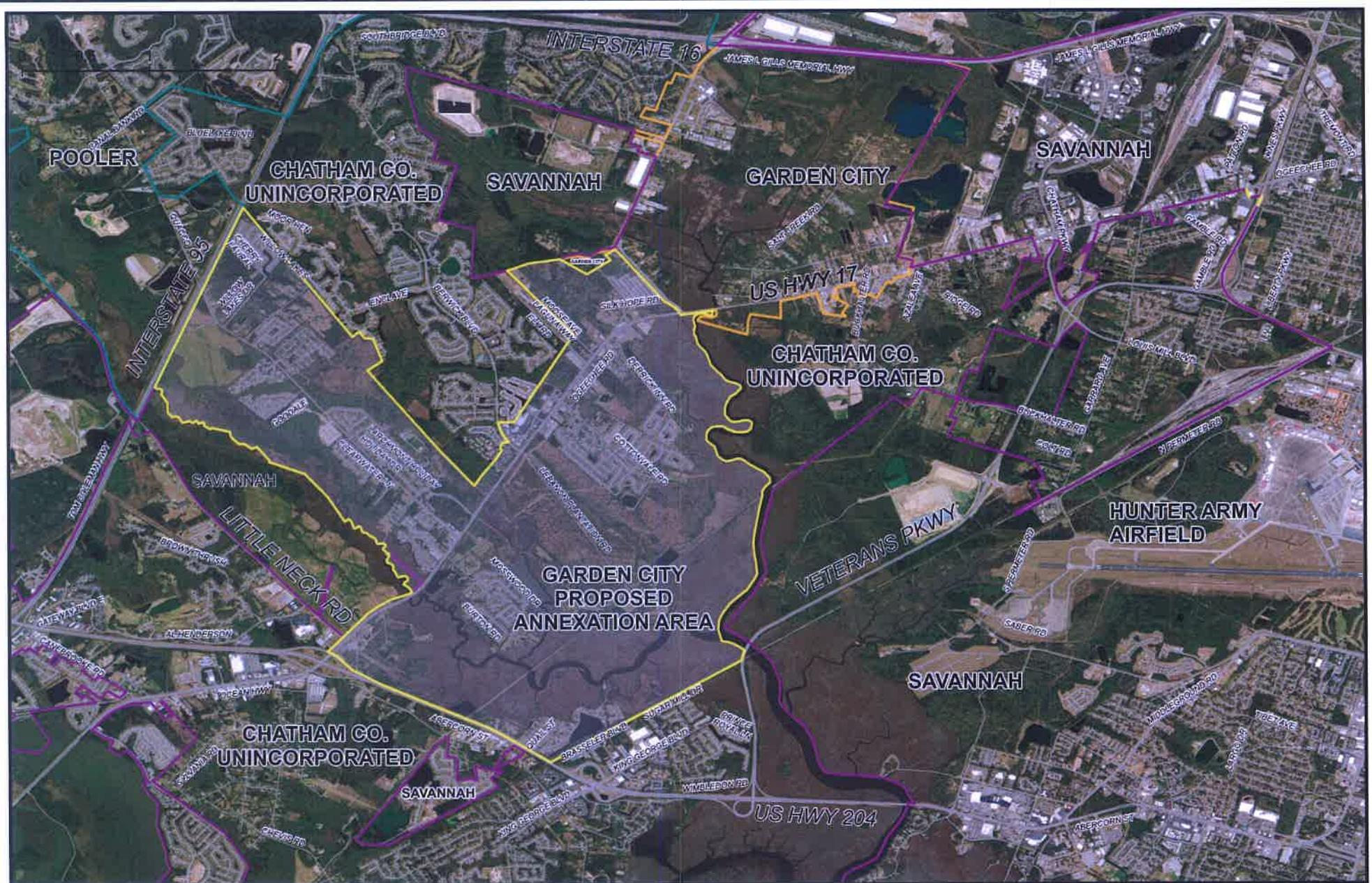
HUSSEY GAY BELL

Established 1958

HUSSEY, GAY, BELL & DEYOUNG,
INC. CONSULTING ENGINEERS
329 COMMERCIAL DRIVE P.O. BOX 14247
SAVANNAH, GEORGIA, 31416
TEL (912) 354-4626 FAX. (912) 354-6754
WWW.HGBD.COM

Municipal Boundaries

- GARDEN CITY PROPOSED ANNEXED AREA** (Red line)
- SAVANNAH** (Purple line)
- POOLER** (Blue line)
- GARDEN CITY** (Orange line)



Annexation Map for Garden City

HUSSEY GAY BELL
Established 1958

HUSSEY, GAY, BELL & DEYOUNG,
INC. CONSULTING ENGINEERS
329 COMMERCIAL DRIVE P.O. BOX 14247
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Municipal Boundaries

- GARDEN CITY PROPOSED ANNEXED AREA
- SAVANNAH
- POOLER
- GARDEN CITY

A RESOLUTION AUTHORIZING GARDEN CITY, GEORGIA TO EXECUTE THAT CERTAIN STATEWIDE MUTUAL AID AND ASSISTANCE AGREEMENT WITH THE GEORGIA EMERGENCY MANAGEMENT AGENCY/HOMELAND SECURITY AND ANY COUNTY OR OTHER MUNICIPALITY WITHIN THE STATE OF GEORGIA ALSO EXECUTING SAME, TO ENSURE THE TIMELY PROVISION OF MUTUAL AID IN TIMES OF EMERGENCIES AND TO FURTHER INSURE THE REIMBURSEMENT OF COSTS INCURRED BY PARTICIPATING PARTIES WHO RENDER ASSISTANCE.

WHEREAS, disastrous incidents occur necessitating immediate response to insure the safety of person and property; and,

WHEREAS, many disastrous incidents present major public safety conditions which are likely to cause consequences necessitating a response beyond the capabilities of the personnel, equipment, facilities and other resources of Garden City; and,

WHEREAS, other political subdivisions of the State of Georgia are likewise likely to be confronted with similar disastrous incidents and the need for immediate emergency assistance if the effects of such incidents necessitate responses beyond the capabilities of the personnel, equipment, facilities and other resources of those jurisdictions; and,

WHEREAS, by combining the resources of Garden City with the resources of the other political subdivisions of the State of Georgia, and the Georgia Emergency Management Agency/Homeland Security (GEMA/HS) during disastrous incidents, the life and property of all citizens may be better protected;

WHEREAS, GEMA/HS has drafted and proposed for execution by the City that certain Statewide Mutual Aid and Assistance Agreement (the "Agreement") providing the framework to support mutual assistance in managing any emergency or disaster occurring within any political subdivision that is a signatory thereof, a copy of the Agreement being attached hereto as Exhibit "A;" and,

WHEREAS, to protect and assure uninterrupted delivery of emergency assistance thereunder, the Agreement requires each party thereto to (a) identify those persons (in addition to the Mayor), who are authorized to act on behalf of the party concerning the provision of mutual aid resources and requests for mutual aid resources related to any mutual aid assistance sought from another participating party or from or through the State of Georgia, and (2) identify the fiscal officers of the party to whom invoices should be sent by other parties for reimbursement of certain costs and expenses incurred in rendering emergency assistance to such party; and,

WHEREAS, the City is desirous of entering into and complying with the terms of the Agreement to maximize the protection of the life and property of its residents when disastrous incidents occur and immediate emergency assistance beyond the City's capabilities is needed; and,

WHEREAS, the Agreement is legally authorized and governed by the provisions set forth in Articles I through III, Chapter 3, Title 38, of the Official Code of Georgia Annotated.

NOW THEREFORE, BE IT RESOLVED, as follows:

Section 1: Garden City shall enter into, and be bound by, the Agreement by authorizing the Mayor to execute same.

Section 2: The City shall designate in the Agreement its Chief of Police (currently Gilbert C. Ballard), its Fire Chief (currently Michael Dick), and the Director of the Chatham Emergency Management Agency (CEMA) (currently Dennis Jones) as the persons, in addition to the Mayor, authorized to request, offer, or otherwise provide and coordinate mutual aid assistance on its behalf pursuant to the terms of the Agreement.

Section 3: The City shall also designate in the Agreement its City Manager (currently C. Scott Robider) and its Finance Director (currently Rhonda Ferrell-Bowles) as the City's fiscal officers who shall be authorized to handle, on behalf of the City, reimbursement sought for mutual aid provided pursuant to the terms of the Agreement.

Adopted by the Mayor and Council of Garden City, Georgia, on this _____ day of February, 2024.

Rhonda Ferrell-Bowles
Clerk of Council

Received and approved this _____ day of February, 2024.

Bruce Campbell, Mayor

STATEWIDE MUTUAL AID AND ASSISTANCE AGREEMENT

County/Municipality: CITY OF GARDEN CITY

The State of Georgia is vulnerable to a wide range of natural and man-made disasters and emergencies. The Georgia Emergency Management Act, as amended (The Act) gives the local governments of the State the authority to make agreements for mutual aid assistance in emergencies. Pre-existing agreements for mutual aid assistance in emergencies help to ensure the timely provision of mutual aid assistance and the reimbursement of costs incurred by those parties who render such assistance.

This mutual aid agreement is entered pursuant to authorities contained in Articles I through III, Chapter 3, Title 38, Official Code of Georgia Annotated.

ARTICLE I STATEMENT OF AGREEMENT, DEFINITIONS AND AUTHORITIES

This Agreement is made and entered into between the participating political subdivisions, which approve and execute this Agreement, hereinafter called "Participating Parties" and the Georgia Emergency Management and Homeland Security Agency (GEMA/HS). For purposes of this Agreement, the following terms and expressions shall apply:

- (1) "Agreement" means this agreement, generally referred to as the "Statewide Mutual Aid Agreement" (SWMAA).
- (2) "Assistance" includes personnel, equipment, facilities, services, supplies and other resources furnished to a Requesting Party pursuant to this Agreement during an emergency or disaster.
- (3) "Assisting Party" means a party that provides assistance pursuant to this Agreement during an emergency or disaster.
- (4) "Authorized Representative" means a Participating Party's elected or appointed official or employee who has been authorized in writing by that party to request, to offer, or otherwise to provide mutual aid assistance.
- (5) "Participating Party" means a county or municipality of the State of Georgia that has become party to this Agreement by its approval and execution of this agreement.
- (6) "Participating Parties" means the combination of counties and municipalities that have become parties to this Agreement by their approval and execution of this Agreement.
- (7) "Requesting Party" means a party that requests assistance pursuant to this Agreement during an emergency or disaster.

Any term or expression not defined in this Agreement shall have the meaning specified in the Georgia Emergency Management Act, as amended (the Act) and rules promulgated thereunder, unless used in a context that clearly suggests a different meaning.

ARTICLE II GENERAL PURPOSE

The purpose of this Agreement is to:

1. Provide the framework to support mutual assistance in managing an emergency or disaster occurring within any political subdivision that is a Participating Party, whether arising from natural disaster, technological hazard, human caused disaster, civil emergency, community disorders, insurgency, enemy attack, acts of terrorism, other significant events or homeland security activity; and
2. Identify those persons who are authorized to act on behalf of the Participating Party signing this Agreement as their Authorized Representative(s) concerning the provision of mutual aid resources and requests for mutual aid resources related to any mutual aid assistance sought from another Participating Party, or from or through the State of Georgia. Appendix A of this Agreement shall contain the name(s) of the Participating Party's Authorized Representative for purposes of this Agreement. Appendix A can be amended by the authorizing Participating Party as needed with no effect on the entire Agreement. All such amendments to Appendix A shall be done in writing and the Participating Party shall notify GEMA/HS and all other Participating Parties of such amendment within thirty (30) days.

ARTICLE III ACKNOWLEDGEMENT OF PRINCIPLES

The prompt, full and effective utilization of resources of the Participating Parties, including any resources on hand or available from the State or Federal Government or any other source, that are essential to the safety, care and welfare of the people shall be the underlying principle on which all articles of this Agreement shall be understood.

In the event of a conflict between any provision of this Agreement and any existing intrastate mutual aid agreement affecting a Participating Party, the provisions of this Agreement shall be controlling.

On behalf of the governing authority of each political subdivision of this State participating in the Agreement, the director of emergency management of such political subdivision will be responsible for formulation of the appropriate mutual aid plans and procedures necessary to implement this Agreement.

ARTICLE IV PARTICIPATING PARTY RESPONSIBILITIES

(a) It shall be the responsibility of each Participating Party to formulate procedures and programs for intergovernmental cooperation in the performance of the responsibilities listed in this Article. In formulating such plans, and in carrying them out, each Participating Party, insofar as practical, shall:

- (1) Protect and assure uninterrupted delivery of services, medicines, water, food, energy and fuel, search and rescue, and critical lifeline equipment, services, and resources, both human and material; and

Page 2 of 8

(2) Inventory and set procedures for the loan and delivery of human and material resources, together with procedures for reimbursement.

(b) Whenever a Participating Party requires mutual aid assistance from another Participating Party and/or the State of Georgia, the Requesting Party may request assistance by:

(1) Contacting the Participating Party who is the owner/operator/employer of the supplies, equipment and/or personnel being sought for mutual aid assistance (the Assisting Party); or

(2) Contacting GEMA/HS to serve as the facilitator of such request for those resources being sought for mutual aid that are owned/operated/employed by Participating Parties (where such Participating Parties have submitted a record of those resources to GEMA/HS for such use); and/or, when such resources being sought for mutual aid are owned/operated/employed directly by the State of Georgia.

The provisions of this Agreement shall only apply to requests for assistance made by an Authorized Representative. Requests may be verbal or in writing. If verbal, the request must be confirmed in writing within 30 days of the verbal request. Requests shall provide the following information:

(1) A description of the emergency service function for which assistance is needed, such as but not limited to fire services, law enforcement, emergency medical, transportation, communications, public works and engineering, building inspection, planning and information assistance, mass care, resource support, health and medical services, damage assessment, volunteer and donated goods and search and rescue; and

(2) The amount and type of personnel, equipment, materials and supplies needed, and a reasonable estimate of the length of time each will be needed; and

(3) The specific place and time for staging of the Assisting Party's response and a point of contact at that location.

The Assisting Party will (a) maintain daily personnel time records, material records and a log of equipment hours (or miles, if appropriate) and (b) report work progress to the Requesting Party at mutually agreed upon intervals.

ARTICLE V LIMITATIONS

Any Participating Party requested to render mutual aid shall take such action as is necessary to provide and make available the resources covered by this Agreement in accordance with the terms hereof; provided that it is understood that the Participating Party who is asked to render aid may withhold resources to the extent necessary to meet the current or anticipated needs of the Participating Party's own political subdivision to remain in compliance with such Participating Party's policy, rule or law.

The Assisting Party's mutual aid resources will continue under the command and control of their own

supervisors, but the organizational units will be under the operational control of the emergency services authorities of the Requesting Party unless the Assisting Party approves an alternative.

In the event the Governor should declare a State of Emergency, any and all provisions of this Agreement which may conflict with the declared State of Emergency shall be superseded by the terms and conditions contained within the State of Emergency.

ARTICLE VI LIABILITY AND IMMUNITY

(a) In accordance with O.C.G.A. § 38-3-35(a), no political subdivision of the state, nor the agents or representatives of the state or any political subdivision thereof, shall be liable for personal injury or property damage sustained by any person appointed or acting as a volunteer emergency management worker or member of any agency engaged in emergency management activity. The foregoing shall not affect the right of any person to receive benefits or compensation to which he might otherwise be entitled under Chapter 9 of Title 34, Code Section 38-3-30, any pension law, or any act of Congress.

(b) In accordance with O.C.G.A. § 38-3-35(b), no political subdivision of the state nor, except in cases of willful misconduct, gross negligence, or bad faith, the employees, agents, or representatives of the state or any political subdivision thereof, nor any volunteer or auxiliary emergency management worker or member of any agency engaged in any emergency management activity complying with or reasonably attempting to comply with Articles 1 through 3, Chapter 3, Title 38, Official Code of Georgia Annotated; or any order, rule, or regulation promulgated pursuant to Articles 1 through 3 of title, or pursuant to any ordinance relating to precautionary measures enacted by any political provisions of Articles 1 through 3 of said chapter and title, or pursuant to any ordinance relating to precautionary measures enacted by any political subdivision of the state shall be liable for the death of or the injury to person or for damage to property as a result of any such activity.

(c) It is the express intent of the parties that the immunities specified in accordance with O.C.G.A. § 38-3-35 shall apply in addition to any other immunity provided by statute or case law.

ARTICLE VII RIGHTS AND PRIVILEGES

In accordance with O.C.G.A. § 38-3-30(a), whenever the employees of any Assisting Party or political subdivision are rendering outside aid pursuant to this agreement and the authority contained in Code Section 38-3-27, the employees shall have the same powers, duties, rights, privileges and immunities as if they were performing their duties in the political subdivisions in which they are normally employed.

ARTICLE VIII REIMBURSEMENT

In accordance with O.C.G.A. § 38-3-30(b), The Requesting Party shall be liable for any loss of or damage to equipment used or placed within the jurisdiction of the Requesting Party and shall pay any expense incurred in the operation and maintenance thereof. No claim for the loss, damage or expense shall be allowed unless, within 60 days after the same is sustained or incurred, an itemized notice of

the claim under oath is served by mail or otherwise upon the designated fiscal officer of the Requesting Party. Appendix B of this Agreement shall contain the name(s) of the Participating Party's designated fiscal officer for purposes of this Agreement. Appendix B can be amended by the authorizing Participating Party as needed with no effect on the entire Agreement. Appendix B can be amended by the authorizing Participating Party as needed with no effect on the entire Agreement. All such amendments to Appendix B shall be done in writing and the Participating Party shall notify GEMA/HS and all other Participating Parties of such amendment within thirty (30) days.

The Requesting Party shall also pay and reimburse the Assisting Party for the compensation paid to employees furnished by the Assisting Party during the time of the rendition of the aid, as well as the actual travel and per diem expenses of such employees while they are rendering the aid. The reimbursement shall include any amounts paid or due for compensation due to personal injury or death while the employees are engaged in rendering the aid. The term "employee," as used herein, shall mean, and this provision shall apply with equal effect to, paid, volunteer and auxiliary employees and emergency management workers.

Expenses to be reimbursed by the Requesting Party shall include the following:

(1) Labor costs, which shall include all usual wages, salaries, compensation for hours worked, mobilization and demobilization, the Assisting Party's portion of payroll taxes (as employer), insurance, accrued paid leave and other fringe benefits, but not those amounts paid or due as a benefit to the Assisting Parties personnel under the terms of the Georgia Workers Compensation Act; and

(2) Equipment costs, which shall include the fair rental value, the cost of fuel and other consumable supplies, service and repairs. If the equipment is damaged while in use under this Agreement and the Assisting Party receives payment for such damage under any contract for insurance, the Requesting Party may deduct such payment from any item or items invoiced; and

(3) Material costs, which shall include the total reasonable cost for the use and consumption of any and all consumable supplies delivered by the Assisting Party for the benefit of the Requesting Party; and

(4) Meals, lodging and other related expenses, which shall include charges for meals, lodging and other expenses relating to the provision of assistance pursuant to this Agreement shall be the actual and reasonable costs incurred by the Assisting Party.

The Assisting Party shall maintain records and submit invoices within 60 days for reimbursement as specified hereinabove and the Requesting Party shall pay the invoice no later than 30 days following the invoice date.

ARTICLE IX IMPLEMENTATION

This Agreement shall become operative immediately upon its approval and execution by GEMA/HS and any two political subdivisions of this State; thereafter, this Agreement shall become effective as to any other political subdivision of this State upon its approval and execution by such political subdivision.

Any Participating Party may withdraw from this Agreement by mailing notice of withdrawal, approved by the governing authority of such political subdivision, but no such withdrawal shall take effect until 30 days after the governing authority of the withdrawing political subdivision has given notice in writing of such withdrawal to the governing authorities of all other Participating Parties. Such action shall not relieve the withdrawing political subdivision from obligations assumed hereunder prior to the effective date of withdrawal.

Copies of this Agreement shall, at the time of their approval, be deposited with each of the respective Participating Parties and with GEMA/HS.

ARTICLE X TERM OF AGREEMENT

This Agreement, once executed, is valid until March 1, 2028. Agreement of the Participating Parties to extend the term of this agreement at any time during the last year of its original term or the last year of any subsequent four-year term shall extend the term of this agreement for four years. Each four-year extension shall constitute a separate agreement.

ARTICLE XI VALIDITY

If any provision of this Agreement is declared unconstitutional, or the applicability thereof to any person or circumstances is held invalid, the constitutionality of the remainder of this Agreement and the applicability thereof to other persons and circumstances shall not be affected thereby.

Agreed:

Chief Executive Officer - Signature

Bruce Campbell, Mayor

Chief Executive Officer – Print Name

County/Municipality: CITY OF GARDEN CITY

Date: ____ / ____ / ____

GEMA/HS Director – Signature

GEMA/HS Director – Print Name

Date: ____ / ____ / ____

APPENDIX A
AUTHORIZED REPRESENTATIVE

The below named individual(s), in addition to the chief executive officer, is/are the "Authorized Representative(s)" for CITY OF GARDEN CITY (county/municipality), and are authorized to request, offer, or otherwise provide and coordinate mutual aid assistance on behalf of the above- named county/municipality:

DENNIS T. JONES

Print Name

CEMA DIRECTOR

Job Title/Position

Signature of Above Individual

Gilbert C. Ballard

Print Name

Garden City Chief of Police

Job Title/Position

Signature of Above Individual

Michael Dick

Print Name

Garden City Fire Chief

Job Title/Position

Signature of Above Individual

Chief Executive Officer - Signature

Date: _____ / _____ / _____

Bruce Campbell, Mayor

Chief Executive Officer – Print Name

Statewide Mutual Aid and Assistance Agreement- 2024

APPENDIX B
DESIGNATED FISCAL OFFICER(S)

The below named individual(s) is/are the "designated fiscal officer(s)" for CITY OF GARDEN
CITY (county/municipality) for the purpose of reimbursement sought for mutual aid:

C. Scott Robider	City Manager for Garden City
Print Name	Job Title/Position

Signature of Above Individual

Rhonda Ferrell-Bowles	Garden City Director of Finance
Print Name	Job Title/Position

Signature of Above Individual

Print Name	Job Title/Position
------------	--------------------

Signature of Above Individual

Chief Executive Officer - Signature

Date: ____ / ____ / ____

Bruce Campbell, Mayor

Chief Executive Officer – Print Name

Statewide Mutual Aid and Assistance Agreement- 2024

RESOLUTION

A RESOLUTION TO AMEND THE REGULAR MEETING SCHEDULE OF THE GARDEN CITY CITY COUNCIL; TO ELIMINATE THE FEBRUARY 19, 2024, REGULAR CITY COUNCIL MEETING DUE TO THE PRESIDENT'S DAY HOLIDAY; AND TO ESTABLISH A MEETING OF THE CITY COUNCIL ON FEBRUARY 20, 2024.

WHEREAS, it is desirous to amend the regular meeting schedule of the Garden City City Council for the period of February 19, 2024 through February 20, 2024; and

WHEREAS, an amendment to the regular meeting schedule of the City Council is not detrimental to the proper and diligent administration of the City; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of Garden City, Georgia, in regular session assembled, that they do hereby approve and amend the regular meeting schedule of the Garden City City Council as herein described for the period of February 19, 2024 through February 20, 2024.

ADOPTED this 5th day of February 2024.

BRUCE CAMPBELL, Mayor

RECEIVED AND APPROVED this 5th day of February 2024.

RHONDA FERRELL BOWLES, Clerk of Council