



The Honorable William "Bill" Edwards, Mayor
The Honorable Mark Baker, District 7, Mayor Pro Tem
The Honorable Catherine F. Rowell, District 1 Councilmember
The Honorable Carmalitha Gumbs, District 2 Councilmember
The Honorable Helen Z. Willis, District 3 Councilmember
The Honorable Naeema Gilyard, District 4 Councilmember
The Honorable Rosie Jackson, District 5 Councilmember
The Honorable khalid kamau, District 6 Councilmember

REGULAR COUNCIL MEETING AGENDA

- I. Meeting Called to Order
- II. Roll Call
- III. Invocation - Pastor Warren Henry, Sr.
- IV. Pledge of Allegiance
- V. Presentations and Announcements
 1. Proclamation presented to Sandtown 10U Girls Basketball (**Rowell**)
 2. Proclamation presented to Robert DW Jackson (**Rowell**)
 3. Proclamation presented to LA Pink (**Baker**)
 4. Proclamation presented to Stonewall Tell Elementary
- VI. Adoption of Council Agenda
- VII. Approval of City Council Meeting Minutes
 5. Council Approval of City Council Meeting Minutes from April 23, 2019
- VIII. Public Hearing(s)
 6. **PUBLIC HEARING** - Council Approval of M19-001 for Modification of 2006Z-0042 SFC The Bluffs at Camp Creek with conditions (Planning)

7. **PUBLIC HEARING** - Council Approval of M19-002 for Modification of 2002Z-0012 SFC Camp Creek Village Phase 1 (Planning)
8. **PUBLIC HEARING** - Council Approval of M19-003 for Modification of 2015Z-007 5620 Old National Hwy - Habitat for Humanity in Atlanta, Inc. (Planning)

IX. Public Comments

Speakers can complete a Public Comment Speaker Card between the 6:30pm and 6:50pm, when completed, please take card to the City Clerk. Speakers will be granted a total of two (2) minutes each and public comments will not exceed thirty (30) minutes. Speakers will not be allowed to yield or donate their time to other speakers. Speakers must identify themselves and their addresses prior to speaking. Speakers may only address the Presiding Officer, shall observe all rules of decorum. No debate, disrespect or obscenities shall be tolerated. The Presiding Officer shall rule any such individual out of order that fails to comply with the foregoing.

X. City Manager's Monthly Report

9. City of South Fulton DRAFT Strategic Plan

XI. City Attorney's Monthly Report

XII. Consent Agenda Items

10. Proclamation - Nina Giddens (**Rowell**)
11. Proclamation to Marquis Grissom Baseball Association (**Willis**)
12. Proclamations - GA 811 Safe Digging Month (**Edwards**)
13. Proclamations - Robert Mayes (**Edwards**)
14. Proclamations - Pastor Martin Potratz (**Baker**)
15. Proclamations - Union Grove Baptist Church (**Edwards**)
16. Proclamations - Atlanta Interfaith Broadcasters (AIB) Network (**Edwards**)
17. Council approval of the following Board Appointments:

Parks & Recreation Advisory Board
Councilmember Rowell – Ms. Anita Bellinger
Councilmember Gilyard – Ms. Barbara Mostella

Arts Commission
Councilmember Gilyard – Ms. Tisha Smith

Zoning Board of Appeals
Councilmember khalid - Mr. Emmanuel Morrell

18. Council Approval for Police to apply for Bulletproof Vest Partnership Program Grant (Police)
19. Council Approval of Resolution Consenting to Expansion of the Airport West Community Improvement District (CID) (City Manager)

20. Council Approval of Resolution Accepting Aerotropolis Transit Feasibility Study (City Manager)
21. Council Approval of Resolution Authorizing Leasing Agreement with City of South Fulton and Sandtown Crossing

XIII. Previous Agenda Items

22. Council's Second Reading and Adoption of Amendment to Ethics Ordinance **(Willis)**
23. Council's Second Reading and Adoption of Traffic Calming Ordinance **(Gumbs)**
24. Council's Second Reading and Adoption of FY19 Mid-Year Budget Amendment (Finance)
25. Council's Approval to Amend Resolution 2017-023 - Standards for Issuing Proclamations and Letters of Commendations **(Rowell & City Clerk)**

XIV. Agenda Items

26. Council Approval to enter into an agreement with Sage Networks as a vendor to develop and implement the Planning & Permitting Software, not to exceed \$200,000 (Procurement)
27. Council Approval to enter to contract with VAAS Professionals, LLC to provide Accounting Support for the City of South Fulton (Finance)
28. Council's First Reading of Amending Parks Advisory Board Ordinance **(Willis)**
29. Council's Approval of an IGA with Georgia Department of Transportation for Upgrading Traffic Signal at Welcome All Road (Public Works)
30. Council Approval of Resolution Naming Voting Delegate and Alternate for the 2019 GMA Conference Annual Business Meeting and to participate in the Parade of Flags
31. Council Approval of Amending Resolution 2019-012 Zoning Moratorium

XV. Chief Financial Officer's Monthly Report

XVI. Comments from Council

XVII Executive Session

When an Executive Session is Required, one will be called for the following issues:

1) Personnel, 2) Litigation or 3) Real Estate

XVIII Adjournment of Meeting

GOVERNMENT OF THE CITY OF SOUTH FULTON

Office of the City Manager

WILLIAM "BILL" EDWARDS
MAYOR



ODIE DONALD II
CITY MANAGER

MEMORANDUM

TO: Proclamation - Sandtown 10U Girls

FROM: Frank Milazi

DATE: May 14, 2019

SUBJECT: Proclamation - Sandtown 10U Girls

REFERENCE:

CONCLUSION:

BACKGROUND:

FISCAL IMPACT:

ATTACHMENTS:

Description	Type	Upload Date
Sandtown 10U Girls Basketball	Cover Memo	5/10/2019



City of South Fulton

WHEREAS, under the leadership of Coach Rod Weaver, the Sandtown Park 10U Girls Youth Basketball team had an outstanding 2019-20 regular season with a perfect record of 12 - 0;

WHEREAS, this dynamic team of girl athletes has also won two championships during the 2019-20 season - both the CCYBL 10U Girls and the District 3 10U Girls Youth Basketball Championships;

WHEREAS, the Sandtown Park 10U Girls Youth Basketball Team finished third place in the Georgia Recreation and Parks Association (GRPA) State Tournament at Edwards Park Community Center and lose in the Final Four to a City of Atlanta team;

WHEREAS, these young ladies have the grit and determination to continue to work together and are confident that they will be competing at the state level for years to come and it is an honor to recognize each of these young ladies for their hard work, athleticism and good sportsmanship;

WHEREAS, special thanks to Coach Pat Swanson and the Sandtown Park Recreation Center staff who show their untiring commitment and support to the youth in our community on a daily basis.

***NOW, THEREFORE BE IT RESOLVED,** that the Mayor and the City Council of the City of South Fulton look forward to their continued success on and off the court and hereby proclaim Tuesday, April 23, 2019, as "**SANDTOWN PARK 10U GIRLS BASKETBALL TEAM APPRECIATION DAY**" in the City of South Fulton, Georgia.*

Councilwoman Dr. Catherine Foster Rowell, District 1

GOVERNMENT OF THE CITY OF SOUTH FULTON

Office of the City Manager

WILLIAM "BILL" EDWARDS
MAYOR



ODIE DONALD II
CITY MANAGER

MEMORANDUM

TO: Proclamation - Robert DW Jackson

FROM: Frank Milazi

DATE: May 14, 2019

SUBJECT: Proclamation - Robert DW Jackson

REFERENCE:

CONCLUSION:

BACKGROUND:

FISCAL IMPACT:

ATTACHMENTS:

Description	Type	Upload Date
Robert DW Jackson	Cover Memo	5/10/2019



City of South Fulton

WHEREAS, Robert D.W. Jackson, affectionally known as “R.D.W.”, moved to Atlanta in 1992 and has made an indelible and substantial impact in the newspaper industry in Atlanta and throughout the country;

WHEREAS, Mr. Jackson has spent over 35 years as the quintessential newspaper sales and marketing guru for minority publications across the nation including the Los Angeles Sentinel, the Philadelphia Tribune and other prominent publications targeted towards communities of color;

WHEREAS, Mr. Jackson has contributed to the financial wealth and sustainability of local Atlanta newspapers such as the Atlanta Voice, Atlanta Daily World, the Mundo Hispanico and LaVision;

WHEREAS, Mr. Jackson has been recognized for his skillful salesmanship and business acumen in the Atlanta newspaper community by “bridging the gap” between Hispanics, African-Americans and the mainstream media in Atlanta;

WHEREAS, on March 28, 2019, Mr. Jackson was recognized by the Georgia Minority Business Awards with the “Sales and Marketing Industry of the Year Award” for his work as an Executive Marketing Specialist with the Atlanta Voice and the Hispanic and African-American Newspapers Network;

NOW THEREFORE, BE IT RESOLVED, that Mayor and Council recognizes Mr. Jackson for his lifelong career accomplishments, his vision and impact on integrating the newspaper industry in Atlanta and throughout the United States, congratulates him for receiving the “Sales and Marketing Industry of the Year Award” and do hereby proclaim Tuesday, May 14, 2019 as “**ROBERT “R.D.W.” JACKSON DAY**” in the City of South Fulton.

Councilwoman Catherine Foster Rowell, Ph.D., District 1

GOVERNMENT OF THE CITY OF SOUTH FULTON

Office of the City Manager

WILLIAM "BILL" EDWARDS
MAYOR



ODIE DONALD II
CITY MANAGER

MEMORANDUM

TO: Proclamation - LA Pink

FROM: Frank Milazi

DATE: May 14, 2019

SUBJECT: Proclamation - LA Pink

REFERENCE:

CONCLUSION:

BACKGROUND:

FISCAL IMPACT:

ATTACHMENTS:

Description	Type	Upload Date
LA Pink	Cover Memo	5/10/2019



City of South Fulton

WHEREAS, Laquana Alexander, popularly known as ‘L.A. Pink’ is a prolific Atlanta Community Organizer and Humanitarian who is dedicated to working for, and on the side of, the underrepresented;

WHEREAS, L.A. Pink, who would say she walks by faith and not by sight, has overcome personal trials that has brought her into a renewed vision for her spiritual service as she has witnessed firsthand the needs of the Homeless, and subsequently dedicated herself to implementing a system for those individuals, that they might be renewed and restored, in life;

WHEREAS, L.A. Pink, through her integral “Community Boutique,” as well as her “Unity in our Community ATL” Organizations, has partnered with 501c3 Non-Profit Organizations Restore Life and Fountain of Hope to provide charitable services and resources to the underserved in Fulton County;

WHEREAS, in July 2016 L.A. Pink established “Unity in our Community ATL”, described by L.A. Pink as a hand up organization, is a support system that got its start providing monthly “Feed the Homeless” initiatives in Atlanta’s Renaissance Park, where organizations such as Wellcare and Recovery Consultants of Atlanta also provide healthcare services, Job Corp provides personal identity documentation services, and Safelink provides phone services, for the homeless;

WHEREAS, LA Pink, has also partnered with the City of South Fulton’s Mayor Pro Tem Mark Baker in many of his initiatives within the South Fulton Community, including Thanksgiving, Christmas, and Clothing drives, work source drives, as well as HIV awareness initiatives.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of the City of South Fulton do hereby proclaim Tuesday May 14, 2019, as **“L.A. PINK & LAQUANA ALEXANDER APPRECIATION DAY,”** in the City of South Fulton, Georgia.

Mayor Pro Tem - Councilman Mark Baker, District 7

GOVERNMENT OF THE CITY OF SOUTH FULTON

Office of the City Manager

WILLIAM "BILL" EDWARDS
MAYOR



ODIE DONALD II
CITY MANAGER

MEMORANDUM

TO: Proclamation - Stonewall Tell Elementary

FROM: Frank Milazi

DATE: May 14, 2019

SUBJECT: Proclamation - Stonewall Tell Elementary

REFERENCE:

CONCLUSION:

BACKGROUND:

FISCAL IMPACT:

ATTACHMENTS:

Description	Type	Upload Date
Stonewall Tell Elementary	Cover Memo	5/10/2019



City of South Fulton

WHEREAS, the scholars at Stonewall Tell Elementary are exceptional and make everything worthwhile and rewarding; and

WHEREAS, the vision of Stonewall Tell Elementary is to be recognized for world-class instruction, professional learning, talent development, stakeholder engagement, and continuous improvement as its scholars, staff, and community deserve nothing less; and

WHEREAS, Stonewall Tell Elementary has experienced some unprecedented success in recent years as there is a confident expectation of improving upon that success in hopes of realizing the vision for current and future scholars, as it continues to be one of the top performing schools in our City;

WHEREAS, Stonewall Tell Elementary located in the City of South Fulton, has been selected for the 2019 Best of College Park Award in the Elementary School category by the College Park Award Program; and

WHEREAS, this honor marks the third consecutive year in which Stonewall Tell Elementary has won this award; and

WHEREAS, each year, the College Park Award Program identifies companies/organizations that have achieved exceptional marketing success in their local community and business category. These are local companies that enhance the positive image of small business through service to their customers and our community; and

WHEREAS, as a community it is important to recognize the great things that are happening in our South Fulton County schools, as we must find non-traditional ways to build our own narrative to those who are unaware of the great schools we have in the City of South Fulton; and

WHEREAS, the City of South Fulton will recognize our schools for their accomplishments as we will continue to foster a strong collaboration among our educational community; and

NOW THEREFORE, BE IT RESOLVED, the Mayor and Council of the City of South Fulton salutes Stonewall Tell Elementary and proudly recognizes Tuesday, May 14, 2019 as “*Stonewall Tell Elementary Appreciation Day*” in the City of South Fulton.

Councilwoman Carmalitha L. Gumbs, District 2

GOVERNMENT OF THE CITY OF SOUTH FULTON

Office of the City Manager

WILLIAM "BILL" EDWARDS
MAYOR



ODIE DONALD II
CITY MANAGER

MEMORANDUM

TO: Approval of Council Meeting Minutes - April 23, 2019

FROM: Frank Milazi

DATE: May 14, 2019

SUBJECT: Approval of Council Meeting Minutes - April 23, 2019

REFERENCE:

CONCLUSION:

BACKGROUND:

FISCAL IMPACT:

ATTACHMENTS:

Description	Type	Upload Date
Combined Work Session/Regular Meeting Minutes - April 23, 2019	Cover Memo	5/10/2019



DRAFT MINUTES

COUNCIL WORK SESSION MEETING MINUTES

I. Call to Order

Minutes:

The meeting was called to order by Mayor Edwards at 5:00 PM.

II. Roll Call

Attendee Name	Title	Status	Arrived
William "Bill" Edwards	Mayor	Present	
Mark Baker	District 7 Councilmember Mayor Pro Tem	Present	
Catherine F. Rowell	District 1 Councilmember		5:03 PM
Carmalitha Gumbs	District 2 Councilmember	Present	
Helen Z. Willis	District 3 Councilmember	Present	
Naeema Gilyard	District 4 Councilmember		5:02 PM
Rosie Jackson	District 5 Councilmember	Present	
Khalid Kamau	District 6 Councilmember		5:04 PM

A motion was made to recess the meeting. The motion was withdrawn.

III. Presentations

Minutes:

No presentations presented.

IV. Previous Agenda Items

1. Discussion on Proposed Entertainment Commission with Presentation
(Gumbs)

Minutes:

This item was removed from the agenda by Councilmember Gumbs.

2. Council Discussion on Animal and Livestock Control Ordinance (**Gumbs**)

Minutes:

This item was removed from the agenda by Councilmember Gumbs.

3. Discussion on Approval of Procedures of Proclamation Resolution (**Edwards**)

Minutes:

A discussion was held regarding the Procedures for Proclamations. After discussion, the Clerk agreed to review Resolution 2017-023 and work with the City Attorney to draft recommended amendments to the current Resolution, where appropriate.

V. Agenda Items

4. Discussion on FY19 Mid-Year Budget Amendment (Finance)

Minutes:

Mr. Frank Milazi, Treasurer and Chief Financial Officer, explained the resolution of the unfilled eight park patrol officers funded in the FY2019 Parks and Recreation Department budget. Tony Phillips, Director, Parks and Recreation Department and Keith Meadows, Chief, Police Department further explained the transfer of eight officers from the Police Department to the Parks and Recreation Department to staff eight park patrol officers.

Ms. Sharon Haynes, Budget Manager, provided an overview of the FY2019 Mid-Year Budget Amendment. The Proposed Revenues totaled \$94,523,950. The Proposed Total Expenditures totaled \$93,264,460. The Projected Net Surplus totaled \$1,259,490. Councilmember Khalid requested that staff number all presentation pages in the future.

Following the presentation, the Mayor and Council conducted a brief discussion and question period.

5. Discussion on Funding of Capital Projects (Finance)

Minutes:

Mr. Frank Milazi, Treasurer and Chief Financial Officer, assisted by Mr. Ed Wall, Financial Advisor, reviewed the projected capital needs for the City. Additionally, a review of capital needs funding options were presented as follows: General Obligations Bonds, Urban Redevelopment Agency, Downtown Development Authority, Development Authority and Tax Anticipation Note.

Following the presentation, the Mayor and Council conducted a brief discussion and question

period.

VI. Executive Session

When an Executive Session is Required, one will be called for the following issues: 1) Personnel, 2) Litigation or 3) Real Estate

Motion (Recess): Councilmember Willis

Second: Councilmember Gilyard

[Motion Approved]

Yea: 7 Baker, Gilyard, Gumbs, Jackson, khalid , Rowell, Willis

Nay: 0

Abstain: 0

Not Voting: 0

Minutes:

Motion a.

A motion was made to recess for an executive session at 6:13 PM to discuss real estate, litigation and personnel. The motion was approved unanimously.

Motion (Reconvene): Councilmember Gilyard

Second: Councilmember Rowell

[Motion Approved]

Yea: 5 Baker, Gilyard, khalid , Rowell, Willis

Nay: 0

Abstain: 0

Not Voting: 2 Gumbs, Jackson

Minutes:

The City Clerk announced there was no action taken during the executive session.

Motion b.

A motion was made to close the executive session and reconvene the Work Session at 7:00 PM. The motion was approved 5-0-2. Councilmembers Jackson and Gumbs were absent.

VII. Adjournment

Motion (Adjourn): Councilmember Rowell

Second: Councilmember khalid

[Motion Approved]

Yea: 7 Baker, Gilyard, Gumbs, Jackson, khalid , Rowell, Willis

Nay: 0

Abstain: 0

Not Voting: 0

Minutes:

A motion was made to adjourn the Work Session at 7:00 PM. The motion was approved unanimously.



DRAFT MINUTES

REGULAR MEETING MINUTES

I. Meeting Called to Order

Minutes:

The meeting was called to order by Mayor Edwards at 7:01 PM.

Attendee Name	Title	Status	Arrived
William "Bill" Edwards	Mayor	Present	
Mark Baker	District 7 Councilmember Mayor Pro Tem	Present	
Catherine F. Rowell	District 1 Councilmember	Present	
Carmalitha Gumbs	District 2 Councilmember	Present	
Helen Z. Willis	District 3 Councilmember	Present	
Naeema Gilyard	District 4 Councilmember	Present	
Rosie Jackson	District 5 Councilmember		7:03 PM
Khalid Kamau	District 6 Councilmember	Present	

A quorum was present.

II. Invocation

Minutes:

Pastor Warren L. Henry, Sr. introduced the 'Chaplain of the Day', Pastor Gregory Myles Williams.

The invocation was rendered by Pastor Williams, Senior Pastor of Power Community Christian Methodist Episcopal Church and a resident of District 2.

III. Pledge of Allegiance

Minutes:

The pledge of allegiance was recited in unison.

IV. Presentations and Announcements

Minutes:

Councilmember khalid recognized Councilmember Rowell as she will be celebrating her birthday on April 25, 2019.

Mayor Edwards announced that the 2019 State of the City Message will be held on May 2, 2019 at 7:00 PM at the Southwest Arts Center. Doors will open at 6:00 PM.

Councilmember Jackson announced that Districts 5, 6 and 7 will be hosting "A Year At A Glance" meeting on April 25, 2019 at 6:30 PM at World Changers Church Youth Building.

1. Proclamation - Comcast Cares Day (**Gumbs**)

Minutes:

Item removed from agenda by Councilmember Gumbs.

2. Presentations - Father's First - Keith A. Lewis, Jr. (**Baker**)

Minutes:

PRESENTED

3. Proclamation - Robert Neal Powell, Jr. (**Gumbs**)

Minutes:

PRESENTED

4. Proclamation - Municipal Clerk's Week 50th Anniversary May 5 - 11, 2019 (**Edwards**)

Minutes:

PRESENTED

V. Adoption of Council Agenda

Motion (Approve as Amended): Mayor Pro Tem Baker

Second: Councilmember khalid

[Motion Approved]

Yea: 7 Baker, Gilyard, Gumbs, Jackson, khalid , Rowell, Willis

Nay: 0

Abstain: 0

Not Voting: 0

Minutes:

A motion was made to approve the Regular Meeting agenda as amended, with a friendly

amendment by Councilmember khalid to defer item 6 - M18-006, Modification of Z00-0102 at Briar Creek from the agenda; a friendly amendment by Councilmember Gilyard to remove item 16, intergovernmental agreement between City of Union City and City of South Fulton from the Consent Agenda to the Regular Agenda and a friendly amendment by Councilmember khalid to move the Chief Financial Officer's Report up on the agenda after Public Comment.

The motion was approved unanimously.

VI. Approval of City Council Meeting Minutes

5. Approval of Meeting Minutes for Tues., April 9, 2019
Work Session and Regular Meeting

Motion (Approve as Amended): Councilmember khalid

Second: Mayor Pro Tem Baker

[Motion Approved]

Yea: 7 Baker, Gilyard, Gumbs, Jackson, khalid , Rowell, Willis

Nay: 0

Abstain: 0

Not Voting: 0

Minutes:

A motion was made to approve the Meeting Minutes for the Tuesday, April 9, 2019 Work Session and Regular Meeting with the following correction:

The Administrative Ordinance was listed as "Second Read" and it was actually the "First Read".

The motion with the noted correction was approved unanimously.

VII. Public Hearing(s)

6. Council Approval of M18-006 for a Modification of Z00-0102 at Briar Creek
(fka Legends Oaks Phase II) (Planning)

Minutes:

The applicant requested a deferral of this zoning modification.

VIII. Public Comments

Minutes:

There were fourteen (14) speakers who provided public comment as follows:

Mr. Derrick Burnett (District 6): Old National DDA

Mr. Gerald A. Griggs (Decatur, GA): Old National DDA

Mr. Zacharias H. Muhammad (Atlanta, GA): Old National Highway
Mr. Anthony Davis (District 6): Old National Highway
Ms. Myrtle Bolden (District 1): Malfunctioning flashing light at Enon Road and Campbellton Road
Ms. Jewel Johson (District 1): Old National DDA
Mr. Mathis Ben Colquitt (District 1): Old National DDA
Ms. Kim King (District 2): Divine Nine 5K/9K Fun Walk/Run
Ms. Gail C. Silva (District 4): Concerns regarding Police and Taxes
Ms. Barbara McKee (District 6): Old National DDA
Ms. Lula Freeman (District 6): Old National Highway
Mr. Clyde King (District 6): Old National Highway
Ms. Latrese Allen (District 4): Concerns regarding Police Services
Mr. Marcus Coleman (District 7): Old National DDA

IX. Consent Agenda Items

Motion (Approve): Councilmember Willis

Second: Councilmember khalid

[Motion Approved]

Yea: 7 Baker, Gilyard, Gumbs, Jackson, khalid , Rowell, Willis

Nay: 0

Abstain: 0

Not Voting: 0

Minutes:

A motion was made to approve the Consent Agenda, items 7-15.

The motion was approved unanimously.

7. Proclamation - South Metro 100 Black Men **(Edwards)**
8. Proclamation - Adefemi Olateru **(Edwards)**
9. Proclamation - Adefola Olateru **(Edwards)**
10. Proclamation - Alphounce Williams **(Edwards)**
11. Proclamation - Jeffrey Riddle **(Edwards)**
12. Proclamation - Myles Ashe Day **(Edwards)**
13. Proclamation APEC Learning Center **(Rowell)**

14. Proclamation - Egg-Stravaganza Day (**khalid**)
15. Appointment of Michael Carson to the Community Zoning Appeals Board (**Rowell**)
16. Council approval of an Intergovernmental Agreement between City of Union City and City of South Fulton to Repave Hunter Road (Public Works)

Motion (Approve): Councilmember Willis

Second: Councilmember Rowell

[Motion Approved]

Yea: 7 Baker, Gilyard, Gumbs, Jackson, khalid , Rowell, Willis

Nay: 0

Abstain: 0

Not Voting: 0

Minutes:

A motion was made to approve the intergovernmental agreement between the City of Union City and the City of South Fulton to repave Hunter Road.

The motion was approved unanimously.

X. Previous Agenda Items

17. Council Approval of Facility Use Agreement with Future Seekers, Inc. (Parks)

Motion (Approve): Councilmember Willis

Second: Councilmember Rowell

[Motion Approved]

Yea: 6 Baker, Gilyard, Jackson, khalid , Rowell, Willis

Nay: 0

Abstain: 1 Gumbs

Not Voting: 0

Minutes:

A motion was made to approve a Facility Use Agreement with Future Seekers, Inc.

The motion was approved 6-0-1. Councilmember Gumbs did not vote.

18. Council Second Reading and Approval of Administration Ordinance (Finance)

Motion (Approve): Councilmember khalid

Second: Councilmember Willis

[Motion Withdrawn]

Yea: 0

Nay: 0

Abstain: 0

Not Voting: 0

Minutes:

A motion was made to hold this item.

The motion was withdrawn.

Motion (Approve as Amended): Councilmember Rowell

Second: Councilmember Willis

[Motion Approved]

Yea: 5 Baker, Gumbs, khalid , Rowell, Willis

Nay: 0

Abstain: 2 Gilyard, Jackson

Not Voting: 0

Minutes:

A motion was made to approve the Administrative Ordinance with the removal of the following section - b(i) which states, "The police chief shall be appointed and removed by the City Council and shall report to the City Council."

The motion was approved 5-0-2. Councilmembers Jackson and Gilyard did not vote.

19. Council First Reading of Ethics Ordinance (Willis)

Minutes:

Item read. (First Read)

20. Discussion on a Resolution to Activate a Downtown Development Authority (DDA) (khalid)

Motion (Approve): Councilmember khalid

Second: Mayor Pro Tem Baker

[Motion Failed]

Yea: 3 Baker, Jackson, khalid

Nay: 4 Gilyard, Gumbs, Rowell, Willis

Abstain: 0

Not Voting: 0

Minutes:

A motion was made to approve a Resolution to Activate a Downtown Development Authority and a Resolution for Downtown Development Authority Funding.

The motion failed for a lack of four affirmative votes. 3-4.

21. Discussion on approval of a Resolution for Downtown Development Authority Funding (**khalid**)

Motion (Approve): Councilmember khalid

Second: Mayor Pro Tem Baker

[Motion Failed]

Yea: 3 Baker, Jackson, khalid

Nay: 4 Gilyard, Gumbs, Rowell, Willis

Abstain: 0

Not Voting: 0

Minutes:

A motion was made to approve a Resolution to Activate a Downtown Development Authority and a Resolution for Downtown Development Authority Funding.

The motion failed for a lack of four affirmative votes. 3-4.

XI. Agenda Items

22. Council Approval of a Capital Needs Funding through creating an Urban Redevelopment Agency (Finance)

Motion (Approve): Councilmember Gumbs

Second: Councilmember Rowell

[Motion Approved]

Yea: 4 Gilyard, Gumbs, Rowell, Willis

Nay: 3 Baker, Jackson, khalid

Abstain: 0

Not Voting: 0

Minutes:

A motion was made to approve Capital Needs Funding through the creation of an Urban Redevelopment Agency.

The motion was approved 4-3.

23. First Reading of the Adoption of FY19 Mid-Year Budget Amendment (Finance)

Minutes:

Item read. (First Read)

24. First Reading of Traffic Calming Ordinance (**Gumbs**)

Minutes:

25. Council Approval to Amend Resolution for Establishing Appointments for Development Authority (**Baker**)

Motion (Approve): Mayor Pro Tem Baker
Second: Councilmember Willis
[Motion Approved]

Yea: 6 Baker, Gilyard, Gumbs, Jackson, khalid , Willis
Nay: 1 Rowell
Abstain: 0
Not Voting: 0

Minutes:

A motion was made to approve the amending of a Resolution for establishing Appointments for the Development Authority as follows:

- Position 1 - Stacey Blackley**
- Position 2 - Shelley Lamar**
- Position 3 - Jamal Grooms**
- Position 4 - Andrew Pierson**
- Position 5- Ric Ross**
- Position 6 - Arnold Jiggetts**
- Position 7 - Mayor Pro-Tem Mark Baker**

The motion was approved 6-1.

26. Council Approval to Amended Resolution for City Anniversary (**Willis**)

Motion (Approve): Councilmember Willis
Second: Mayor Pro Tem Baker
[Motion Approved]

Yea: 5 Baker, Gilyard, Gumbs, Jackson, Willis
Nay: 0
Abstain: 2 khalid , Rowell
Not Voting: 0

Minutes:

A motion was made to approve the amendment of a Resolution for City Anniversary.

The motion was approved 5-0-2. Councilmembers khalid and Rowell did not vote.

27. Council Approval of Memorandum of Understanding (MOU) for EMGrants User Access Agreement (Fire)

Motion (Approve): Mayor Pro Tem Baker
Second: Councilmember khalid
[Motion Approved]

Yea: 7 Baker, Gilyard, Gumbs, Jackson, khalid , Rowell, Willis
Nay: 0
Abstain: 0
Not Voting: 0

Minutes:

A motion was made to approve a memorandum of understanding for EMGrants User Access Agreement with the understanding that in the event of an incident the City agrees to indemnify the state from liability.

The motion was approved unanimously.

XII. Chief Financial Officer's Monthly Report

28. Chief Financial Officer's March Monthly Report

Minutes:

Report Presented.

XIII. City Manager's Monthly Report

29. City Manager's March Monthly Report

Minutes:

Report Presented.

XIV. City Attorney's Monthly Report

Minutes:

No report.

XV. Comments from Council

Minutes:

No comments provided by Council.

XVI. Executive Session

Motion (Recess): Councilmember Willis

Second: Councilmember Rowell

[Motion Approved]

Yea: 7 Baker, Gilyard, Gumbs, Jackson, khalid , Rowell, Willis
Nay: 0

Abstain: 0

Not Voting: 0

Minutes:

A motion was made to recess for an executive session at 9:26 PM to discuss real estate and personnel.

The motion was approved unanimously.

Motion (Reconvene): Councilmember Rowell

Second: Mayor Pro Tem Baker

[Motion Approved]

Yea: 4 Baker, Edwards, Jackson, Rowell

Nay: 0

Abstain: 0

Not Voting: 4 Gilyard, Gumbs, khalid , Willis

Minutes:

A motion was made to close the executive session and reconvene the regular meeting at 10:03 PM.

There were no actions taken during Executive Session.

The motion was approved 4-0-4. Councilmembers khalid, Gilyard, Willis and Gumbs were not present.

XVII Adjournment of Meeting

Motion (Adjourn): Councilmember Rowell

Second: Councilmember Jackson

[Motion Approved]

Yea: 4 Baker, Edwards, Jackson, Rowell

Nay: 0

Abstain: 0

Not Voting: 4 Gilyard, Gumbs, khalid , Willis

Minutes:

A motion was made to adjourn the regular meeting at 10:04 PM. The motion was approved 4-0-4. Councilmembers khalid, Gilyard, Willis and Gumbs were not present.

GOVERNMENT OF THE CITY OF SOUTH FULTON

Office of the City Manager

WILLIAM "BILL" EDWARDS
MAYOR



ODIE DONALD II
CITY MANAGER

MEMORANDUM

TO: M19-001 for Modification of 2006Z-0042 SFC The Bluffs at Camp Creek

FROM: Frank Milazi

DATE: May 14, 2019

SUBJECT: M19-001 for Modification of 2006Z-0042 SFC The Bluffs at Camp Creek

REFERENCE:

CONCLUSION:

BACKGROUND:

FISCAL IMPACT:

ATTACHMENTS:

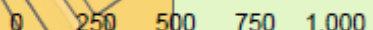
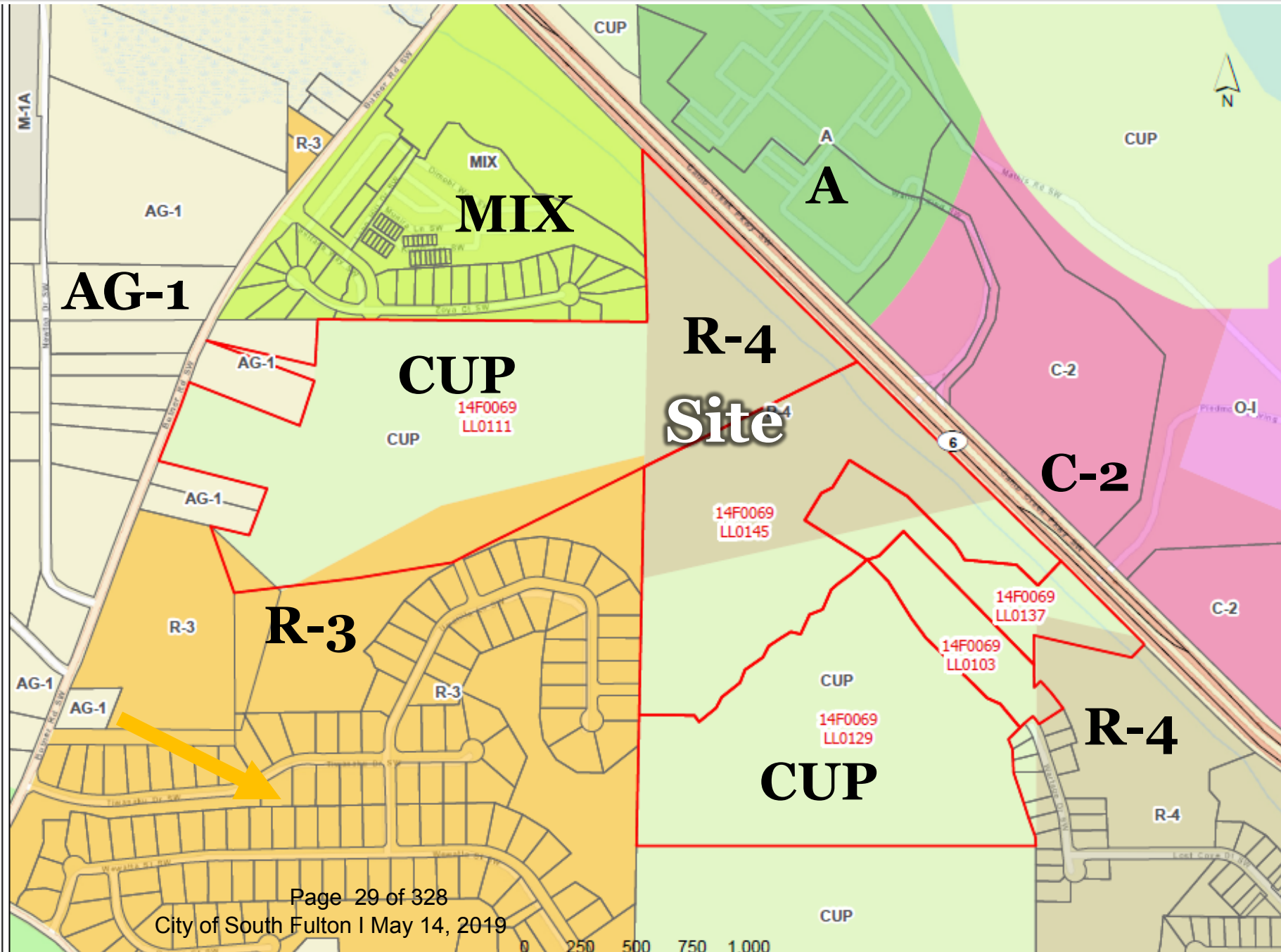
Description	Type	Upload Date
M19-001 Zoning Modification	Cover Memo	5/8/2019
Zoning Packet for M19-001	Cover Memo	5/8/2019

M19-001

Modification Request of 2006Z-0042 at The Bluffs at Camp Creek

Council District 2

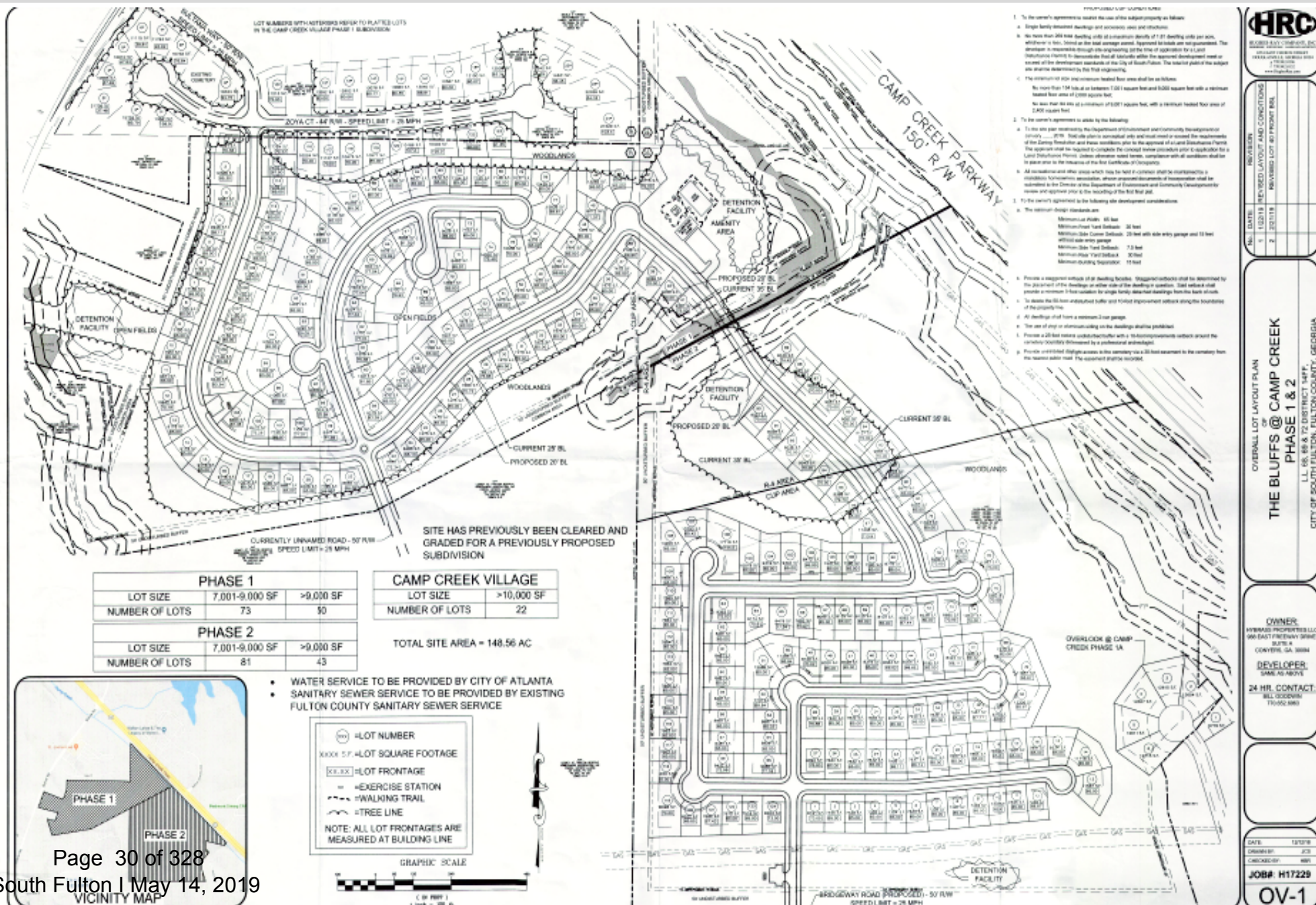
Mayor & Council
City of South Fulton
May 14, 2019





Site Plan

- 99.98 acres
- Residential undeveloped property
- 248 lots



PHASE 1		
LOT SIZE	7,001-9,000 SF	>9,000 SF
NUMBER OF LOTS	73	50

PHASE 2		
LOT SIZE	7,001-9,000 SF	>9,000 SF
NUMBER OF LOTS	81	43

CAMP CREEK VILLAGE	
LOT SIZE	>10,000 SF
NUMBER OF LOTS	22

TOTAL SITE AREA = 148.56 AC

- WATER SERVICE TO BE PROVIDED BY CITY OF ATLANTA
- SANITARY SEWER SERVICE TO BE PROVIDED BY EXISTING FULTON COUNTY SANITARY SEWER SERVICE

(X) = LOT NUMBER
 XXXX SF = LOT SQUARE FOOTAGE
 XXXX FT = LOT FRONTAGE
 = EXERCISE STATION
 - - - = WALKING TRAIL
 ~~~ = TREE LINE  
 NOTE: ALL LOT FRONTAGES ARE MEASURED AT BUILDING LINE



- To the owner's agreement, subject to the other stipulations herein as follows:
  - a. Single family detached single and two-story units and structures.
  - b. No more than 200 sq. ft. of deck area of any structure shall be permitted on any lot, whether it be, front or rear, average width. Decking shall be made of non-combustible material.
  - c. The maximum height of any structure shall be 35 feet above the finished ground level. The maximum height of any structure shall be 35 feet above the finished ground level. The maximum height of any structure shall be 35 feet above the finished ground level.
- To the owner's agreement to abide by the following:
  - a. To the site plan restrictions, the Department of Transportation and Community Development shall be notified of any proposed changes to the site plan. The Department of Transportation and Community Development shall be notified of any proposed changes to the site plan. The Department of Transportation and Community Development shall be notified of any proposed changes to the site plan.
  - b. All construction and other work which may be required shall be completed within the time specified in the Department of Transportation and Community Development's approval. The Department of Transportation and Community Development shall be notified of any proposed changes to the site plan.
- The minimum design standards are:
  - a. Minimum lot width: 40 feet
  - b. Minimum front yard setback: 30 feet
  - c. Minimum side yard setback: 20 feet with side entry garage and 10 feet without side entry garage
  - d. Minimum rear yard setback: 10 feet
  - e. Minimum lot area: 7,000 sq. ft.
  - f. Minimum building coverage: 15 feet
- Provide a separate utility of all building facilities. (Stipulations shall be determined by the Department of Transportation and Community Development. All utility lines shall be installed in a trench 18 inches deep and shall be installed in a trench 18 inches deep and shall be installed in a trench 18 inches deep.)
- To install the 18 inch diameter utility and provide improvement within the boundaries of the building.
- All buildings shall have a minimum 2 inch garage.
- The use of any or more of the above shall be subject to the Department of Transportation and Community Development's approval.
- Provide a 20 foot setback under the building with a 10 foot setback under the building.
- Provide a 20 foot setback under the building with a 10 foot setback under the building.

**HRC**  
 HUNTER REALTY COMPANY, INC.  
 1000 W. BROADWAY, SUITE 1000  
 ATLANTA, GA 30309  
 (404) 525-1100  
 www.hrcatl.com

| NO. | DATE | REVISION | REVISION LAYOUT AND CONDITIONS |
|-----|------|----------|--------------------------------|
| 1   |      |          | REVISED LOT # 20 FROM B/L      |
| 2   |      |          | REVISED LOT # 20 FROM B/L      |

OVERALL LOT LAYOUT PLAN  
**THE BLUFFS @ CAMP CREEK**  
 PHASE 1 & 2  
 LL 66, 68 & 72 DISTRICT MAP, 2019  
 CITY OF SOUTH FULTON, FULTON COUNTY, GEORGIA

OWNER:  
 HUNTER REALTY COMPANY, INC.  
 1000 W. BROADWAY, SUITE 1000  
 ATLANTA, GA 30309

DEVELOPER:  
 SAME AS ABOVE

24 HR. CONTACT:  
 BILL GOSWAMI  
 (404) 525-1100

|            |          |
|------------|----------|
| DATE       | 12/19/18 |
| DRAWN BY   | JTC      |
| CHECKED BY | MB       |
| JOB#       | H17229   |
| OV-1       |          |



## Case Facts

### 2006Z-0042 condition 1C:

- Request to remove 80 lots less 7,000 square feet
- Request to increase in number of lots between 7,001 square feet and 9,000 square feet from 85 to 155 with a minimum heated floor area of 2,000 square feet
- Request to increase in minimum number of lots greater than 9,001 square feet from 60 to 68 with a minimum heated floor area of 2,400 square feet.

### 2006Z-0042 condition 2A:

- Request to removes reference to Fulton County and adds “City of South Fulton Community Development and Regulatory Affairs Department on December 19, 2018”

### 2006Z-0042 condition 3A:

- Minimum Lot Width: ~~60~~ 65 feet
- Minimum Front Yard ~~Setback~~: ~~25~~ 20 feet



## **Case Facts (Continued)**

### **2006Z-0042 condition 3C:**

- Request to removes the 50-foot undisturbed buffer and 10-foot improvement setback adjacent to the Camp Creek Village Subdivision along the northwestern boundary of the Subject Property.
- Site is zoned CUP and R-4.
- The surrounding properties are residential, mixed use, and a golf course.
- This modification would align with the 2035 Fulton County Comprehensive Plan.





## Staff Recommendation

### APPROVAL with Conditions:

1. All lots that front Zoya Court shall have a minimum front yard and rear yard setback of 25 feet.
2. All lots that front Zoya Court will not be required to meet the 5-foot stagger requirement.
3. All lots that front Zoya Court shall have one-sided masonry front.
4. Lots 1 & 115, pursuant to site plan received December 19, 2018, shall be two-sides brick facing Zoya Court and Sultana Way.

# GOVERNMENT OF THE CITY OF SOUTH FULTON

ODIE DONALD II  
CITY MANAGER



SHAYLA REED  
DIRECTOR  
COMMUNITY DEVELOPMENT SERVICES

## MEMORANDUM

**TO:** City of South Fulton Mayor and Council

**FROM:** Planning & Zoning Division

**SUBJECT:** **M19-001 for a Modification of 2006Z-0042 SFC at The Bluffs at Camp Creek**

**DATE:** May 14, 2019

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To consider an amendment of four (4) modifications identified in zoning case 2006Z-0042 SFC, 1.c, 2.a, 3.a, and 3.c at "The Bluffs at Camp Creek" subdivision by Battle Law, PC on behalf of Hybrass Overlook, LLC.

**STAFF RECOMMENDATION: APPROVAL with CONDITIONS**

cc: Diane White, City Clerk

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**APPLICATION INFORMATION**

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|                                                             |                                                                                                                                                                                                                                                                                                                                                        |
|-------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Applicant Information:                                      | Battle Law, PC<br>c/o Michele Battle<br>1 West Court Square<br>Suite 750<br>Decatur, GA 30030                                                                                                                                                                                                                                                          |
| Status of Applicant:                                        | Attorney for property owner                                                                                                                                                                                                                                                                                                                            |
| City Council District(s):                                   | 2                                                                                                                                                                                                                                                                                                                                                      |
| Parcel ID Number:                                           | 14F-0069-LL-0145<br>14F-0069-LL-0103<br>14F-0069-LL-0137<br>14F-0069-LL-0129<br>14F-0069-LL-0111                                                                                                                                                                                                                                                       |
| Area of Property:                                           | The property is composed of approximately 99.98 acres.                                                                                                                                                                                                                                                                                                 |
| Current/Past Use of the Property:                           | The property is currently undeveloped.                                                                                                                                                                                                                                                                                                                 |
| Prior Zoning Cases/History:                                 | <b>2006Z-0042</b> Request to rezone from AG-1 (Agricultural District) to CUP (Community Unit Plan ` District) – <b>APPROVED WITH CONDITIONS</b>                                                                                                                                                                                                        |
| Surrounding Zoning:                                         | <u>North:</u> R-4 (Single-Family Dwelling District) and MIX (Mixed Use District)<br><u>South:</u> R-3 (Single-Family Dwelling District) and AG-1 (Agricultural District)<br><u>East:</u> R-3 (Single-Family Dwelling District) and R-4 (Single-Family District)<br><u>West:</u> R-3 (Single-Family Dwelling District) and AG-1 (Agricultural District) |
| 2035 Future Land Use Designation:                           | Suburban Neighborhood, 2 to 3 Units per acre.                                                                                                                                                                                                                                                                                                          |
| Compatibility to the Fulton County 2035 Comprehensive Plan: | The proposed modification aligns with the Comprehensive Plan.                                                                                                                                                                                                                                                                                          |
| Overlay District:                                           | Cliftondale Overlay                                                                                                                                                                                                                                                                                                                                    |
| Public Utilities:                                           | Water service is provided to these sites by City of Atlanta. Sewer service is available to the site by Fulton County. Any extension of sewer service is the responsibility of the developer.                                                                                                                                                           |
| Public Services:                                            | Police and Fire services are available to the site by the City of South Fulton.                                                                                                                                                                                                                                                                        |

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5440 Fulton Industrial Blvd SW • South Fulton, GA 30336 • Office: 470.809.7700

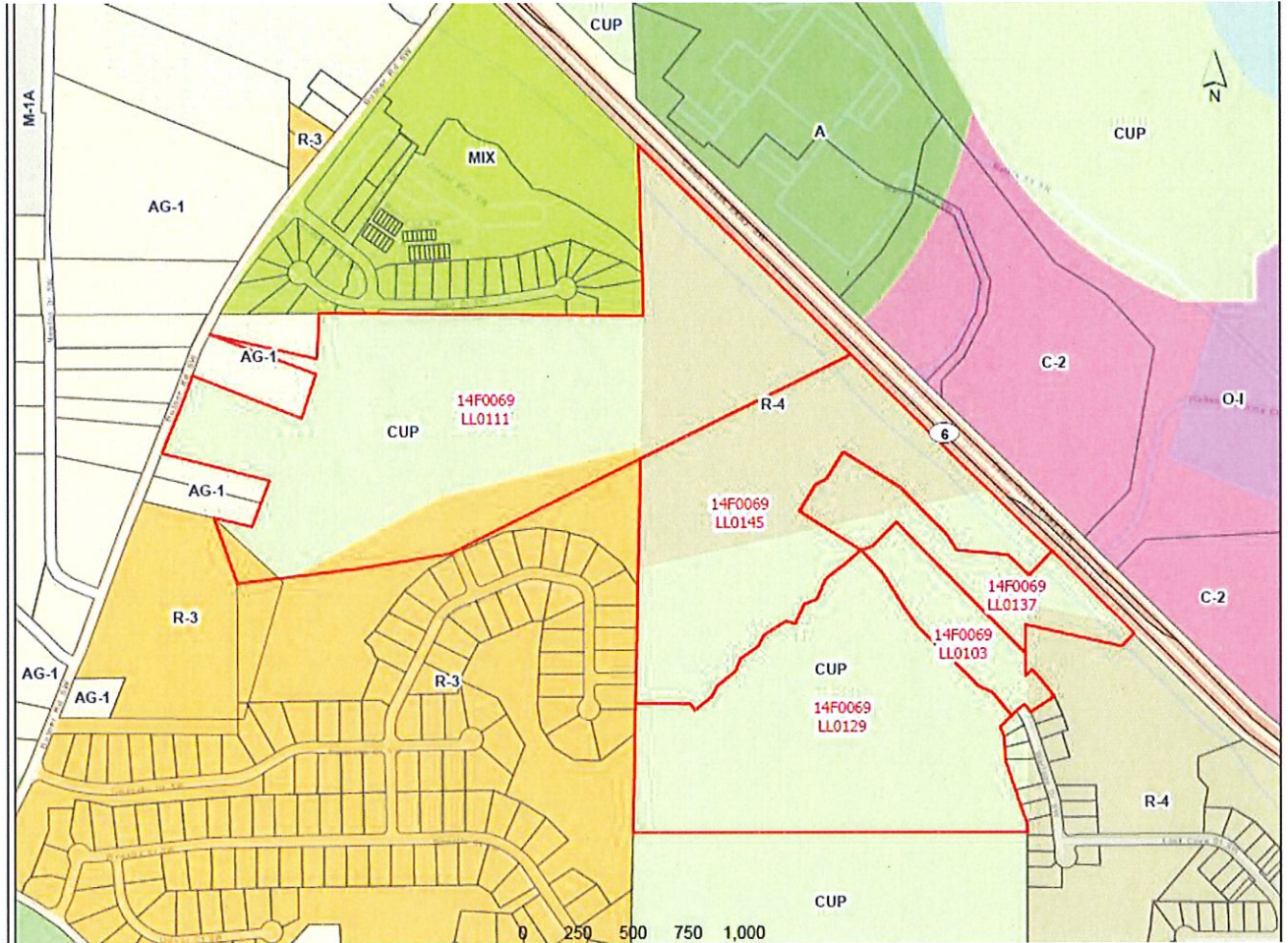
Transportation:

Street: Butner Road & Camp Creek Parkway

Classification: Primary Arterial Local Road

Public Transit: MARTA is not available within 5 miles of this site

Bike/Pedestrian Access: There are no sidewalks along this section of Butner Rd nor Camp Creek Parkway.



**CONDITION(S) TO BE MODIFIED:**

**2006Z-0042 condition 1C states:** The Minimum lot size and minimum heated floor area shall be as follows:

- i. No more than 80 lots at or between 6,000 square feet and 7,000 square feet with a minimum heated floor area of 1,800 square feet.
- ii. No more than 85-155 lots at or between 7,001 square feet and 9,000 square feet with a minimum heated floor area of 2,000 square feet;
- iii. No less than 60 68 lots a minimum 9,001 square feet with a minimum heated floor area of 2,400 square feet.

**2006Z-0042 condition 2A states:** To the site plan received by the Department of Environmental and Community Development on April 5, 2006 City of South Fulton Community

**Development and Regulatory Affairs Department on December 19, 2018.** Said site plan is conceptual only and must meet or exceed the requirement of the Zoning Resolution and the conditions prior to approval of a Land Disturbance Permit. The applicant shall be required to complete the concept review procedure prior to application for a Land Disturbance Permit. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of the first Certificate of Occupancy.

**2006Z-0042 condition 3A states:** The minimum design standards are:

**Minimum Lot Width:** ~~60~~ **65** feet, ~~except 70 feet for lots with a minimum square footage of 9,001 square feet or greater~~

**Minimum Front Yard Setback:** ~~25~~ **20** feet

**Minimum Side Corner Setback:** 25 feet with side entry garage and 15 feet without side entry garage

**2006Z-0042 condition 3C:** (pursuant to 2006VC-0061 SFC, Part 1): To delete the 50-foot undisturbed buffer and 10-foot improvement setback for Tract B along the east property line **and adjacent to the Camp Creek Village Subdivision along the northwestern boundary of the Subject Property.**

\*Whereas, this request is to modify these conditions specifically, but all conditions remain intact. See attachment for all conditions.

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## **PUBLIC PARTICIPATION**

The applicant held a public participation meeting at Camp Creek Church of Christ on March 18, 2019 at 6:30pm to 7:30pm. The applicant stated that there were no residents present to express any concerns.

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## **STAFF COMMENTS**

Engineering: No comments determined

Environmental: Prior to the approval of any plat by the appropriate jurisdiction, the Environmental Health Services Division of the Fulton County Board of Health shall review and approve the plat regarding water supply and sewage disposal. No person may sell, offer for sale, lease, begin construction or otherwise begin the physical improvement of an exemption plat development, nor shall a building permit be issued in any form until all requirements set forth by the Fulton County Board of Health have been met.

The Fulton County Board of Health will require that the owner/developer connect the proposed development to public water and public sanitary sewer, which are available to the site.

The Fulton County Board of Health does not anticipate any adverse impacts to the health of humans or the environment by approving the modification to allow for the development of the proposed subdivision.

Public Works: None received

Transportation: None received

MARTA: None received

Fulton County Schools: None received

Fire: None received

Legal: None received

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**PLANNER'S RECOMMENDATION:**

1. All lots that front Zoya Court shall have a minimum front yard and rear yard setback of 25 feet.
2. All lots that front Zoya Court will not be required to meet the 5-foot stagger requirement.
3. All lots that front Zoya Court shall have one-sided masonry front.
4. Lots 1 & 115, pursuant to site plan received December 19, 2018, shall be two-sides brick facing Zoya Court and Sultana Way.

---

**PREPARED BY:**

Richard Hathcock, Senior Planner

**REVIEWED BY:**

Keedra T. Jackson, Senior Planner  
Shayla Reed, Director

---

**MAYOR & COUNCIL ACTION**

Original hearing date: May 14, 2019.

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**RECOMMENDED CONDITIONS**

If this petition is approved by the Board of Commissioners, it should be APPROVED CUP (Community Unit Plan) CONDITIONAL subject to the following enumerated conditions. Where these conditions conflict with the stipulations and offerings contained in the Letter of Intent, these conditions shall supersede unless specifically stipulated by the Board of Commissioners.

1. To the owner's agreement to restrict the use of the subject property as follows:

- a. Single family detached dwellings and accessory uses and structures.
- b. No more than 255 total dwelling units at a maximum density of 2.62 dwelling units per acre, whichever is less, based on the total acreage zoned. Approved lot totals are not guaranteed. The developer is responsible through site engineering (at the time of application for a Land Disturbance Permit) to demonstrate that all lots/units within the approved development meet or exceed all the development standards of Fulton County. The total lot yield of the subject site shall be determined by this final engineering.
- c. ~~The minimum lot size shall be 9,000 square feet. The minimum lot size and minimum heated floor area shall be as follows:~~

~~No more than 80 lots at or between 6,000 square feet and 7,000 square feet with a minimum heated floor area of 1,800 square feet;~~

~~No more than 85 lots at or between 7,001 square feet and 9,000 square feet with a minimum heated floor area of 2,000 square feet;~~

~~No less than 60 lots at a minimum of 9,001 square feet with a minimum heated floor area of 2,400 square feet.~~

- d. ~~The minimum heated floor area per dwelling unit shall be 1,800 square feet. (See condition 3.c.)~~

2. To the owner's agreement to abide by the following:

- a. To the site plan received by the Department of Environment and Community Development on April 5, 2006. Said site plan is conceptual only and must meet or exceed the requirements of the Zoning Resolution and these conditions prior to the approval of a Land Disturbance Permit. The

applicant shall be required to complete the concept review procedure prior to application for a Land Disturbance Permit. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of the first Certificate of Occupancy.

- b. All recreational and other areas which may be held in common shall be maintained by a mandatory homeowners association, whose proposed documents of incorporation shall be submitted to the Director of the Department of Environment and Community Development for review and approval prior to the recording of the first final plat.

3. To the owner's agreement to the following site development considerations:

- a. The minimum design standards are:

Minimum Lot Width 60 feet, except 70 feet for lots with a minimum square footage at 9,001 square feet or greater  
Minimum Front Yard Setback 20 25 feet  
Minimum Side Corner Setback 45 feet 25 feet with side entry garage and 15 feet without side entry garage  
Minimum Side Yard Setback 7.5 0 feet  
Minimum Rear Yard Setback 25 30 feet  
Minimum Building separation: 45 20 feet

- b. Provide a staggered setback of all dwelling facades. Staggered setbacks shall be determined by the placement of the dwellings on either side of the dwelling in question. Said setback shall provide a minimum 5-foot variation for single family detached dwellings and a 2-foot variation for attached dwellings as measured from the back of curb.

- c. To delete the 50-foot undisturbed buffer and 10-foot improvement setback for Tract B along the east property line. (2006VC-0061 SFC, Part 1)

- d. To delete the 50-foot undisturbed buffer and 10-foot improvement setback for Tract A along the north and east property lines. (2006VC-0061 SFC, Part 2)

- e. All dwellings shall have a minimum 2-car garage.

- f. The use of vinyl or aluminum siding on the dwellings shall be prohibited.

4. To the owner's agreement to abide by the following traffic requirements, dedications and improvements:

- a. Reserve for Fulton County along the necessary property frontage of the following roadways, prior to the approval of a Land Disturbance permit,



sufficient land as necessary to provide for compliance with the Comprehensive Plan. All building setback lines shall be measured from the dedication but at no time shall a building be allowed inside the area of reservation. All required landscape strips and buffers may straddle the reservation line so that the reservation line bisects the required landscape strip or buffer. At a minimum, 10 feet of the required landscape strip or buffer shall be located outside the area of reservation. All required tree plantings per Article 4.23 shall be placed within the portion of the landscape strip or buffer that lies outside the area of reservation.

45 feet from centerline of Butner Road

- b. Dedicate at no cost to Fulton County along the entire property frontage, prior to the approval of a Land Disturbance Permit, sufficient land as necessary to provide the following rights-of-way, and dedicate at no cost to Fulton County such additional right-of-way as may be required to provide at least 10.5 feet of right-of-way from the back of curb of all abutting road improvements, as well as allow the necessary construction easements while the rights-of-way are being improved:

30 feet from centerline of Butner Road,

75 feet from the centerline of Campcreek Parkway (SR-6) or as may be required by the Georgia Department of Transportation.

5. To the owner's agreement to abide by the following:

- a. Prior to submitting the application for a (LDP) with the Department of Environment and Community Development, Development Review Division, arrange to meet with the Fulton County Traffic Engineer. A signed copy of the results of these meetings will be required to be submitted along with the application for a Land Disturbance Permit.
- b. Prior to submitting the application for an LDP, arrange an on-site evaluation of existing specimen trees/stands, buffers, and tree protection zones within the property boundaries with the Fulton County Arborist. A signed copy of the results of these meetings will be required to be submitted along with the application for an LDP.
- c. Prior to submitting the application for an LDP, the developer/engineer shall contact the Public Works Department, Water Services Division, and arrange to meet on-site with an engineer from the Surface Water Management Program (SWMP), who is responsible for review of Storm Water Concept Plan submittals.

- d. Prior to submitting the application for an LDP, the developer and/or engineer shall submit to the SWMP, through the Development Review Division, a project Storm Water Concept Plan. This concept plan shall indicate the preliminary location of the storm water management facilities intended to manage the quality and quantity of storm water. The concept plan shall specifically address the existing downstream off-site drainage conveyance system(s) that the proposed development surface runoff will impact, and the discharge path(s) from the outlet of the storm water management facilities to the off-site drainage system(s) and/or appropriate receiving waters. As part of the Storm Water Concept Plan submittal, a preliminary capacity analysis shall be performed by the engineer on the off-site drainage system(s) points of constraint. The capacity analysis shall determine the capacity of all existing constraint points, such as pipes, culverts, etc. from the point of storm water discharge at the proposed development site boundary downstream to the confluence of the receiving drainage course at a point where the drainage area is at least ten times the proposed development site area and the next downstream drainage area having a drainage area of fifty acres or more. The critical capacity points shall be selected based upon the engineer's field observation, professional judgment, and limited field survey data. The analysis shall identify the downstream properties pre and post-development 100-year water surface elevations, and for any post-development water surface elevation increase exceeding 0.05 feet, the developer shall acquire the applicable offsite drainage easement to accommodate the 100-year storm flow through impacted properties. Where Fulton County has completed a model of the basin, it shall be used by the developer in the analyses.
- e. Where storm water currently drains by sheet flow and it is proposed to be collected to and/or discharged at a point, such that the discharge from the storm water management facility outlet crosses a property line, such discharge shall mimic pre-development sheet flow conditions. A description of the method proposed to achieve post-development sheet flow conditions shall be provided as part of the Storm Water Concept Plan. Should the method to achieve sheet flow across an external property line be unsuccessful, the developer shall acquire an easement(s) from the point of discharge to a point down gradient at a live dry weather stream sufficient to contain the 25 year storm flow or other location as approved by the Director of Public Works. This condition will not apply when the storm water management facility is designed and approved to discharge directly to a stream or watercourse.
- f. A draft of the Inspection and Maintenance Agreement required by Fulton County Code Section 26-278 shall be submitted to the Department of Public Works with the Storm Water Concept Plan.

- g. The Inspection and Maintenance Agreement shall provide that all storm water management/detention facility outlet control structures shall be inspected, photographed, and cleaned, if necessary, on a monthly basis, by the owner. The Inspection and Maintenance Agreement shall require that the design engineer shall prepare an operation and maintenance guidance document, for use by the owner and/or any professionals retained by the owner, to plainly describe the basic operational function of the facility(ies), including a description of a permanent marker post(s) which shall indicate that the level of sediment which, if exceeded, requires sediment removal. The Inspection and Maintenance Agreement shall require an annual operation and maintenance report for all storm water management/detention facilities be prepared by a licensed design professional and submitted to the SWMP. The annual report shall include monthly inspections, photographs, and documentation of the cleaning of storm water management/detention facilities outlet control structure(s) as well as an operational assessment of the facilities indicating that they do, or do not, function as described in the design guidance document (described above), and if they do not, a description of the specific actions to be taken to allow the facilities to function as intended.
- h. The required Inspection and Maintenance Agreement shall be recorded with the Clerk of Superior Court prior to issuance of an LDP, Grading Permit, or Building Permit associated with the development.
- i. The engineer/developer is required to submit, along with the application for an LDP, signed documentation verifying approval of the Storm Water Concept Plan.
- j. Where paved parking areas (including access aisles) are proposed to exceed 5,000 square feet, the storm water management facilities shall be designed to reduce pollutants such as oil, grease and other automobile fluids that may leak from vehicles. A general description, or concept, of the storm water management facilities proposed to achieve the removal of such pollutants shall be submitted with the Storm Water Concept Plan. A detailed design of such facilities shall be included in applicable documents for a land disturbance permit.
- k. With the application for an LDP, provide documentation (such as channel cross-sections, centerline profile, etc.) describing the geometry of those existing natural streams, creeks, or draws within the proposed development boundary which in the design engineer's judgment are at risk of erosion due to increased flow, provide a description of the basis utilized in judging areas to be at risk, and provide details on the Storm Water Management Plan of the post-development channel bank protection measures.

- l. The developer/engineer shall demonstrate to the County by engineering analysis submitted with the LDP application, that the discharge rate and velocity of the storm water runoff resulting from the development is restricted to seventy-five percent (75%) of the pre-development conditions for the 1-year frequency storm event, up to and including the ten (10)-year frequency storm event.
  
- m. Drainage from all disturbed areas shall be collected and conveyed to a storm water management facility provided as part of the development. The Storm Water Concept Plan shall identify any proposed areas with incidental and minor release of storm water not conveyed to such facilities, subject to the approval of the Director of Public Works. Plans for any land disturbance permit shall show all proposed drainage patterns for the proposed development after its completion. Any incidental release of unmanaged or untreated storm flows from any disturbed portion of the developed property shall be allowed only with the approval of the Director of Public Works. Other than minimal incidental flows shall be specifically approved by the Director of Public Works. Bypass flows will not be permitted except from undisturbed areas within a buffer or other protected easement. Final plans shall provide for collection, conveyance and treatment of all approved incidental flows from developed lots or parcels, individual residences or building structures.
  
- n. Storm water management facility(ies) volumes shall be designed to achieve water quality treatment, channel protection, over bank flood protection and extreme flood protection, in accordance with the Georgia State Storm water Manual, except that the duration of release for water quality treatment shall be 48 hours.



# APPLICATION FOR ADMINISTRATIVE OR ZONING MODIFICATIONS

The undersigned, having an interest in the property herein described respectfully request:

## SECTION I

MODIFICATION #: \_\_\_\_\_  
(To be assigned by the City of South Fulton)

- A. **ADMINISTRATIVE MODIFICATION:** A modification of a condition(s) of zoning or Use Permit that does not require a public hearing. A decision will be made by the Director of Community Development Services.
- B. **ZONING MODIFICATION:** A modification of a condition(s) of zoning or Use Permit where public interest has been determined. This requires a public hearing by the City of South Fulton Councilmembers.

If "A" was denied, list previous case number: #M \_\_\_\_\_

- 1) Planner who determined the type of Modification you should file: DANA GRAY
- 2) Identify the specific condition(s) being modified as provided by the Planner. State the condition number(s) and-letter(s) (e.g. 2-b, 2-e). 1(a); 2(a); 3(a)
- 3) Petition number of the Zoning or Use Permit to which this application applies 20062 0042 SFC  
Current zoning district CUP
- 4) Attach a copy of Legal Description [must be metes and bounds], or complete the following information if the property is within a recorded subdivision.

SUBDIVISION NAME: The Bluffs at Camp Creek UNIT/PHASE: \_\_\_\_\_  
 LOT NUMBER: \_\_\_\_\_ BLOCK DESIGNATION: \_\_\_\_\_ LAND LOT(S): \_\_\_\_\_  
 DISTRICT/SECTION: 1 RECORDED IN PLAT BOOK: \_\_\_\_\_ PAGE: \_\_\_\_\_  
 ROAD NAME: Botner Road & Camp Creek Parkway

RECEIVED

FEB 26 2019

PLANNING AND ZONING

M19-001

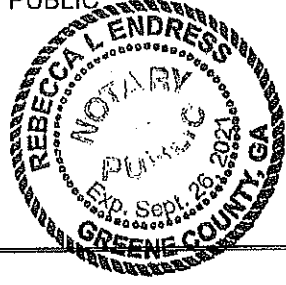
**NOTICE:** Sections III or IV below **MUST** be signed and notarized when application is submitted. If Section III is signed and notarized, applicant need only complete Section IV as "Applicant", notarization of Section IV is not necessary.

**SECTION III:** Owner states under oath that he/she is the owner of property described in the attached legal description, which is made part of this application for a Modification.

Butner Investments, LLC  
TYPE OR PRINT OWNER'S NAME  
988 East Freeway Drive SE, Suite A  
ADDRESS  
Convers, GA 30094  
CITY & STATE ZIP CODE  
[Signature]  
OWNER OF PROPERTY (SIGNATURE)  
(770) 879-4262  
PHONE NUMBER  
bill@havenwoodholdings.com  
EMAIL ADDRESS

Sworn to and subscribed before me this  
19th day of December 2018

[Signature]  
NOTARY PUBLIC



**SECTION IV:** Applicant, if different from the Owner, states under oath that:

- 1) Applicant is the executor or attorney-in-fact under a Power-of-Attorney for the Owner. Attach copy of Power-of-Attorney and type name of Owner as indicated in Section III; or
- 2) Applicant has an option to purchase said property conditioned upon the property being granted a modification. Attach copy of contract and type name of Owner as indicated in Section III; or
- 3) Applicant has an estate for years which permits the applicant to apply for a modification. Attach a copy of lease and type name of Owner as indicated in Section III.

\_\_\_\_\_  
APPLICANT (SIGNATURE)  
\_\_\_\_\_  
TYPE/PRINT NAME OF APPLICANT  
\_\_\_\_\_  
ADDRESS  
\_\_\_\_\_  
CITY & STATE ZIP CODE  
\_\_\_\_\_  
PHONE NUMBER  
\_\_\_\_\_  
EMAIL ADDRESS

Sworn to and subscribed before me this  
\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

NOTARY PUBLIC

Indicate which of the above is applicable: 1 \_\_\_\_\_ 2 \_\_\_\_\_ or 3 \_\_\_\_\_

**SECTION IV:** Attorney or Agent, if different from the applicant and/or owner

[Signature]  
SIGNATURE OF ATTORNEY/AGENT  
One West Court Sq., Suite 750  
ADDRESS  
Decatur, GA 30030  
CITY & STATE ZIP CODE  
404-601-7618  
PHONE NUMBER

CHECK ONE: [  ] ATTORNEY [  ] AGENT

M19-001

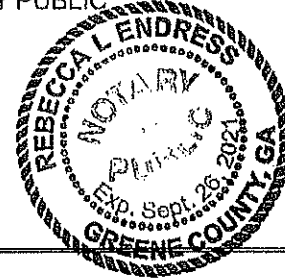
**NOTICE:** Sections III or IV below **MUST** be signed and notarized when application is submitted. If Section III is signed and notarized, applicant need only complete Section IV as "Applicant", notarization of Section IV is not necessary.

**SECTION III:** Owner states under oath that he/she is the owner of property described in the attached legal description, which is made part of this application for a Modification.

Hybrass Overlook, LLC  
 TYPE OR PRINT OWNER'S NAME  
 988 East Freeway Drive SE, Suite A  
 ADDRESS  
 Conyers, GA 30094  
 CITY & STATE ZIP CODE  
 OWNER OF PROPERTY (SIGNATURE)  
 (770) 679-4262  
 PHONE NUMBER  
 bill@havenwoodholdings.com  
 EMAIL ADDRESS

Sworn to and subscribed before me this  
 19th day of December 20 18

*Rebecca L. Endress*  
 NOTARY PUBLIC



**SECTION IV:** Applicant, if different from the Owner, states under oath that:

- 1) Applicant is the executor or attorney-in-fact under a Power-of-Attorney for the Owner. Attach copy of Power-of-Attorney and type name of Owner as indicated in Section III; or
- 2) Applicant has an option to purchase said property conditioned upon the property being granted a modification. Attach copy of contract and type name of Owner as indicated in Section III; or
- 3) Applicant has an estate for years which permits the applicant to apply for a modification. Attach a copy of lease and type name of Owner as indicated in Section III.

APPLICANT (SIGNATURE)  
 TYPE/PRINT NAME OF APPLICANT  
 ADDRESS  
 CITY & STATE ZIP CODE  
 PHONE NUMBER  
 EMAIL ADDRESS

Sworn to and subscribed before me this  
 \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

NOTARY PUBLIC

Indicate which of the above is applicable: 1 \_\_\_\_\_ 2 \_\_\_\_\_ or 3 \_\_\_\_\_

**SECTION V:** Attorney or Agent, if different from the applicant and/or owner

*[Signature]*  
 SIGNATURE OF ATTORNEY/AGENT  
 One West Court Sq., Suite 750  
 ADDRESS  
 Decatur, GA 30030  
 CITY & STATE ZIP CODE  
 404-601-7616  
 PHONE NUMBER

CHECK ONE:  ATTORNEY  AGENT

M19-001

STATEMENT OF INTENT

And

Other Material Required by  
City of South Fulton, Georgia Zoning Ordinance  
For

Zoning Modification Application pursuant to  
the City of South Fulton Zoning Ordinance

Of

Hybrass Overlook,, LLC

For

2006Z 0042 SFC

Regarding 99.98 acres of land zone CUP  
being

Portions of Fulton County, Georgia Tax Parcels

14F-0069-LL-0145

14F-0069-LL-0103

14F-0069-LL-0137

14F-0069-LL-0129

14F-0069-LL-0111

Submitted for Applicant by:

Michèle L. Battle

Battle Law, P.C.

One West Court Square, Suite 750

Decatur, Georgia 30030

(404) 601-7616 Phone

(404) 745-0045 Facsimile

[mlb@battlelawpc.com](mailto:mlb@battlelawpc.com)

M19-006



## I. STATEMENT OF INTENT

On August 2, 2006, the Fulton County Board of Commissioner approved the rezoning of two parcels of land having frontage on Butler Road and Camp Creek Parkway and being an aggregate acreage of +/-99.98 acres (the "Subject Property") from AG-1 to CUP for the development of a 255-unit residential subdivision pursuant to Rezoning Case No. 2006Z 0042 SFC and 2006VC-0061 SFC. Subsequent to the approval of the CUP, the Subject Property was foreclosed upon prior to the development of the Subject Property. Hybrass Overlook, LLC acquired the Subject Property during the Summer of 2017. The Subject Property is an environmentally challenging piece of land as the topography varies greatly with deep valleys and high peaks. The Subject Property is traversed by creeks and a gas line main, and parts of the property are heavily wooded. In order to develop a subdivision which honors the environmental complexity of the site in a manner which is aesthetically and marketable, yet cost effective, the Application is seeking the following modification to the CUP Conditions:

1. Modify Condition 1(c) as follows:

The minimum lot size and minimum heated floor area shall be as follows:

- i. ~~No more than 80 lots at or between 6,000 square feet and 7,000 square feet with a minimum heater floor area of 1,800 square feet~~
- ii. No more than 85 155 lots at or between 7,001 square feet and 9,000 square feet with a minimum heated floor area of 2,000 square feet;
- iii. No less than 60 68 lots at a minimum of 9,001 square feet with a minimum heated floor area of 2,400 square feet.

2. Modify Condition 2a as follows:

~~To the site plan received by the Department of Environmental and Community Development on April 5, 2006~~ City of South Fulton Planning and Zoning Department on December 19, 2018. Said site plan is conceptual only and must meet or exceed the requirement of the Zoning Resolution and these conditions prior to the approval of a Land Disturbance Permit. The applicant shall be required to complete the concept review procedure prior to application for a Land Disturbance Permit. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of the first Certificate of Occupancy

3. Modify Condition 3a as follows:

- a. The minimum design standards are:

Minimum Lot Width: ~~60 65 feet, except 70 feet for lots with a minimum square footage of 9,001 square feet or greater~~

65-feet

Minimum Front Yard Setback: ~~25~~ 20 feet

Minimum Side Corner Setback: 25 feet with side entry garage and 15 feet without side entry garage.

Minimum Side Yard Setback: 7.5 0 feet

Minimum Rear Yard Setback 30 feet

Minimum Building Separation: ~~20~~-15 ft

4. To delete the 50ft undisturbed buffer and 10ft improvement setback adjacent to the Camp Creek Village Subdivision along the northwestern boundary of the Subject Property

## II. BASIS FOR REQUESTED MODIFICATION

It is the Applicant's contention that the reason the prior owner was unable to complete the development was in part due to the prior owner's failure to layout the Subject Property in a manner that addressed the topographic and environmental conditions of the Subject Property in a cost-effective manner. The 2006 site plan was simply unworkable. In order to address the topo and environmental issues with the Subject Property, the Applicant believes that it is imperative to increase the minimum size of the lots, by eliminating the requirement to build lots under 7,000 sq. ft. The topo makes the smaller lots unmarketable due to the lack of a functional rear yard particularly when combined with the 25ft front setback that pushes the house further back on the lot. The increase in the minimum size, when combined with the wider lot, will allow for a larger house that is more consistent with the homes in the surrounding communities, and in some instances, allow for a step up from other surrounding subdivisions in style and price point.

ft

Due to the topographic challenges of the site set forth above, the Applicant is seeking to reduce the 25 ft front setback back to the originally required 20 ft front setback. This change is necessary in order to allow for the required 5ft staggered setback required in Condition 3.b. The staggered setback has been voiced by the City Council as a desired look for communities. In order to achieve this look the lots have to have a sufficient area to push back the house on the lot 5 feet. The majority of the proposed lots are simply too shallow to push the lot back 5 feet and have a functional rear yard, particularly if the rear yard has a retaining wall in it due to the topography of the lot, and in some instances the location of the gas line and/or creek running behind the lot.

The reduction of the minimum building separation is needed in order to make the building separation consistent with the 7.5ft. side yard setback. Requiring a 20 ft building separation imposes a de facto 10 ft side yard setback. This would result in the builder having to build a 40 to 45 wide house, instead of the more marketable 50 ft wide house on a 65 ft wide lot. While the elimination of the buffer and landscape strip along the northwestern border is needed as the Subject Property and the Camp Creek Village Subdivision on Zoya Ct are being developed jointly by the Applicant.

Based upon the foregoing, the Applicant is hereby requesting the approval of the Modifications set forth above.

### III. STEINBERG CRITERIA

**A. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property:** The zoning proposal will permit a use that is suitable in view of the use and development of adjacent property and nearby property. The Subject Property is in a single-family subdivision, which is adjacent to other single-family subdivision within the immediate area. The proposed changes to the CUP Zoning District Requirements will have no impact on the surrounding community, as the proposed changes will only impact those homes within the proposed subdivision. The proposed modifications, however, will allow for the development of homes that are consistent with the size and quality of homes in the immediate area.

**B. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property:** The proposed use will not affect the existing use or usability of adjacent or nearby property. Again, the proposed change to the front yard setback will have no impact on the surrounding community.

**C. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned:** Without the proposed modifications, the Subject Property has marginal value as currently zoned. The Subject Property was approved for 255 lots under the CUP zoning conditions, however, the lots are simply too shallow, and the terrain is too varied to allow for the development of marketable homes based upon the 2006 site plan subject to the existing conditions.

**D. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools:** The zoning proposal will not result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools, as the Subject Property has been zoned for up to 255 single family homes since 2006.

**E. Whether the zoning proposal is in conformity with the policy and intent of the land use plan:** The zoning proposal is in conformity with the policy and intent of the future land use plan.

**F. Whether there are other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the zoning proposal:** The Subject Property was rezoned in 2006 for 255 single family homes. As the market has continued to rebound from the 2007 real estate crash, opportunities have arisen for builders to pick up abandoned projects, and complete them, which greatly benefits the surrounding community.

### IV. CONCLUSION

For the foregoing reasons, the Applicant respectfully requests that this Zoning Modification be approved by the City of South Fulton City Council.

## V. NOTICE OF PRESERVATION OF CONSTITUTIONAL RIGHTS

The portions of the City of South Fulton Zoning Ordinance, facially and as applied to the Subject Property, which restrict or classify or may restrict or classify the Subject Property so as to prohibit its development as proposed by the Applicant are or would be unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

The application of the City of South Fulton Zoning Ordinance to the Subject Property which restricts its use to any classification other than that proposed by the Applicant is unconstitutional, illegal, null and void, constituting a taking of Applicant's Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States, Article I, Section I, Paragraph I, and Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

A denial of this Application would constitute an arbitrary and capricious act by the City of South Fulton City Council without any rational basis therefore, constituting an abuse of discretion in violation of Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

A refusal by the City of South Fulton City Council to rezone the Subject Property to the classification as requested or issue the special land use permit requested by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any rezoning of the Property or granting of a special land use permit subject to conditions which are different from the conditions requested by the Applicant, to the extent such different conditions would have the effect of further restricting Applicant's utilization of the property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Subject Property to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.



# DISCLOSURE REPORT FORM C

Office use only:  
 REZONING PETITION #: \_\_\_\_\_ CITY COUNCIL MEETING DATE: \_\_\_\_\_

- Within the (2) years immediately preceding the filing of this zoning petition have you, as the applicant, owner and/or opponent for the rezoning petition, or an attorney or agent of the applicant or opponent for the rezoning petition, made any campaign contributions aggregating \$250.00 or more or made gifts having an aggregate value of \$250.00 to a member of the City Council.

CIRCLE ONE:            YES            NO

If the answer is YES, proceed to sections 1 through 4.  
 If the answer is NO, complete only section 4.

1.    CIRCLE ONE:            Party to Petition            In Opposition to Petition

If party to petition, complete sections 2, 3, and 4 below.  
 If in opposition, proceed to sections 3 and 4 below.

2.    List all individuals or business entities which have an ownership interest in the property which is the subject of this rezoning petition: \_\_\_\_\_

3.    CAMPAIGN CONTRIBUTIONS:

| Name of Government Official | Total Dollar Amount | Date of Contribution | Enumeration and Description of Gift Valued at \$250.00 or more |
|-----------------------------|---------------------|----------------------|----------------------------------------------------------------|
|                             |                     |                      |                                                                |
|                             |                     |                      |                                                                |
|                             |                     |                      |                                                                |
|                             |                     |                      |                                                                |
|                             |                     |                      |                                                                |
|                             |                     |                      |                                                                |
|                             |                     |                      |                                                                |

4.    The undersigned acknowledges that this disclosure is made in accordance with the Official Code of Georgia, Section 36-67A-1 et. seq. Conflict of interest in zoning actions, and that the information set forth herein is true to the undersigned's best knowledge, information and belief.

Name (print) Hybrass Overlook, LLC  
MARK ADEL R. PATTS

Signature: [Signature] Date: 12/19/2018



**PUBLIC PARTICIPATION PLAN  
FORM D**

Applicant: Hybrass Overlook, LLC

1. The following individuals (property owners within a quarter mile of the property), homeowner's associations, political jurisdictions, other public agencies; etc., will be notified in accordance with the requirements of Article 28.4.7, Public Participation Plan and Report, of the Zoning Resolution:

The Applicant will send out notices for the proposed community meeting to those  
property owners identified in the property owner list generated by the City of South Fulton  
and provided to the Applicant at the time of submission of this Application.

2. The individuals and others listed in 1. above will be notified of the requested variance using the following method(s): (e.g., letters, meeting notices, telephone calls, e-mails, etc.)

The property owners will be notified of the community meeting by postcard

3. Individuals and others listed in 1. above will be allowed to participate in the following manner: (At least one meeting at a convenient time and location is required.)

The Applicant will hold a community meeting at 6:30pm at a location to be determined  
which will be at a location within a 1 to 2 miles radius of the Subject Property.

*Attach additional sheets as needed.*

**THE BLUFFS AT OVERLOOK  
CUP ZONING LEGAL DESCRIPTION**

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 72, DISTRICT 14FF, FULTON COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE COMMON CORNER OF LAND LOTS 68, 69, 72 & 73 AT A 3/4" OPEN TOP PIPE FOUND;  
THENCE, ALONG COMMON LINE OF LAND LOTS 69 AND 72, SOUTH 00° 18 MINUTES 56 SECONDS WEST, 675.11 FEET TO AN AXLE FOUND;  
THENCE, LEAVING COMMON LAND LOT LINE, SOUTH 63° 51MINUTES 00 SECONDS WEST, 932.72 FEET TO A POINT;  
THENCE, SOUTH 81 DEGREES 24 MINUTES 42 SECONDS WEST, 959.37 FEET TO AN AXLE FOUND;  
THENCE, NORTH 18 DEGREES 23 MINUTES 50 SECONDS WEST, 401.75 FEET TO A 1/2" REBAR FOUND;  
THENCE, SOUTH 75 DEGREES 42 MINUTES 32 SECONDS EAST, 200.54 FEET TO A 1" OPEN TOP PIPE FOUND;  
THENCE, NORTH 21 DEGREES 34 MINUTES 15 SECONDS EAST, 99.69 FEET TO A 1" CRIMPED TOP PIPE FOUND;  
THENCE, NORTH 21 DEGREES 39 MINUTES 26 SECONDS EAST, 99.98 FEET TO A 1/2" OPEN TOP PIPE FOUND;  
THENCE, NORTH 75 DEGREES 42 MINUTES 02 SECONDS WEST, 497.76 FEET TO A 1/2" ROD FOUND ON THE EASTERLY RIGHT OF WAY LINE OF BUTNER ROAD (50' R/W);  
THENCE, ALONG SAID RIGHT OF WAY LINE, NORTH 21 DEGREES 31 MINUTES 53 SECONDS EAST, 234.11 FEET TO A POINT;  
THENCE, NORTH 21 DEGREES 32 MINUTES 22 SECONDS EAST, 149.52 FEET TO A POINT;  
THENCE, LEAVING SAID RIGHT OF WAY LINE, SOUTH 68 DEGREES 53 MINUTES 22 SECONDS EAST, 498.47 FEET TO A 1/2" CRIMPED TOP PIPE FOUND;  
THENCE, NORTH 21 DEGREES 16 MINUTES 45 SECONDS EAST, 200.20 FEET TO 1/2" REBAR FOUND;  
THENCE, NORTH 68 DEGREES 55 MINUTES 35 SECONDS WEST, 491.36 FEET TO A 1/2" REBAR FOUND ON THE EASTERLY RIGHT OF WAY LINE OF BUTNER ROAD;  
THENCE, LEAVING SAID RIGHT OF WAY LINE, SOUTH 75 DEGREES 34 MINUTES 19 SECONDS EAST, 491.61 FEET TO A 1/2 REBAR FOUND;  
THENCE, NORTH 01 DEGREES 18 MINUTES 18 SECONDS EAST, 202.28 FEET TO A 1/2" REBAR FOUND;  
THENCE, SOUTH 88 DEGREES 45 MINUTES 13 SECONDS EAST, 1430.47 FEET TO THE **POINT OF BEGINNING.**

SAID TRACT OF LAND CONTAINING **42.59 ACRES (1,855,250 SQUARE FEET).**

**THE BLUFFS AT OVERLOOK  
CUP (2) ZONING LEGAL DESCRIPTION**

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 69, DISTRICT 14FF, FULTON COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE COMMON CORNER OF LAND LOTS 68, 69, 72 & 73 AT A 3/4" OPEN TOP PIPE FOUND;  
THENCE, ALONG COMMON LINE OF LAND LOTS 69 AND 72, SOUTH 00 DEGREES 18 MINUTES 56 SECONDS WEST, 675.11 FEET TO AN AXLE FOUND;  
THENCE, SOUTH 00 DEGREES 48 MINUTES 45 SECONDS WEST, 445.14 FEET TO AN AXLE FOUND, BEING THE POINT OF BEGINNING;  
THENCE, LEAVING COMMON LAND LOT LINE, NORTH 77 DEGREES 30 MINUTES 04 SECONDS EAST, 1636.31 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF CAMP CREEK PARKWAY (150' RIGHT OF WAY);  
THENCE, ALONG SAID RIGHT OF WAY LINE, SOUTH 45 DEGREES 45 MINUTES 30 SECONDS EAST, 958.10 FEET TO A POINT;  
THENCE, LEAVING SAID RIGHT OF WAY, SOUTH 44 DEGREES 14 MINUTES 03 SECONDS WEST, 77.19 FEET TO THE TO A POINT;  
THENCE, NORTH 77 DEGREES 08 MINUTES 18 SECONDS WEST, 448.35 FEET TO A POINT;  
THENCE, SOUTH 00 DEGREES 07 MINUTES 25 SECONDS WEST, 225.94 FEET TO A POINT;  
THENCE, NORTH 47 DEGREES 03 MINUTES 58 SECONDS EAST, 39.39 FEET TO A POINT;  
THENCE, SOUTH 42 DEGREES 56 MINUTES 02 SECONDS EAST, 70.00 FEET TO A POINT;  
THENCE, SOUTH 38 DEGREES 12 MINUTES 00 SECONDS EAST, 85.57 FEET TO A POINT;  
THENCE, SOUTH 58 DEGREES 17 MINUTES 49 SECONDS WEST, 129.73 FEET TO A POINT ON THE NORTHEASTERLY RIGHT OF WAY LINE OF WARTRACE DRIVE (50' RW);  
THENCE, 44.10 FEET WITH SAID RIGHT OF WAY ALONG A CURVE TO THE LEFT, (SAID CURVE HAVING A RADIUS OF 225.00 FEET, AND A CHORD BEARING NORTH 37 DEGREES 19 MINUTES 08 SECONDS WEST, 44.03 FEET) TO A POINT;  
THENCE, SOUTH 51 DEGREES 20 MINUTES 45 SECONDS WEST, 50.14 FEET TO A POINT  
THENCE, SOUTH 45 DEGREES 59 MINUTES 41 SECONDS WEST, 100.02 FEET TO A POINT  
THENCE, SOUTH 22 DEGREES 48 MINUTES 59 SECONDS EAST, 47.25 FEET TO A POINT  
THENCE, SOUTH 02 DEGREES 12 MINUTES 52 SECONDS EAST, 101.01 FEET TO A POINT  
THENCE, SOUTH 18 DEGREES 26 MINUTES 20 SECONDS EAST, 301.46 FEET TO A 1/2" REBAR FOUND;  
THENCE, NORTH 89 DEGREES 42 MINUTES 31 SECONDS WEST, 1808.14 FEET TO A 1/2" REBAR FOUND ON THE COMMON LAND LOT LINE OF LAND LOTS 69 AND 72;  
THENCE, FOLLOWING ALONG SAID LAND LOT LINE, NORTH 00 DEGREES 51 MINUTES 01 SECONDS EAST, 586.80 FEET TO A 1/2" REBAR FOUND;  
THENCE, NORTH 00 DEGREES 49 MINUTES 58 SECONDS EAST, 555.99 FEET THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINING 57.39 ACRES (2,499,752 SQUARE FEET).



**GOVERNMENT OF THE CITY OF SOUTH FULTON**

Office of the City Manager

WILLIAM "BILL" EDWARDS  
MAYOR



ODIE DONALD II  
CITY MANAGER

**MEMORANDUM**

**TO:** M19-002 for Modification of 2002Z-0012 SFC Camp Creek Village  
Phase 1

**FROM:** Frank Milazi

**DATE:** May 14, 2019

**SUBJECT:** M19-002 for Modification of 2002Z-0012 SFC Camp Creek Village  
Phase 1

**REFERENCE:**

---

**CONCLUSION:**

**BACKGROUND:**

**FISCAL IMPACT:**

**ATTACHMENTS:**

| Description                        | Type       | Upload Date |
|------------------------------------|------------|-------------|
| M19-002 Zoning                     | Cover Memo | 5/8/2019    |
| M19-002 Zoning Modification Packet | Cover Memo | 5/8/2019    |

# **M19-002**

## **Modification Request of 2002Z-0012 at Camp Creek Village Phase 1**

**Council District 2**

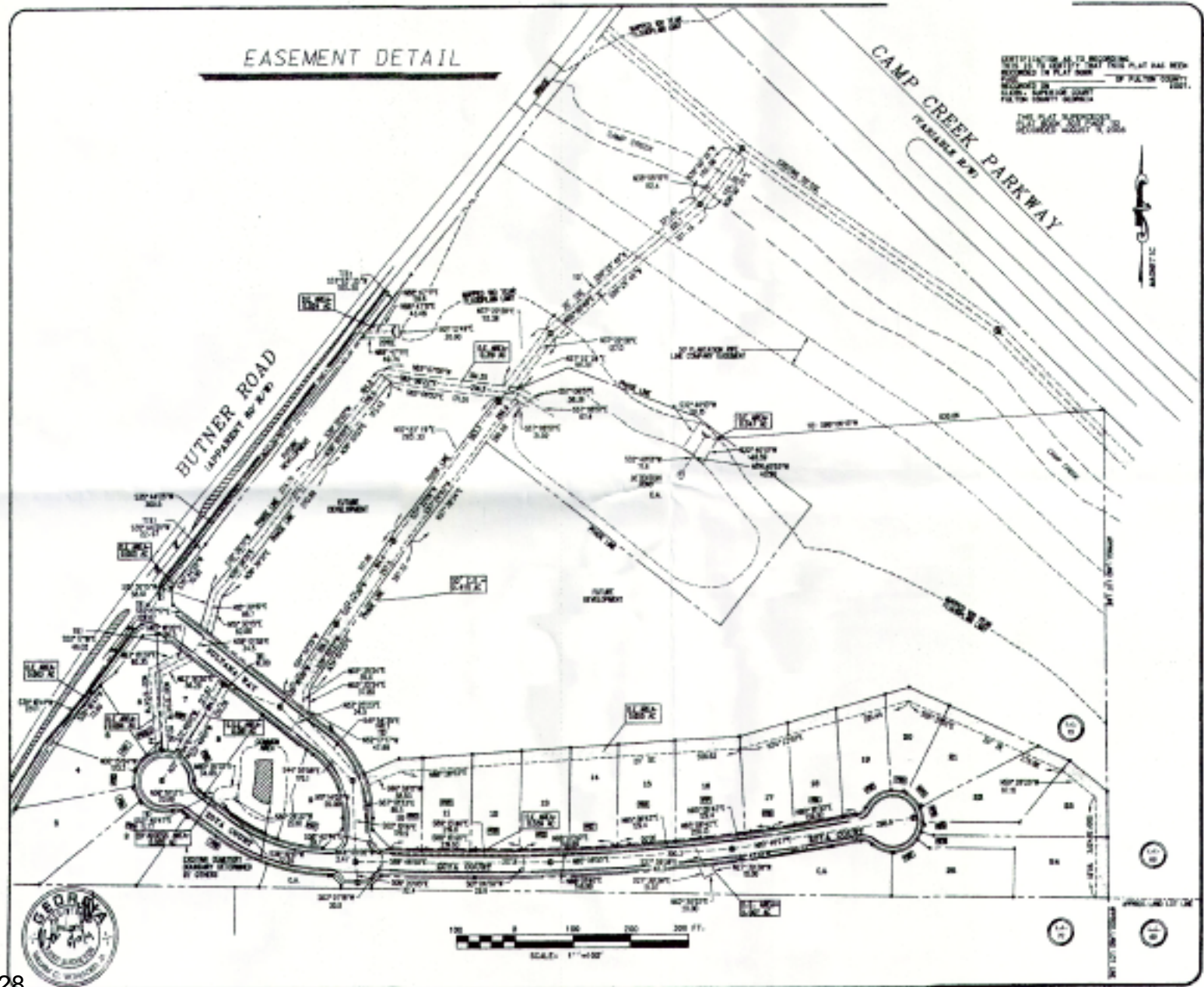
Mayor & Council  
City of South Fulton  
May 14, 2019





# Site Plan

- 39.40 acres
- Partially developed mixed use with commercial and residential features
- 25 single-family lots



Prepared & Issued Pursuant to the Georgia Land Use Code, Chapter 101-2-1, Official Code of Georgia Annotated, Section 101-2-1.1(1) and 101-2-1.1(2).

|              |                            |
|--------------|----------------------------|
| Project No.  | 2019-0001                  |
| Project Name | CAMP CREEK VILLAGE PHASE 1 |
| Client       | ...                        |
| City         | ...                        |
| County       | ...                        |
| State        | ...                        |
| Scale        | ...                        |
| Date         | ...                        |

CAMP CREEK VILLAGE PHASE 1 FINAL PLAT  
 LAND LOTS 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100



## Case Facts

**2002Z-0012 condition 1B states:** Request to remove the 10 proposed single-family detached lots that are split between MIX and CUP from being counted against the total dwelling units or maximum density requirements set forth in condition 1B and 1C.

**2002Z-0012 condition 1C states:** Request to remove the 10 proposed single-family detached lots that are split between MIX and CUP from being counted against the total dwelling units or maximum density requirements set forth in condition 1B and 1C.

**2002Z-0012 condition 2A states:** Request to remove reference to Fulton County and adds “as revised by the site plan received by the South Fulton Community Development and Regulatory Affairs Department on February 22, 2019 pertaining solely to the single-family detached lots shown thereon.”

- The property is zoned MIX (2002Z-0012)
- The surrounding property is zoned and/or occupied for residential and mixed-use development
- This modification would be in line with the 2035 Fulton County Comprehensive Plan



Staff Recommendation  
**APPROVAL**

# GOVERNMENT OF THE CITY OF SOUTH FULTON

ODIE DONALD II  
CITY MANAGER



SHAYLA REED  
DIRECTOR  
COMMUNITY DEVELOPMENT SERVICES

## MEMORANDUM

**TO:** City of South Fulton Mayor and Council  
**FROM:** Planning & Zoning Division  
**SUBJECT:** **M19-002 for a Modification of 2002Z-0012 SFC at Camp Creek Village Phase 1**  
**DATE:** May 14, 2019

---

To consider an amendment of three (3) modifications identified in zoning case 2002Z-0012 SFC, 1.b, 1.c, and 2.a at Camp Creek Village Phase 1 subdivision by Battle Law, PC on behalf of Hybrass Properties, LLC.

**STAFF RECOMMENDATION: APPROVAL**

cc: Diane White, City Clerk

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**APPLICATION INFORMATION**

---

|                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                           |
|-------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Applicant Information:                                      | Battle Law, PC<br>c/o Michele Battle<br>1 West Court Square<br>Suite 750<br>Decatur, GA 30030                                                                                                                                                                                                                                                                                                                             |
| Status of Applicant:                                        | Attorney for property owner                                                                                                                                                                                                                                                                                                                                                                                               |
| City Council District(s):                                   | 2                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Parcel ID Number:                                           | 14F-0073-LL-0750<br>14F-0073-LL-0776                                                                                                                                                                                                                                                                                                                                                                                      |
| Area of Property:                                           | The property is composed of approximately 39.40 acres.                                                                                                                                                                                                                                                                                                                                                                    |
| Current/Past Use of the Property:                           | The property is partially developed with commercial and residential features.                                                                                                                                                                                                                                                                                                                                             |
| Prior Zoning Cases/History:                                 | <b>2002Z-0012</b> Request to rezone from R-2 (Single-Family Residential District) to MIX (Mixed Use District) – <b>APPROVED WITH CONDITIONS</b><br><br><b>2006ZM-0032 SFC</b> Request to decrease total dwelling units from 245 to 201 and increase the number of townhouses dwelling units from 26 to 110. This request also removed the allowance of apartments and a 92 unit assisted living facility. <b>APPROVED</b> |
| Surrounding Zoning:                                         | <u>North:</u> CUP (Community Unit Plan District) and A (Medium Density Apartment District)<br><u>South:</u> CUP (Community Unit Plan Dwelling District) and AG-1 (Agricultural District)<br><u>East:</u> A (Medium Density Apartment District) and R-4 (Single-Family District)<br><u>West:</u> R-3 (Single-Family Dwelling District) and AG-1 (Agricultural District)                                                    |
| 2035 Future Land Use Designation:                           | Suburban Neighborhood, 2 to 3 units per acre.                                                                                                                                                                                                                                                                                                                                                                             |
| Compatibility to the Fulton County 2035 Comprehensive Plan: | The proposed modification aligns with the Comprehensive Plan.                                                                                                                                                                                                                                                                                                                                                             |
| Overlay District:                                           | Cliftondale Overlay                                                                                                                                                                                                                                                                                                                                                                                                       |
| Public Utilities:                                           | Water service is provided to these sites by City of Atlanta. Sewer service is available to the site by Fulton County. Any extension of sewer service is the responsibility of the developer.                                                                                                                                                                                                                              |
| Public Services:                                            | Police and Fire services are available to the site by the City of South Fulton.                                                                                                                                                                                                                                                                                                                                           |

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5440 Fulton Industrial Blvd SW • South Fulton, GA 30336 • Office: 470.809.7700



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Transportation:

Street: Butner Road & Camp Creek Parkway

Classification: Primary Arterial Local Road

Public Transit: MARTA is not available within 5 miles of this site

Bike/Pedestrian Access: There are sidewalks along this section of Butner Rd but not Camp Creek Parkway.

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## CONDITION(S) TO BE MODIFIED:

**2002Z-0012 condition 1B states:** No more than 201 (2006ZM-0032) total dwelling units at a maximum density of 5.13 (2006ZM-0032) units per acre, whichever is less, based on the total acreage zoned. **Notwithstanding the foregoing, the proposed ten (10) single-family detached lots split between tax parcel 14F-0069-LL0750 (which is not part of this zoning decision) and tax parcels 14F-0073-LL0750 and 14F-0073-0776 having frontage on Zoya Court, shall not be counted against the total dwelling units or maximum density requirements set forth in this condition 1.b nor condition 1.c.**

**2002Z-0012 condition 1C states:** No more than 25 single-family dwelling units. Single-family dwelling units shall be calculated as a part of the total dwelling units allowed in condition 1.b. **Notwithstanding the foregoing, the proposed ten (10) single-family detached lots split between tax parcel 14F-0069-LL0750 (which is not part of this zoning decision) and tax parcels 14F-0073-LL0750 and 14F-0073-0776 having frontage on Zoya Court, shall not be counted against the total dwelling units or maximum density requirements set forth in this condition 1.b nor condition 1.c.**

**2002Z-0012 condition 1C states:** To the revised site plan received by the Department of Environment and Community Development on August 22, 2003, **as revised by the site plan received by the South Fulton Community Development Department on February 22, 2019 pertaining solely to the single-family detached lots shown thereon.** Said site plan is conceptual only and must meet or exceed the requirements of the Zoning Resolution and these conditions prior to the approval of a Land Disturbance Permit. Unless, otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of the first Certificate of Occupancy.

\*Whereas, this request is to modify these conditions specifically, but all conditions remain intact. See attachment for all conditions.

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## PUBLIC PARTICIPATION

The applicant held a public participation meeting at Camp Creek Church of Christ on March 18, 2019 at 6:30pm to 7:30pm. The applicant stated that there were no residents present to express any concerns.

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## STAFF COMMENTS

Engineering: None provided

Environmental: Prior to the approval of any plat by the appropriate jurisdiction, the Environmental Health Services Division of the Fulton County Board of Health shall review and approve the plat regarding water supply and sewage disposal. No person may sell, offer for sale, lease, begin construction or otherwise begin the physical improvement of an exemption plat

development, nor shall a building permit be issued in any form until all requirements set forth by the Fulton County Board of Health have been met.

The Fulton County Board of Health will require that the owner/developer connect the proposed development to public water and public sanitary sewer, which are available to the site.

The Fulton County Board of Health does not anticipate any adverse impacts to the health of humans or the environment by approving the modification to allow for the development of the proposed subdivision.

Public Works: None received

Transportation: None received

MARTA: None received

Fulton County Schools: None received

Fire: None received

Legal: None received



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**PLANNER'S RECOMMENDATION: APPROVAL**

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**PREPARED BY:**

Richard Hathcock, Senior Planner

**REVIEWED BY:**

Keedra T. Jackson, Senior Planner

Shayla Reed, Director

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**MAYOR & COUNCIL ACTION**

Original hearing date: May 14, 2019.

**RECOMMENDED CONDITIONS**

If this petition is approved by the Board of Commissioners, it should be approved MIX (Mixed Use) CONDITIONAL subject to the following enumerated conditions. Where these conditions conflict with the stipulations and offerings contained in the Letter of Intent, these conditions shall supersede unless specifically stipulated by the Board of Commissioners.

1. To the owner's agreement to restrict the use of the subject property as follows:
  - a. Retail, service commercial and/or office and accessory uses, including all exterior food and beverage service areas, at a maximum density of 761.43\* gross square feet per acre zoned or a total of 30,000\* square feet, whichever is less, but excluding automotive specialty shops, automotive parking lots, garage and automobile repair, group residence home, laundromat, lawn service, parking garages, landscaping business, stadium, theater, recycling collection center, service station, drive-thru restaurants, adult bookstores, check cashing facilities and liquor stores. ~~convenience stores with gas pumps, freestanding fast food restaurants and commercial amusements.~~
  - b. No more than 281\* 245 total dwelling units, at a maximum density of 7.14\* 6.22 dwelling units per acre, whichever is less, based on the total acreage zoned.
  - c. No more than 25 single family dwelling units. Single family dwelling units shall be calculated as a part of the total dwelling units allowed in Condition 1.b.
  - d. No more than 164\* 128 apartments dwelling units. Apartment dwelling units shall be calculated as a part of the total dwelling units allowed in Condition 1.b.
  - e. No more than 26\* townhouse dwelling units. Townhouse dwelling units shall be calculated as a part of the total dwelling units allowed in Condition 1.b.
  - f. No more than 66\* independent living dwelling units. Independent living dwelling units shall be calculated as a part of the total dwelling units allowed in Condition 1.b.
  - g. The minimum heated floor area per \*independent living dwelling unit shall be \*700 square feet.

- h. The minimum heated floor area per \*townhouse dwelling unit shall be \*1,600 square feet.
  - i. The minimum lot size per single family dwelling unit shall be ~~10,890~~ 10,000 square feet.
  - j. The minimum heated floor area per single family dwelling unit shall be ~~\*2,500~~ 2,000 square feet.
  - k. The minimum front yard and rear yard setbacks for single family dwelling units shall be 25 feet.
  - l. The minimum side yard setback for single family dwelling units shall be 10 feet.
  - m. A 92-bed assisted living facility.
2. To the owner's agreement to abide by the following:
- a. To the \*revised site plan received by the Department of Environment and Community Development on August 22, 2003. Said site plan is conceptual only and must meet or exceed the requirements of the Zoning Resolution and these conditions prior to the approval of a Land Disturbance Permit. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of the first Certificate of Occupancy.
  - b. To comply with the Subdivision Regulations of 2003, Fulton County, Georgia.
  - c. Development must comply with standards of the Sandtown Overlay District.
3. To the owner's agreement to the following site development considerations:
- a. No more than 3 exit/entrance(s) on Butner Road. Curb cut location and alignment are subject to the approval of the Fulton County Traffic Engineer.
  - b. No exit/entrances shall be allowed on Camp Creek Parkway.
  - c. ~~Provide an additional lane of the ramp (south leg) to allow for a free-flowing eastbound right turn lane at the Camp Creek Parkway/I-285 southbound ramp intersection.~~
  - d. A professional archeologist shall determine the boundaries of the existing cemetery and the report shall be forwarded to Plan Review Staff at the Land Disturbance Permitting (LDP) phase.
  - e. Prepare a survey of the cemetery identifying the full boundaries with a metes

and bounds description based on the archeologist's report.

- f. Provide a 25-foot natural undisturbed buffer with a 10-foot improvement setback around the cemetery boundary determined by a professional archeologist.
  - g. Provide orange protective fence on the outer perimeter of the 25-foot buffer before beginning construction.
  - h. Provide uninhibited daylight access to the cemetery via a 20-foot easement to the cemetery from the nearest public road. The easement shall be recorded.
  - i. Only hand tools can be used for trimming of vegetation around graves.
  - j. Comply with state and local cemetery ordinances.
  - k. Single - Family dwelling units shall have one-sided masonry fronts.
  - l. Corner lots shall have three-sided brick.
  - m. Townhouses must have 50% of front as masonry.
  - n. Townhouses shall have rear entry garages.
  - o. Provide sidewalks on both sides of the street.
  - p. Provide recreational amenities consisting of a pool/and or tennis court and clubhouses.
  - q. Provide green space (100' x 100'). All green space and recreation areas which may be held in common shall be accessible via dedicated roadways, easements, sidewalks, trails, etc. and shall be maintained by a mandatory homeowners association, whose proposed documents of incorporation shall be submitted to the Director of the Department of Environment and Community Development for review and approval prior to the recording of the first final plat.
  - r. All utilities will be underground.
4. To the owner's agreement to abide by the following requirements, dedication and improvements:
- a. Reserve for Fulton County along the necessary property frontage of the following roadways, prior to the approval of a Land Disturbance permit, sufficient land as necessary to provide for compliance with the Comprehensive

Plan. All building setback lines shall be measured from the dedication but at no time shall a building be allowed inside the area of reservation. All required landscape strips and buffers shall straddle the reservation line so that the reservation line bisects the required landscape strip or buffer. At a minimum, 10 feet of the required landscape strip or buffer shall be located outside the area of reservation. All required tree plantings per Article 4.23 shall be placed within the portion of the landscape strip or buffer that lies outside the area of reservation.

from centerline of Camp Creek Parkway (SR 6) or as may be required by the Georgia Department of Transportation;

- b. Dedicate at no cost to Fulton County along the entire property frontage, prior to the approval of a Land Disturbance Permit, sufficient land as necessary to provide the following rights-of-way, and dedicate at no cost to Fulton County such additional right-of-way as may be required to provide at least 10.5 feet of right-of-way from the back of curb of all abutting road improvements, as well as allow the necessary construction easements while the rights-of-way are being improved:

30 feet from centerline of Butner Road.

75 feet from centerline of Camp Creek Parkway (SR 6).

- c. Provide an exclusive southbound left-turn lane along Butner Road at the northern site driveway.
- d. Provide additional turn lanes on Butner Road onto Camp Creek Parkway; upgrade traffic signal to accommodate a left turn phase.
- e. Provide a deceleration lane for each project entrance or as may be required by the Fulton County Traffic Engineer.
- f. Provide a left turn lane for each project entrance or as may be required by the Fulton County Traffic Engineer.
- g. Inter-parcel access must be provided to adjacent properties or as approved by the Fulton County Traffic Engineer.
- h. ~~Provide bridge reconstruction and addition of left turn lane at Camp Creek Parkway and Fairburn Road.~~
- i. ~~Provide an additional lane of the ramp (north leg) to allow for a free-flowing westbound right turn lane at the Camp Creek Parkway/I-285 northbound ramp intersection.~~

5. To the owner's agreement to abide by the following:

Applicant: CRM VENTURES,LLC/BARKAT CHARINA  
KFH (P:\PlanAnalysis\Planners\Cases\2002Z-012S.11)

\*Based on revised site plan submitted on 08/22/03

Printed:5/1/19

WRAP-UP

1-4

Petition: 2002Z-0012 SFC  
R/A 97Z-163 SFC

BOC Meeting: 09/03/03

- a. To contact the Director of Public Works, prior to the application for a Land Disturbance Permit with the Department of Environment and Community Development, to meet with the Fulton County Traffic Engineer. A signed copy of the results of these meetings will be required to be submitted along with the application for a Land Disturbance Permit.
- b. Prior to the application for a Land Disturbance Permit with the Department of Environment and Community Development, arrange an on-site evaluation of existing specimen trees/stands, buffers, and tree protection zones within the property boundaries with the Fulton County Arborist. A signed copy of the results of these meetings will be required to be submitted along with the application for a Land Disturbance Permit.
- c. To contact the Public Works Department, Water Service Division, prior to the application for a Land Disturbance Permit (LDP) with the Department of Environment and Community Development, to meet with the Fulton County Drainage Engineer on-site.
- d. The engineer/developer is required to submit along with the application for a Land Disturbance Permit (LDP) signed documentation verifying the storm water concept plan approval.
- e. Provide at the LDP approval documentation (such as cross-section, profile, etc.) describing all existing natural streams, creeks, or draws geometry, within the proposed development boundary and provide the appropriate bank erosion protection for the conveyance system after development.
- f. The developer/engineer is responsible to demonstrate to the County by engineering analysis at the Land Disturbance Permit application that the proposed development surface water runoff conditions are controlled at the minimum predevelopment level, so that downstream conveyance systems may not be impacted, aggravate existing flooding or drainage problems nor creates new flooding or drainage problems off-site.
- g. Prior to the application for a Land Disturbance Permit, the developer/engineer shall submit to the Department of Public Works, Surface Water Section, a project Storm Water Concept Plan. This concept plan shall be preliminary drawing describing (but not limited to) the proposed location of project surface water quality and quantity facilities/Best Management Practices (BMP's); the existing downstream off-site drainage conveyance system the proposed development runoff will impact; the discharge path(s) from facilities/BMP's outlet through the downstream drainage system offsite to the appropriate receiving conveyance system downstream and any potential surface water implications.



- h. The developer/engineer is responsible to conceptually describe to the County at the storm water concept plan approval phase post development structural Best Management Practices (BMP's) to be utilized to reduce surface water pollution impact associated with the proposed development. The detail engineering analysis and specifications of BMP's shall be included as a part of the LDP storm water submittal.

Applicant: CRM VENTURES,LLC/BARKAT CHARINA  
KFH (P:\PlanAnalysis\Planners\Cases\2002Z-012S.11)  
\*Based on revised site plan submitted on 08/22/03  
Printed:5/1/19

WRAP-UP

1-7

Petition: 2002Z-0012 SFC  
R/A 97Z-163 SFC

BOC Meeting: 09/03/03



**Part 1. Owner states under oath that he/she is the owner of the property described in the attached legal description, which is made part of this application.**

Creative Capital Inc  
TYPE OR PRINT OWNER'S NAME

3000 Edmonton Green Court  
ADDRESS

Alpharetta GA 30022  
CITY & STATE ZIP CODE

[Signature]  
OWNER'S SIGNATURE AUTHORIZED SIGNATORY

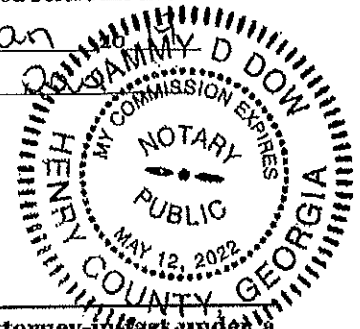
dan.e.havenwoodholdings.com  
EMAIL ADDRESS

Sworn to and subscribed before me this the

23 Day of Jan

Tammy D. Dow  
NOTARY PUBLIC

770 507 0013  
PHONE NUMBER



**PART 2. Petitioner states under oath that: (1) he/she is the executor or Attorney-in-fact under a Power-of-Attorney for the owner (attach a copy of the Power-of-Attorney letter and type name above as "Owner"); (2) he/she has an option to purchase said property (attach a copy of the contract and type name of owner above as "Owner"); or (3) he/she has an estate for years which permits the petitioner to apply (attach a copy of lease and type name of owner above as "Owner").**

Hybrass Properties LLC  
TYPE OR PRINT PETITIONER'S NAME

988 East Freeway Drive Suite A  
ADDRESS

Conyers GA 30094  
CITY & STATE ZIP CODE

[Signature]  
PETITIONER'S SIGNATURE

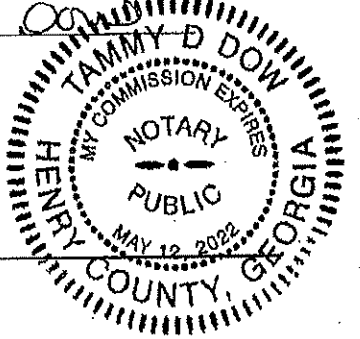
bill.e.havenwoodholdings.com  
EMAIL ADDRESS

Sworn to and subscribed before me this the

23 Day of Jan 2019

Tammy D. Dow  
NOTARY PUBLIC

770 679 4262  
PHONE NUMBER



**SECTION V ATTORNEY / AGENT**

Check One:  Attorney  Agent

TYPE OR PRINT ATTORNEY / AGENT NAME

SIGNATURE OF ATTORNEY / AGENT

ADDRESS

EMAIL ADDRESS

CITY & STATE ZIP CODE

PETITIONER'S SIGNATURE

PHONE NUMBER

M19-002

**STATEMENT OF INTENT**

And

Other Material Required by  
City of South Fulton, Georgia Zoning Ordinance  
For

Zoning Modification Application pursuant to  
the City of South Fulton Zoning Ordinance

Of

Hybrass Properties, LLC

For

2002Z 0012 SFC

Submitted for Applicant by:

Michèle L. Battle  
Battle Law, P.C.  
One West Court Square, Suite 750  
Decatur, Georgia 30030  
(404) 601-7616 Phone  
(404) 745-0045 Facsimile  
[mlb@battlelawpc.com](mailto:mlb@battlelawpc.com)

## I. STATEMENT OF INTENT

On September 3, 2003, the Fulton County Board of Commissioner approved the rezoning of 39.40 acres of land at the corner of Butler Road and Camp Creek Parkway R-2 to MIX for the development of mixed-use retail, townhome, apartment, single family detached project. The retail and townhome component of the project has been built out. Additionally, the single-family detached units located on Zoya Court have been final platted as Camp Creek Village Phase I recorded in Plat Book 324, Page 21, Fulton County, GA records, and three homes have been built and sold. Unfortunately, the economic downturn in 2007 resulted in the balance of the lots remaining undeveloped. Currently, Butler Investment, LLC, the owner of the adjacent Bluffs at Camp Creek Subdivision, has the balance of vacant lots under contract. It is their intent to complete the development of the single-family homes, in conjunction with the development of The Bluffs. In order to achieve this goal Hybrass Properties, LLC (the "Applicant") is seeking to modify Conditions 1b and c, and 2a to allow for the development of ten (10) proposed lots that will be split between The Bluffs (CUP 2006Z 042 SFC) and the Camp Creek Village Phase I. It is the Applicant's intent that all ten (10) of the proposed lots will be included in the final plat for the Bluff's subdivision. To facilitate this outcome, the Applicant has submitted a Modification Application simultaneously with the subject modification application, to remove the 50 ft buffer between the two projects. Of the ten (10) lots, the majority of three (3) of the lots will be zoned MIX and subject to the MIX 2002Z 0012 SFC zoning conditions. Therefore, the Applicant is seeking the following modification to the MIX Conditions solely for Tax Parcels 14F0073 LL0750 and 14F0073 LL0776 (the "Subject Property"):

1. Modify Condition 1(~~b~~) as follows:

No more than 245 total dwelling units at a maximum density of 6.22 dwelling units per acre, whichever is less, based on the total acreage zoned. Notwithstanding the foregoing, the proposed ten (10) single family detached lots split between Tax Parcel 14F0069 LL0111 (which is not a part of this zoning decision) and Tax Parcels 14F0073 LL0750 and 14F0073 LL00776 having frontage on Zoya Court, shall not be counted against the total dwelling units or maximum density requirements set forth in this Condition 1.b or in Condition 1.c.

2. Modify Condition 1c as follows:

No more than 25 single family dwelling units. Single family dwelling units shall be calculated as a part of the total dwelling units allowed in Conditions 1.b. Notwithstanding the foregoing, the proposed ten (10) single family detached lots split between Tax Parcel 14F0069 LL0111 (which is not a part of this zoning decision) and Tax Parcels 14F0073 LL0750 and 14F0073 LL00776 having frontage on Zoya Court, shall not be counted against the total dwelling units or maximum density requirements set forth in this Condition 1.c, or in Condition 1.b.

3. Modify Condition 2a as follows:

To the revised site plan received by the Department of Environment and Community Development on August 22, 2003, as revised by the site plan received by the South Fulton Community Development Dept on February 22, 2019 pertaining solely to the single-family detached lots shown thereon. Said site plan is conceptual only and must meet or exceed the requirements of the Zoning Resolution and these conditions prior to the approval of a Land Disturbance Permit. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of the first Certificate of Occupancy.

**II. BASIS FOR REQUESTED MODIFICATION**

In order to allow for an integration of the surrounding single-family residential neighborhoods, and to facilitate the build out of the balance of the Camp Creek Village Phase I, it is the Applicant's belief that the relief being requested is justified. The tree save area between the Camp Creek Village Phase I lots and the proposed Bluff's has the potential to result in unkept area that would detract from the aesthetics of the area. Additionally, the proposed 10 units would allow for more eyes on the street, and an integration of the two communities. The balance of the unbuilt units on Zoya Court will be built by one builder, and this will allow for a consistency in product that will help to maintain the anticipated home values for the area. Yet, even more importantly, the integration of the two projects will allow for the owners within Camp Creek Village to utilize the amenity area within the Bluffs, including the clubhouse, tot lot, and dog park.

Based upon the foregoing, the Applicant is hereby requesting the approval of the Modifications set forth above.

**III. STEINBERG CRITERIA**

**A. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property:** The zoning proposal will permit a use that is suitable in view of the use and development of adjacent property and nearby property. The Subject Property is in a single-family subdivision, which is adjacent to other single-family subdivision within the immediate area. The proposed changes to the MIX Zoning District Requirements will have no impact on the surrounding community or the existing improved lots. The proposed modifications, however, will allow for the development of homes that are consistent with the size and quality of homes in the immediate area.

**B. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property:** The proposed use will not affect the existing use or usability of adjacent or nearby property. Again, the proposed change to the front yard setback will have no impact on the surrounding community.

**C. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned:** Without the proposed modifications, the Subject Property has no value as currently zoned, as the lots are too shallow for development.

**D. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools:** The zoning proposal will not result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

**E. Whether the zoning proposal is in conformity with the policy and intent of the land use plan:** The zoning proposal is in conformity with the policy and intent of the future land use plan.

**F. Whether there are other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the zoning proposal:** The Subject Property was rezoned in 2002. As the market has continued to rebound from the 2007 real estate crash, opportunities have arisen for builders to pick up abandoned projects, and complete them, which greatly benefits the surrounding community.

#### **IV. CONCLUSION**

For the foregoing reasons, the Applicant respectfully requests that this Zoning Modification be approved by the City of South Fulton City Council.

#### **V. NOTICE OF PRESERVATION OF CONSTITUTIONAL RIGHTS**

The portions of the City of South Fulton Zoning Ordinance, facially and as applied to the Subject Property, which restrict or classify or may restrict or classify the Subject Property so as to prohibit its development as proposed by the Applicant are or would be unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

The application of the City of South Fulton Zoning Ordinance to the Subject Property which restricts its use to any classification other than that proposed by the Applicant is unconstitutional, illegal, null and void, constituting a taking of Applicant's Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States, Article I, Section I, Paragraph I, and Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.



A denial of this Application would constitute an arbitrary and capricious act by the City of South Fulton City Council without any rational basis therefore, constituting an abuse of discretion in violation of Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

A refusal by the City of South Fulton City Council to rezone the Subject Property to the classification as requested or issue the special land use permit requested by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any rezoning of the Property or granting of a special land use permit subject to conditions which are different from the conditions requested by the Applicant, to the extent such different conditions would have the effect of further restricting Applicant's utilization of the property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Subject Property to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.



# DISCLOSURE REPORT FORM C

Office use only:  
 REZONING PETITION #: \_\_\_\_\_ CITY COUNCIL MEETING DATE: \_\_\_\_\_

- Within the (2) years immediately preceding the filing of this zoning petition have you, as the applicant, owner and/or opponent for the rezoning petition, or an attorney or agent of the applicant or opponent for the rezoning petition, made any campaign contributions aggregating \$250.00 or more or made gifts having an aggregate value of \$250.00 to a member of the City Council.

CIRCLE ONE:                    YES                    NO

If the answer is YES, proceed to sections 1 through 4.  
 If the answer is NO, complete only section 4.

1.            CIRCLE ONE:                    Party to Petition                    In Opposition to Petition

If party to petition, complete sections 2, 3, and 4 below.  
 If in opposition, proceed to sections 3 and 4 below.

2. List all individuals or business entities which have an ownership interest in the property which is the subject of this rezoning petition: \_\_\_\_\_

3. CAMPAIGN CONTRIBUTIONS:

| Name of Government Official | Total Dollar Amount | Date of Contribution | Enumeration and Description of Gift Valued at \$250.00 or more |
|-----------------------------|---------------------|----------------------|----------------------------------------------------------------|
|                             |                     |                      |                                                                |
|                             |                     |                      |                                                                |
|                             |                     |                      |                                                                |
|                             |                     |                      |                                                                |
|                             |                     |                      |                                                                |
|                             |                     |                      |                                                                |
|                             |                     |                      |                                                                |

4. The undersigned acknowledges that this disclosure is made in accordance with the Official Code of Georgia, Section 36-67A-1 et. seq. Conflict of interest in zoning actions, and that the information set forth herein is true to the undersigned's best knowledge, information and belief.

Name (print) Hybrass Properties, LLC

Signature:  Date: 1/23/2019

M19-002



**PUBLIC PARTICIPATION PLAN  
FORM D**

Applicant: Hybrass Properties, LLC c/o Battle Law, P.C.

1. The following individuals (property owners within a quarter mile of the property), homeowner's associations, political jurisdictions, other public agencies, etc., will be notified in accordance with the requirements of Article 28.4.7 of the Fulton County Zoning Resolution:

See Spreadsheet attached hereto provided by the City of South Fulton

Community Development Department

2. The individuals and others listed in 1. above will be notified of the requested modification using the following method(s): (e.g., letters, meeting notices, telephone calls, e-mails, etc.)

A postcard will be mailed to each individual advising them of the pending application  
and inviting them to attend a community meeting hosted by the Applicant to  
discuss the pending application prior to the City Council Meeting.

3. Individuals and others listed in 1. above will be allowed to participate in the following manner: (At least one meeting at a convenient time and location is required.)

A community meeting hosted by the Applicant will be held during the month of  
March 2019. Additionally, the post card will contain contact information for  
the Applicant's representative that interested parties can contact should they be  
unable to attend the meeting.

*Attach additional sheets as needed.*

**SURVEY NOTES**

REMARKS: ALL SURVEYING WAS DONE TO OBTAIN ACCURATE DIMENSIONS AND LOCATIONS OF ALL FEATURES.

ALL DIMENSIONS ARE GIVEN IN FEET AND INCHES UNLESS OTHERWISE NOTED.

ALL CORNERS ARE BENCHMARKED TO THE NEAREST AVAILABLE BENCHMARK.

ALL DISTANCES ARE GIVEN TO THE CENTERS OF THE LINES UNLESS OTHERWISE NOTED.

ALL BEARINGS ARE GIVEN IN DEGREES, MINUTES AND SECONDS.

ALL ANGLES ARE GIVEN IN DEGREES AND MINUTES.

ALL CURVES ARE GIVEN BY THEIR RADIUS, CHORD BEARING AND CHORD DISTANCE.

ALL POINTS ARE BENCHMARKED TO THE NEAREST AVAILABLE BENCHMARK.

ALL DIMENSIONS ARE GIVEN TO THE CENTERS OF THE LINES UNLESS OTHERWISE NOTED.

ALL BEARINGS ARE GIVEN IN DEGREES, MINUTES AND SECONDS.

ALL ANGLES ARE GIVEN IN DEGREES AND MINUTES.

ALL CURVES ARE GIVEN BY THEIR RADIUS, CHORD BEARING AND CHORD DISTANCE.

ALL POINTS ARE BENCHMARKED TO THE NEAREST AVAILABLE BENCHMARK.

**FLOOD HAZARD NOTES**

THE FLOOD HAZARD ZONING MAP FOR THE CITY OF SOUTH FULTON, GEORGIA, IS A PUBLIC RECORD AND IS AVAILABLE TO THE PUBLIC AT THE CITY CLERK'S OFFICE.

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**REFERENCE MATERIAL**

1. PLAT FOR CAMP CREEK VILLAGE PHASE I
2. SURVEYING RECORD FOR CAMP CREEK VILLAGE PHASE I
3. SURVEYING RECORD FOR CAMP CREEK VILLAGE PHASE I
4. SURVEYING RECORD FOR CAMP CREEK VILLAGE PHASE I

DATE: 08/15/16  
 BY: [Signature]  
 FOR THE SURVEYING DEPARTMENT OF THE CITY OF SOUTH FULTON, GEORGIA

**DRAINAGE**

THE DRAINAGE SYSTEM FOR THE PROPERTY IS AS SHOWN ON THE PLAT AND SHALL BE MAINTAINED AND KEPT OPEN AT ALL TIMES.

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**OWNER'S ACKNOWLEDGEMENT**

I, the undersigned, do hereby acknowledge that I am the owner of the property described in this plat and that I have read and understand the contents of this plat and the conditions of this plat.

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I, the undersigned, do hereby acknowledge that I am the owner of the property described in this plat and that I have read and understand the contents of this plat and the conditions of this plat.

**GENERAL NOTES**

1. ALL DIMENSIONS ARE GIVEN TO THE CENTERS OF THE LINES UNLESS OTHERWISE NOTED.
2. ALL BEARINGS ARE GIVEN IN DEGREES, MINUTES AND SECONDS.
3. ALL ANGLES ARE GIVEN IN DEGREES AND MINUTES.
4. ALL CURVES ARE GIVEN BY THEIR RADIUS, CHORD BEARING AND CHORD DISTANCE.
5. ALL POINTS ARE BENCHMARKED TO THE NEAREST AVAILABLE BENCHMARK.
6. ALL DISTANCES ARE GIVEN TO THE CENTERS OF THE LINES UNLESS OTHERWISE NOTED.
7. ALL BEARINGS ARE GIVEN IN DEGREES, MINUTES AND SECONDS.
8. ALL ANGLES ARE GIVEN IN DEGREES AND MINUTES.
9. ALL CURVES ARE GIVEN BY THEIR RADIUS, CHORD BEARING AND CHORD DISTANCE.
10. ALL POINTS ARE BENCHMARKED TO THE NEAREST AVAILABLE BENCHMARK.

**SLOPE EASEMENT NOTES**

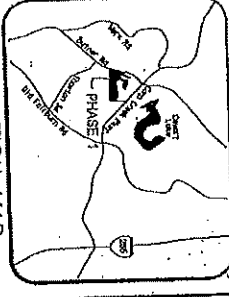
THIS PLAT IS A SLOPE EASEMENT PLAT FOR THE PROPERTY DESCRIBED IN THIS PLAT AND SHALL BE MAINTAINED AND KEPT OPEN AT ALL TIMES.

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RECORDING INFORMATION: THIS PLAT HAS BEEN RECORDED IN PLAT BOOK 119, PAGE 100, FULTON COUNTY, GEORGIA.



**FULTON CO. HEALTH DEPT.**

THIS PLAT IS A SLOPE EASEMENT PLAT FOR THE PROPERTY DESCRIBED IN THIS PLAT AND SHALL BE MAINTAINED AND KEPT OPEN AT ALL TIMES.

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**FINAL PLAT APPROVAL**

I, the undersigned, do hereby approve this plat and the conditions of this plat.

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I, the undersigned, do hereby approve this plat and the conditions of this plat.

**SURVEYORS CERTIFICATE**

WE, the undersigned, do hereby certify that we are the duly qualified and licensed surveyors for the State of Georgia and that we have surveyed the property described in this plat and that we have read and understand the contents of this plat and the conditions of this plat.

WE, the undersigned, do hereby certify that we are the duly qualified and licensed surveyors for the State of Georgia and that we have surveyed the property described in this plat and that we have read and understand the contents of this plat and the conditions of this plat.

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CAMP CREEK VILLAGE PHASE I FINAL PLAT LOCATED IN LAND LOT 73, 144<sup>th</sup> DISTRICT FULTON COUNTY, GEORGIA



M19-002

M19-002

ZONING CONDITIONS ZONING NO. 2002Z-0012 SFC

approved for other than the conditions, subject to the following enumerated conditions. Where these conditions conflict with the regulations and/or other code contained in the Letter of Intent, these conditions shall prevail and shall be enforceable by the Board of Commissioners.

1. To the extent agreement to restrict the use of the subject property as follows:
  - a. To allow surface water runoff and/or other use and occupancy, use, including residential use and temporary parking, to be used on the subject property, the applicant shall submit a site plan and engineering report, including a site plan, showing the location, design, and construction of any surface water runoff and/or other use and occupancy, use, including residential use and temporary parking, to be used on the subject property, and the applicant shall submit a site plan and engineering report, including a site plan, showing the location, design, and construction of any surface water runoff and/or other use and occupancy, use, including residential use and temporary parking, to be used on the subject property.
  - b. To allow the use of the subject property for a use that is not permitted by the zoning ordinance, the applicant shall submit a site plan and engineering report, including a site plan, showing the location, design, and construction of any surface water runoff and/or other use and occupancy, use, including residential use and temporary parking, to be used on the subject property.
  - c. To allow the use of the subject property for a use that is not permitted by the zoning ordinance, the applicant shall submit a site plan and engineering report, including a site plan, showing the location, design, and construction of any surface water runoff and/or other use and occupancy, use, including residential use and temporary parking, to be used on the subject property.
2. To the extent agreement to allow the following:
  - a. To allow the use of the subject property for a use that is not permitted by the zoning ordinance, the applicant shall submit a site plan and engineering report, including a site plan, showing the location, design, and construction of any surface water runoff and/or other use and occupancy, use, including residential use and temporary parking, to be used on the subject property.
  - b. To allow the use of the subject property for a use that is not permitted by the zoning ordinance, the applicant shall submit a site plan and engineering report, including a site plan, showing the location, design, and construction of any surface water runoff and/or other use and occupancy, use, including residential use and temporary parking, to be used on the subject property.
  - c. To allow the use of the subject property for a use that is not permitted by the zoning ordinance, the applicant shall submit a site plan and engineering report, including a site plan, showing the location, design, and construction of any surface water runoff and/or other use and occupancy, use, including residential use and temporary parking, to be used on the subject property.
3. To the extent agreement to allow the following:
  - a. To allow the use of the subject property for a use that is not permitted by the zoning ordinance, the applicant shall submit a site plan and engineering report, including a site plan, showing the location, design, and construction of any surface water runoff and/or other use and occupancy, use, including residential use and temporary parking, to be used on the subject property.
  - b. To allow the use of the subject property for a use that is not permitted by the zoning ordinance, the applicant shall submit a site plan and engineering report, including a site plan, showing the location, design, and construction of any surface water runoff and/or other use and occupancy, use, including residential use and temporary parking, to be used on the subject property.
  - c. To allow the use of the subject property for a use that is not permitted by the zoning ordinance, the applicant shall submit a site plan and engineering report, including a site plan, showing the location, design, and construction of any surface water runoff and/or other use and occupancy, use, including residential use and temporary parking, to be used on the subject property.

THIS PLAN SUPERCEDES PLAN BOOK 303 PAGE 107 RECORDED AUGUST 11, 2006

RECORDING INFORMATION AS TO RECORDING DATE AND TIME TO BE DETERMINED BY THE COUNTY CLERK'S OFFICE.

M10-002



CAMP CREEK VILLAGE PHASE I FINAL FLAT LOCATED IN LAND LOT 73, 141<sup>ST</sup> DISTRICT FULTON COUNTY, GEORGIA

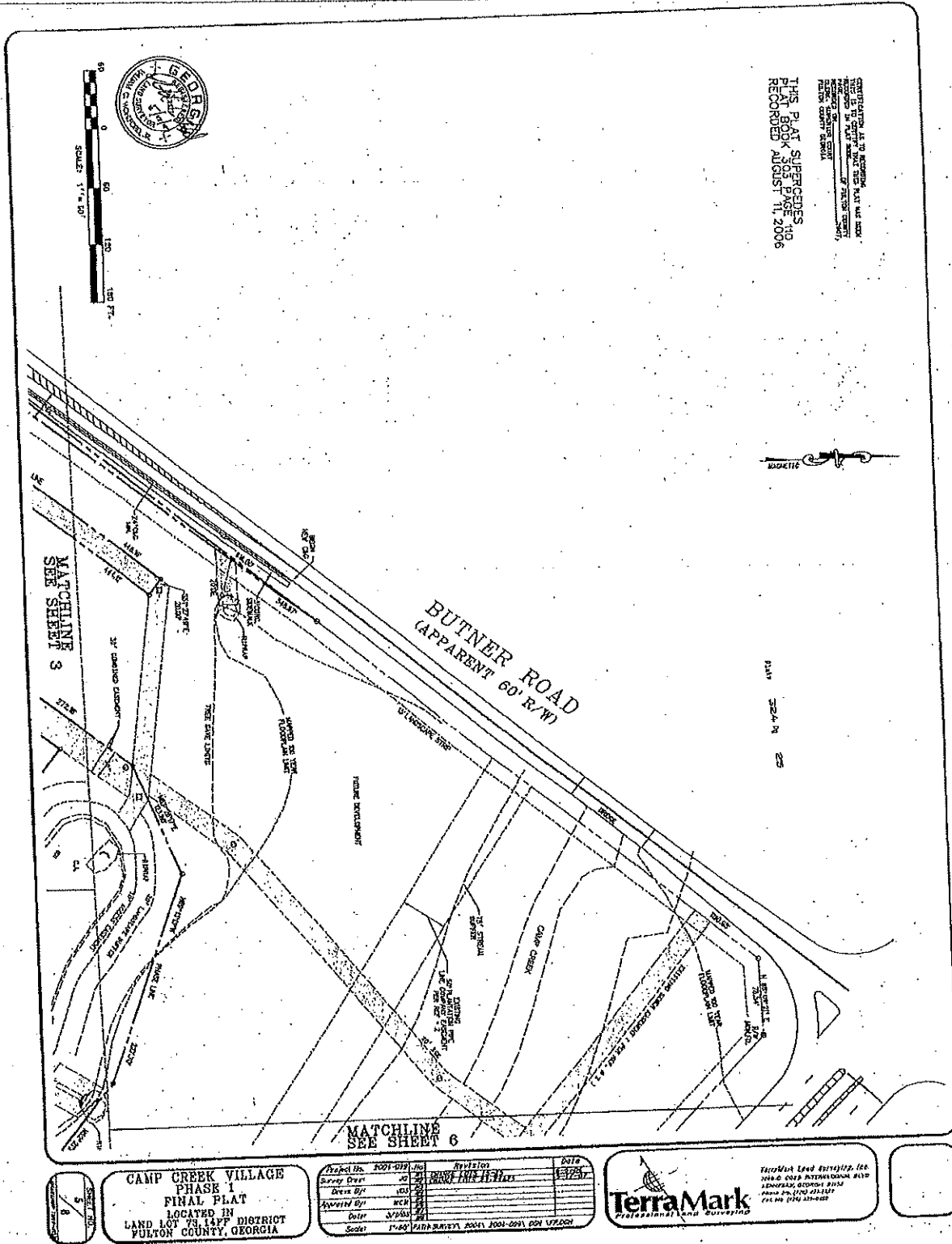
| NO. | DATE      | REVISION         | BY  |
|-----|-----------|------------------|-----|
| 1   | 11/1/2017 | ISSUE FOR PERMIT | ... |
| 2   | ...       | ...              | ... |
| 3   | ...       | ...              | ... |
| 4   | ...       | ...              | ... |
| 5   | ...       | ...              | ... |
| 6   | ...       | ...              | ... |
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| 8   | ...       | ...              | ... |
| 9   | ...       | ...              | ... |
| 10  | ...       | ...              | ... |



TerraMark Land Surveying, Inc. 1000 E. COLLETT AVENUE SUITE 1000 FULTON, GA 30830



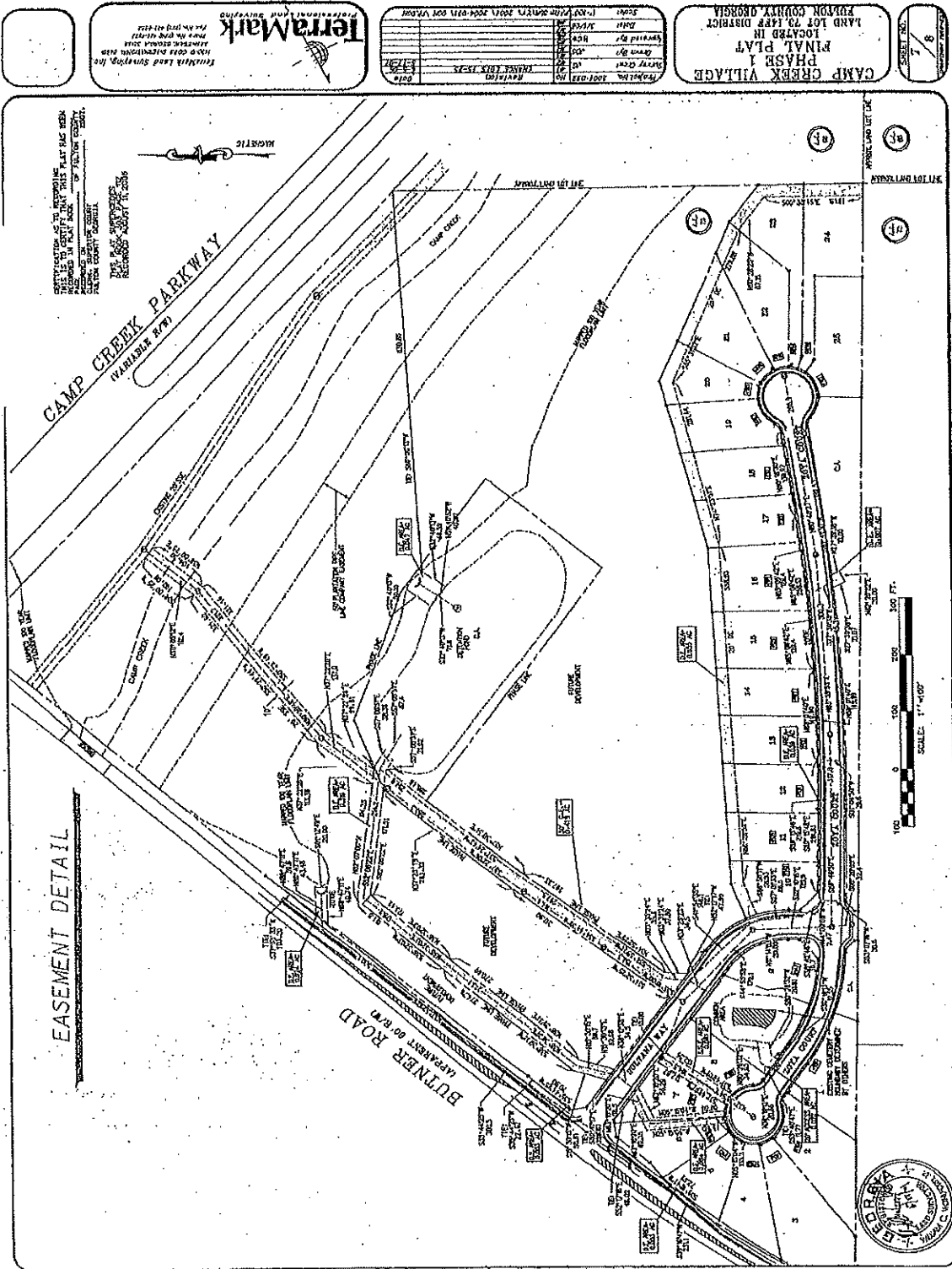


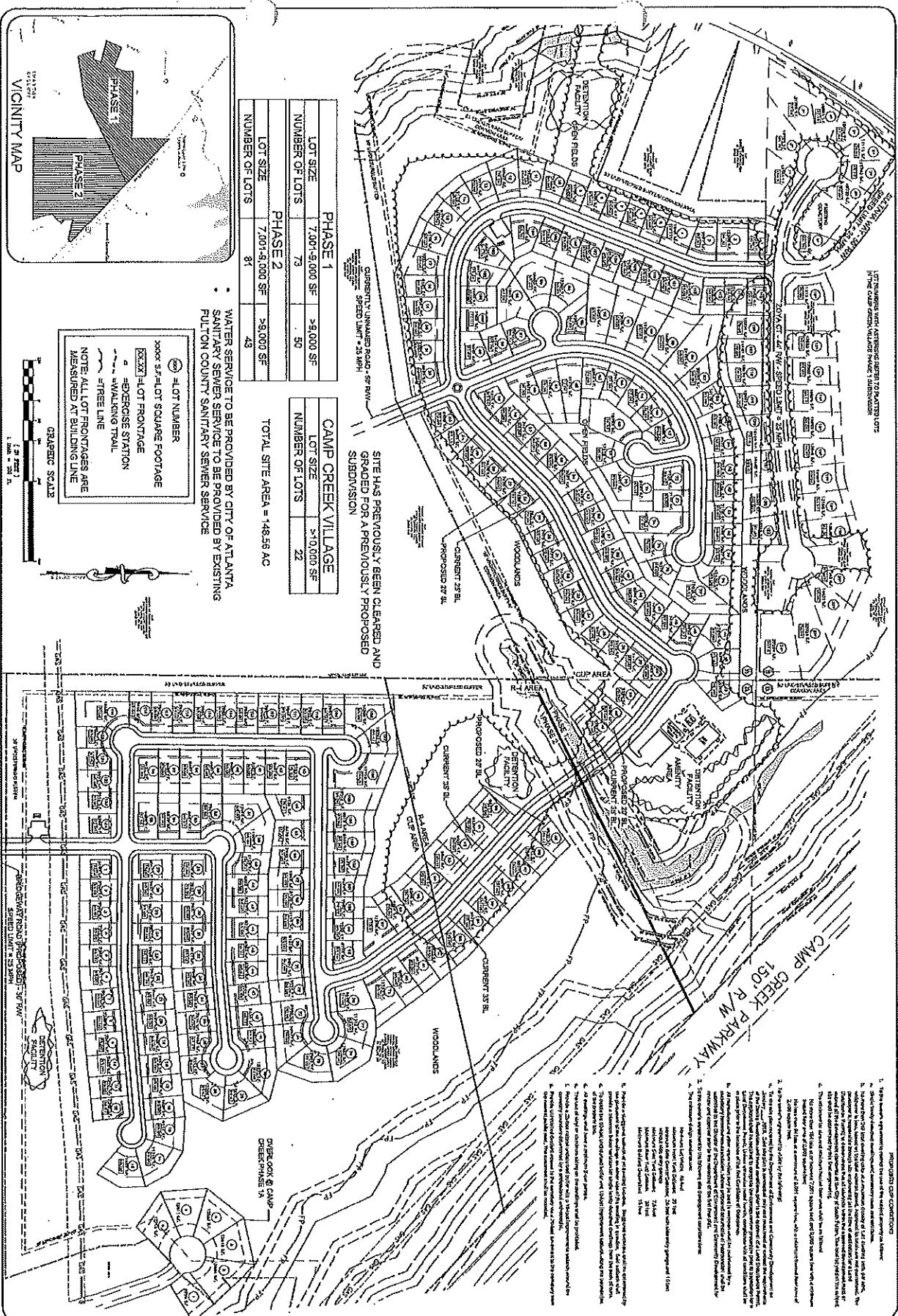


M19-002









| PHASE 1        |                |
|----------------|----------------|
| LOT SIZE       | 7,300-8,000 SF |
| NUMBER OF LOTS | 73             |
| LOT SIZE       | 7,000-8,000 SF |
| NUMBER OF LOTS | 81             |

| CAMP CREEK VILLAGE |             |
|--------------------|-------------|
| LOT SIZE           | 5-10,000 SF |
| NUMBER OF LOTS     | 22          |

TOTAL SITE AREA = 148.56 AC

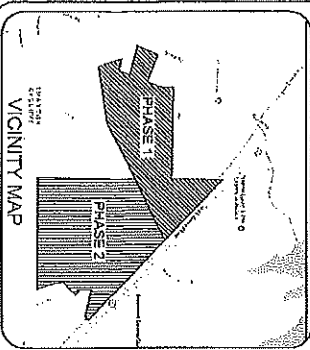
WATER SERVICE TO BE PROVIDED BY CITY OF ATLANTA  
 SANITARY SEWER SERVICE TO BE PROVIDED BY EXISTING  
 FULTON COUNTY SANITARY SEWER SERVICE

**LEGEND**

- FLIGHT NUMBER
- 3000 SF FLAT SQUARE FOOTAGE
- REAR LOT FRONTAGE
- WALKING TRAIL
- STREET LINE

NOTE: ALL LOT FRONTAGES ARE MEASURED AT BUILDING LINE

GRAPHIC SCALE  
 1" = 20' (1" = 40')



M19-002

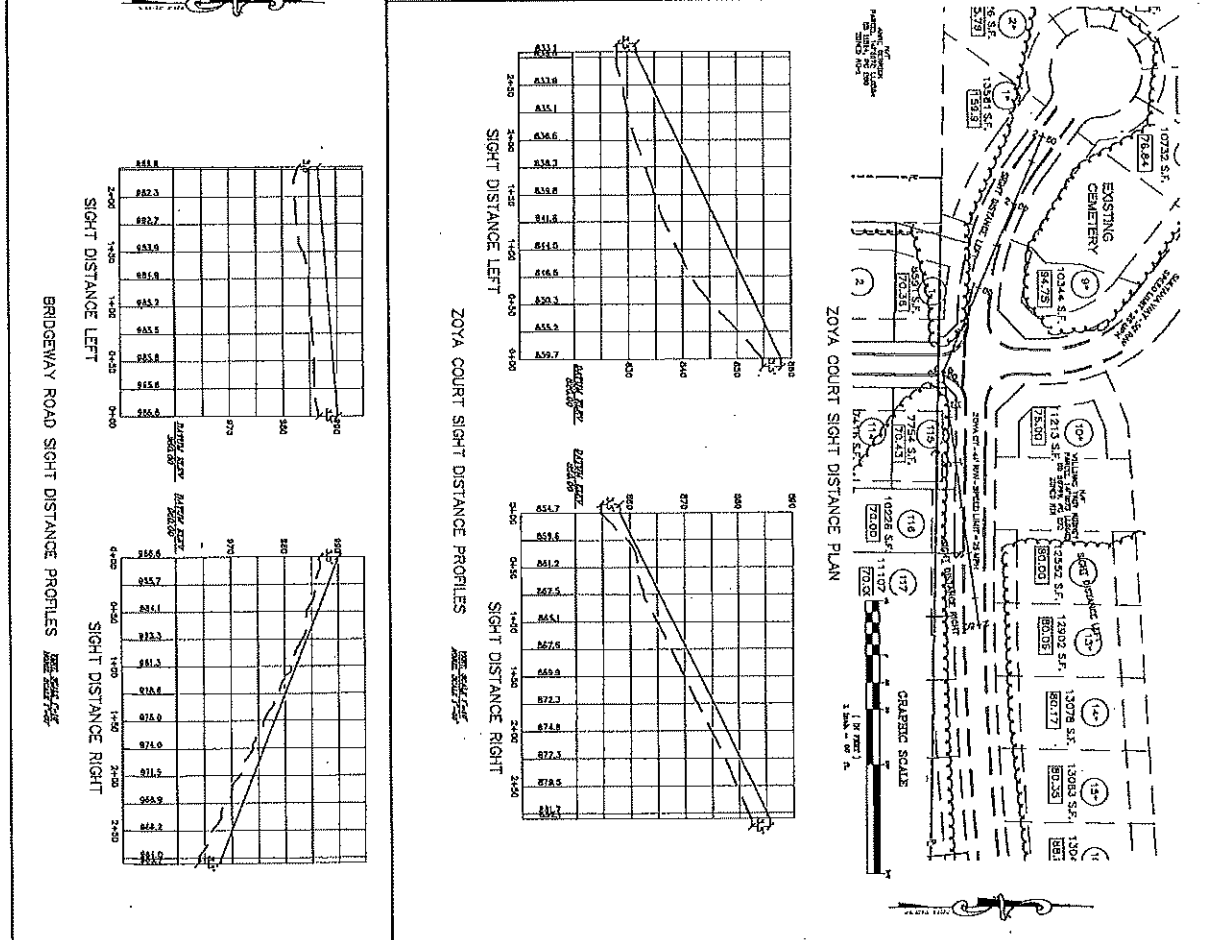
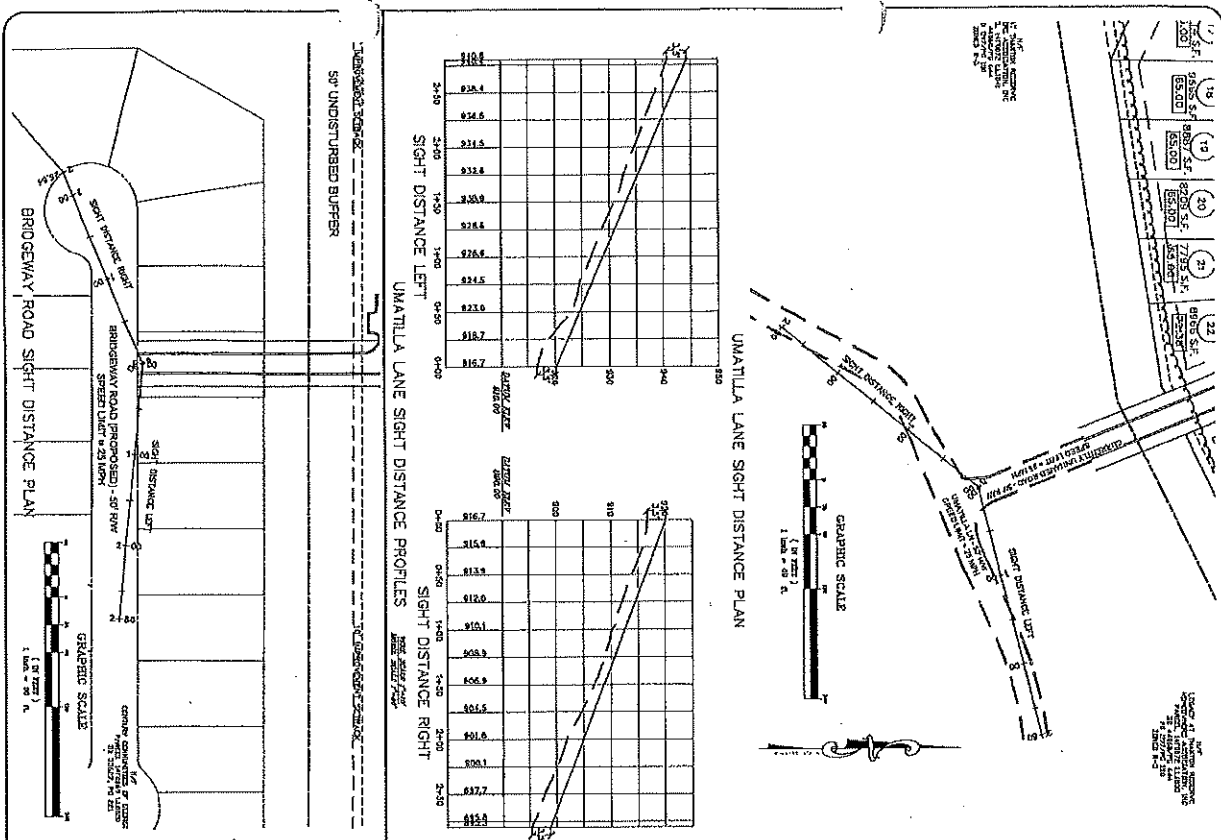
1. The owner warrants that the information provided in this plan is true and correct.
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3. The owner warrants that the information provided in this plan is true and correct.
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17. The owner warrants that the information provided in this plan is true and correct.
18. The owner warrants that the information provided in this plan is true and correct.
19. The owner warrants that the information provided in this plan is true and correct.
20. The owner warrants that the information provided in this plan is true and correct.

|                                                                                                                                   |                                                               |
|-----------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------|
| <b>ARC</b><br>ARCHITECTURAL RECORD COMPANY<br>1000 N. W. 10th Street<br>Ft. Lauderdale, FL 33304<br>(954) 561-1111<br>www.arc.com | DATE: 1/22/19<br>REVISION: 1<br>REVISED LAYOUT AND CONDITIONS |
|                                                                                                                                   | DATE: 2/27/19<br>REVISION: 2<br>REVISED LOT 40 FRONT BSL      |

OWNER: [Name]  
 PROJECT: [Name]  
 24 HR. CONTACT: [Name]  
 JOB NO. H1723  
 JOB TITLE: [Name]

OVERALL LOT LAYOUT PLAN  
 THE BLUFFS @ CAMP CREEK  
 PHASE 1 & 2  
 L.L. 68-89-47 DISTRICT 14FF,  
 CITY OF SOUTH FULTON, FULTON COUNTY, GEORGIA

Page 9 of 10



**ENT-1**

OWNER: HENRIKSON ENGINEERING LLC  
 PROJECT: ENTRANCE ROAD SIGHT DISTANCE PLAN AND PROFILES  
 DEVELOPER: JAMES W. HENRIKSON  
 24 HR. CONTACT: 404.875.1111

ENTRANCE ROAD SIGHT DISTANCE PLAN AND PROFILES  
**THE BLUFFS @ CAMP CREEK**  
 PHASE 1 & 2  
 LL 66 69 & 72 DISTRICT 54FF  
 CITY OF SOUTH FULTON, GEORGIA

| REV. | DATE     | REVISION                      |
|------|----------|-------------------------------|
| 1    | 11/22/18 | REVISED LAYOUT AND CONDITIONS |


**HRC**  
 HENRIKSON ENGINEERING LLC  
 11111 W. BUCKLEBOURNE DR.  
 SUITE 100  
 ATLANTA, GA 30349  
 404.875.1111

M10-002

**TerraMark**  
LAND INFORMATION AND SURVEYING  
FULTON COUNTY, GEORGIA  
1100-0000 AMERICAN AVE  
SUITE 100  
FULTON, GA 31703  
PHONE: 770-870-0100  
FAX: 770-870-0101

|     |         |             |
|-----|---------|-------------|
| NO. | DATE    | DESCRIPTION |
| 1   | 10/1/06 | REVISIONS   |
| 2   | 10/1/06 | REVISED     |
| 3   | 10/1/06 | REVISED     |
| 4   | 10/1/06 | REVISED     |
| 5   | 10/1/06 | REVISED     |
| 6   | 10/1/06 | REVISED     |
| 7   | 10/1/06 | REVISED     |
| 8   | 10/1/06 | REVISED     |
| 9   | 10/1/06 | REVISED     |
| 10  | 10/1/06 | REVISED     |

**CAMP CREEK VILLAGE**  
PHASE I  
FINAL PLAT  
LOCATED IN  
DISTRICT  
LAND LOT 28, TOWN OF  
FULTON COUNTY, GEORGIA



Plat: 2006-28  
Prepared by: J. Robertson  
Checked by: J. Robertson  
Case No.: 06-00000000000000000000  
Fulton County, Georgia

**THIS PLAT SUPERCEDES  
PLAT BOOK 2006 PAGE 118  
RECORDED AUGUST 11, 2006**

REVISIONS AS TO RECORDS  
SHALL BE MADE BY THE REGISTER  
OF DEEDS OF FULTON COUNTY  
AND THE COUNTY CLERK  
OF FULTON COUNTY  
IN ACCORDANCE WITH  
FULTON COUNTY CODE

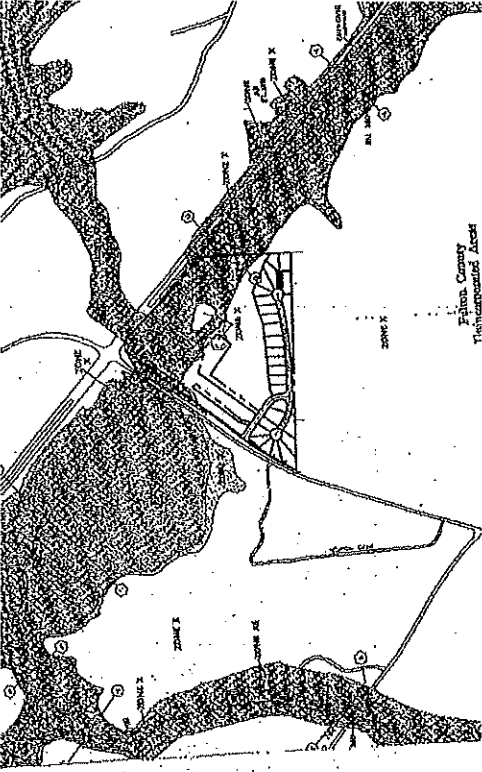
**FIRM PANEL**

ANY PART OF THIS PLAT WHICH IS NOT SHOWN AS A PART OF A RECORDING SHALL BE VOID AND THE PART SO SHOWN SHALL BE VOID UNLESS IT BEING A PART OF A RECORDING

THIS PLAT IS SUBJECT TO THE RECORDS OF THE COUNTY OF FULTON, GEORGIA

THIS PLAT IS SUBJECT TO THE RECORDS OF THE COUNTY OF FULTON, GEORGIA

THIS PLAT IS SUBJECT TO THE RECORDS OF THE COUNTY OF FULTON, GEORGIA



Phonix County  
Tentative Access

**GOVERNMENT OF THE CITY OF SOUTH FULTON**

Office of the City Manager

WILLIAM "BILL" EDWARDS  
MAYOR



ODIE DONALD II  
CITY MANAGER

**MEMORANDUM**

**TO:** M19-003 for Modification of 2015Z-007 5620 Old National Hwy

**FROM:** Frank Milazi

**DATE:** May 14, 2019

**SUBJECT:** M19-003 for Modification of 2015Z-007 5620 Old National Hwy

**REFERENCE:**

---

**CONCLUSION:**

**BACKGROUND:**

**FISCAL IMPACT:**

**ATTACHMENTS:**

| Description                        | Type       | Upload Date |
|------------------------------------|------------|-------------|
| M19-003 Zoning Modification        | Cover Memo | 5/8/2019    |
| M19-003 Zoning Modification Packet | Cover Memo | 5/8/2019    |

# **M19-003**

## **Modification Request of 2015Z-0003 at 5620 Old National Highway**

**Council District 6**

Mayor & Council  
City of South Fulton  
May 14, 2019

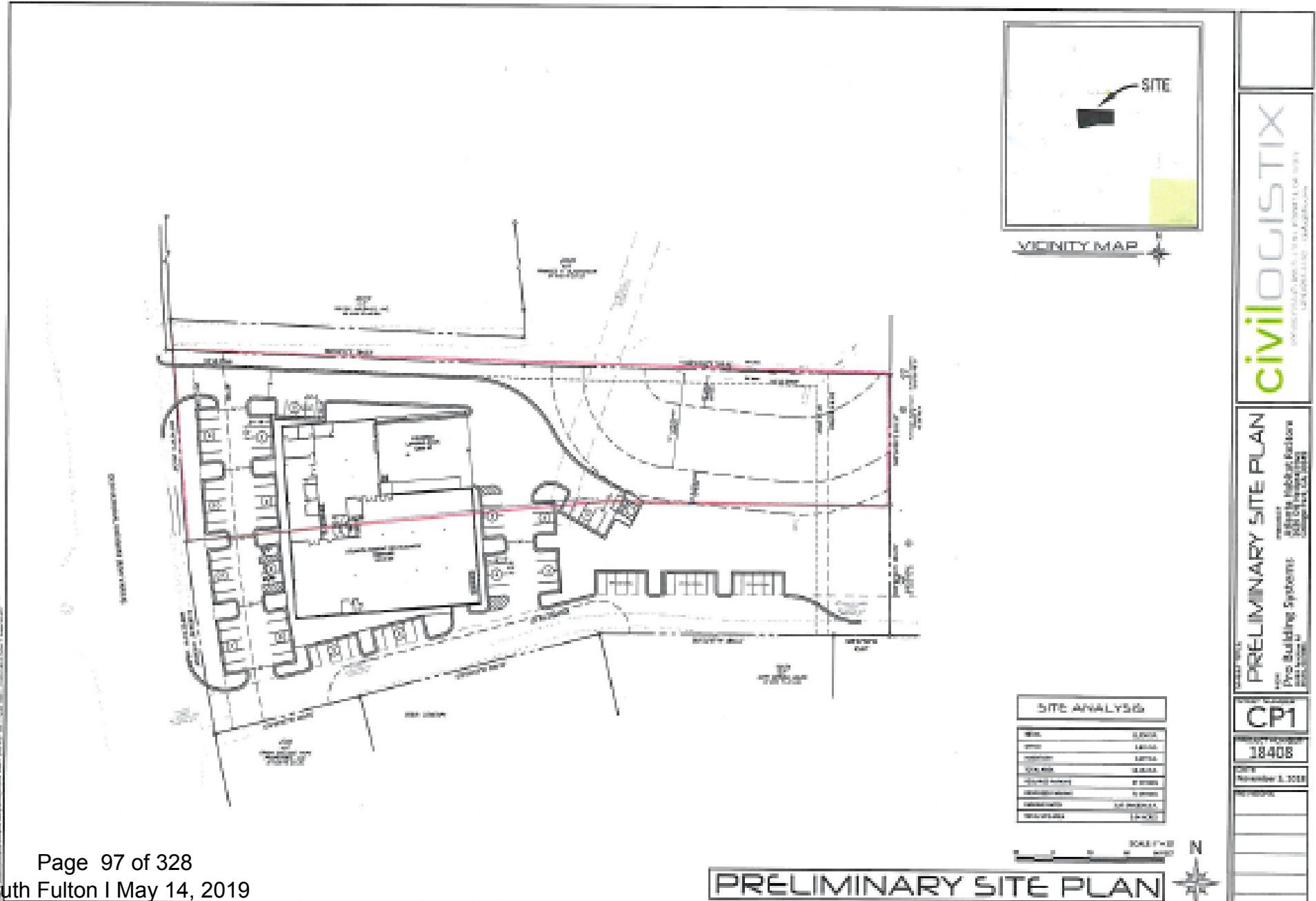






# Site Plan

- 1.46 acres
- Commercial undeveloped property



**civilOGISTIX**  
COMMERCIAL DESIGN & CONSTRUCTION  
ARCHITECTURE & INTERIORS  
LANDSCAPE ARCHITECTURE

PRELIMINARY SITE PLAN  
Fire Building Systems  
18408

CP1  
18408  
November 1, 2018



**Case Facts**

**Z15-0007 condition 1a:**

- Request to remove “Discount Retail Shop” from the list of disallowed uses.
- The property is zoned C-2 Conditional.
- This modification would align with the 2035 Fulton County Comprehensive Plan.



Staff Recommendation  
**APPROVAL**

# GOVERNMENT OF THE CITY OF SOUTH FULTON

ODIE DONALD II  
CITY MANAGER



SHAYLA REED  
DIRECTOR  
COMMUNITY DEVELOPMENT SERVICES

## MEMORANDUM

**TO:** City of South Fulton Mayor and Council  
**FROM:** Planning & Zoning Division  
**SUBJECT:** M19-003 for a Modification of 2015Z-007  
**DATE:** May 14, 2019

To consider an amendment to two (2) modifications identified in zoning case 2015Z-0003 to remove "Discount Retail Store" from the excluded uses of the property at 5620 Old National Highway.

**STAFF RECOMMENDATION: APPROVAL**

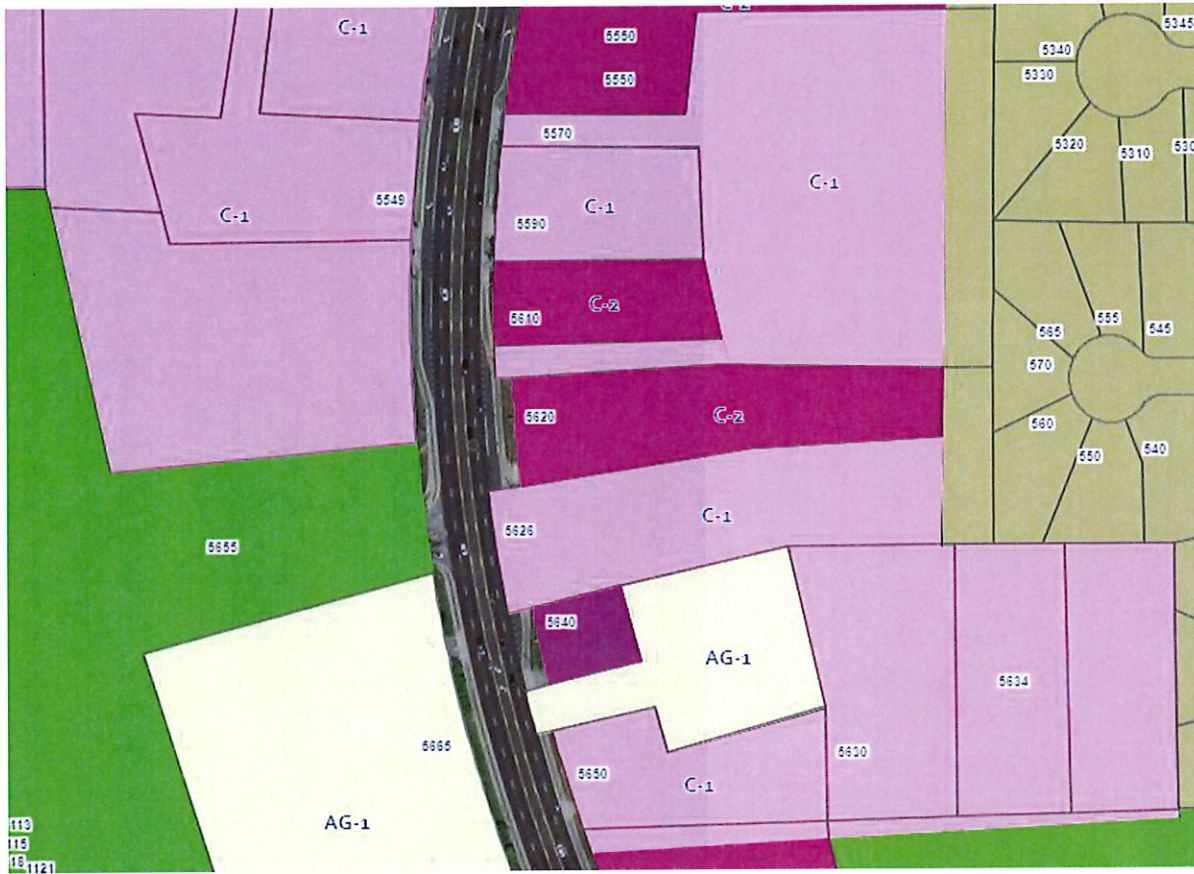
cc: Diane White, City Clerk

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**APPLICATION INFORMATION**

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|                                                             |                                                                                                                                                                                                                                                                                      |
|-------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Applicant Information:                                      | Habitat for Humanity in Atlanta, Inc<br>c/o Andrew Gurvey<br>824 Memorial Drive, SE<br>Atlanta, GA 30316                                                                                                                                                                             |
| Status of Applicant:                                        | Property owner                                                                                                                                                                                                                                                                       |
| City Council District(s):                                   | 6                                                                                                                                                                                                                                                                                    |
| Parcel ID Number:                                           | 13-0093-LL1182                                                                                                                                                                                                                                                                       |
| Area of Property:                                           | The property is composed of approximately 1.46 acres.                                                                                                                                                                                                                                |
| Current/Past Use of the Property:                           | This is a vacant lot that was formally used as a car dealership.                                                                                                                                                                                                                     |
| Prior Zoning Cases/History:                                 | <b>Z15-007</b> Request to rezone from C-1 (Community Business District) to C-2 (Commercial District) – <b>APPROVED WITH CONDITIONS</b>                                                                                                                                               |
| Surrounding Zoning:                                         | <u>North:</u> C-1 (Community Business District) and C-2 (Commercial District)<br><u>South:</u> C-1 (Community Business District)<br><u>East:</u> R-4 (Single-Family Dwelling District)<br><u>North:</u> A (Medium Density Apartment District)                                        |
| 2035 Future Land Use Designation:                           | Community Live Work.                                                                                                                                                                                                                                                                 |
| Compatibility to the Fulton County 2035 Comprehensive Plan: | The proposed modification does align with the Comprehensive Future Land Use Designation.                                                                                                                                                                                             |
| Overlay District:                                           | Old National Overlay                                                                                                                                                                                                                                                                 |
| Public Utilities:                                           | Water service is provided to these sites by City of Atlanta. Sewer service is available to the site by Fulton County.                                                                                                                                                                |
| Public Services:                                            | Police and Fire services are available to the site by the City of South Fulton.                                                                                                                                                                                                      |
| Transportation:                                             | <u>Street:</u> Old National Highway<br><u>Classification:</u> Minor Arterial State Road<br><u>Public Transit:</u> MARTA is approximately 0.3 miles away<br><u>Bike/Pedestrian Access:</u> Sidewalks are available on both sides of Old National Highway. Bike lanes are not present. |



---

**CONDITION(S) TO BE MODIFIED:**

**Z15-0007 condition 1a states:**

1. To the owner's agreement to restrict the use of the subject property as follows:
  - a. Retail, service commercial and/or office uses, excluding indoor amusements, commercial amusements, automotive parking lot, garage, parking garage/deck, automotive specialty shop, automotive repair garage, emissions testing station, group residence, free standing fast food restaurant, free standing liquor/wine/beer/package store, motel, hotel, check cashing store, pawn shop (including title pawn), laundromat, massage establishment, nail salon, beauty supply store, beauty shop, barber shop, flea market, ~~discount retail shop~~, roadside vending, roadside produce stand and seasonal vending.

\*Whereas, this request is to modify these conditions specifically, but all conditions remain intact. See attachment for all conditions.

---

**PUBLIC PARTICIPATION**

The applicant hosted a public meeting on March 14, 2019 at 7:00 p.m. at Diamond Hall and Conference Center located at 5495 Old National Highway, #C9, Atlanta, GA. Seventeen (17) members of public attended and expressed concern on access to the site, landscaping, and building material.

Three members of the public attended the staff-hosted Community Zoning Information Meeting on March 7, 2019 to learn more about the project.

---

**STAFF COMMENTS**

Engineering: None provided

Environmental: See Attached

Public Works: None provided

Transportation: None provided

MARTA: None provided

Fulton County Schools: None provided

Fire: None provided

Legal: None provided

---

**PLANNER'S RECOMMENDATION**

Staff's recommendation is **APPROVAL**. This proposed use does align with the Comprehensive Plan and would be allowed per the C-2 Zoning District.

---

**PREPARED BY:**

Richard Hathcock, Senior Planner

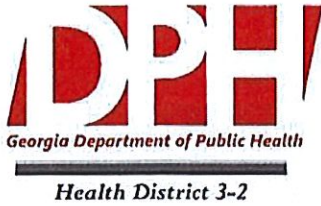
**REVIEWED BY:**

Keedra T. Jackson, Senior Planner  
Shayla Reed, Director

---

**MAYOR & COUNCIL ACTION**

Original hearing date: May 14, 2019



April 3, 2019

Richard Hathcock, MPA  
 Planner II  
 Community and Regulatory Affairs  
 City of South Fulton  
 5440 Fulton Industrial Boulevard S.W., Suite A  
 Atlanta, GA 30336-0308

**RE: Zoning Comments for April 2019**

Dear Mr. Hathcock:

The following are comments by the Environmental Health Services (EHS) Division and the Environmental Justice (EJ) Program of the Fulton County Board of Health. These comments are in reference to the zoning case which was previously received from your office.

| CASE NO.                                       | ZONING COMMENTS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| M-19-003<br>(5620 & 5626 Old National Highway) | <p><b><u>EHS Comments</u></b></p> <ul style="list-style-type: none"> <li>• The Fulton County Board of Health will require that the owner/developer connect the proposed development to public water and public sanitary sewer which are available to the site.</li> <li>• This development must comply with the Fulton County Code of Ordinances and Code of Resolutions, Chapter 34 – Health and Sanitation, Article III – Smokefree Air. If the proposed facility will serve persons under the age 18, smoking will not be allowed on the premises at any time.</li> <li>• This agency is requiring that plans indicating the number and location of outside refuse containers along with typical details of the pad and approach area for the refuse containers be submitted for review and approval.</li> <li>• If there is an existing structure to be demolished, this agency is requiring that it be inspected by a certified pest control operator to</li> </ul> |





| CASE NO. | ZONING COMMENTS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | <p>insure that the premise is rat free. If evidence of rodent infestation is found, the property must be baited prior to demolition.</p> <p><b><u>Public Health and EJ Comments</u></b></p> <ul style="list-style-type: none"> <li>The proposed Atlanta Habitat ReStore is not an environmentally adverse use. The Environmental Justice Program of the Fulton County Board of Health does not anticipate any adverse impacts to the health of humans or the environment as a result of approving the proposed zoning modification to remove "discount retail store" from the excluded uses to allow the construction of the proposed development.</li> </ul> |

If you have any questions related to the EHS comments, you may contact Ellis "Eli" Jones at 404-613-1337 or by e-mail at [Ellis.Jones@fultoncountyga.gov](mailto:Ellis.Jones@fultoncountyga.gov). All questions related to the broader public health and/or environmental justice comments should be directed to me, Monica Robinson, by telephone at 404-613-1491 or e-mail at [Monica.Robinson@fultoncountyga.gov](mailto:Monica.Robinson@fultoncountyga.gov).

Sincerely,



Monica M. Robinson, M.B.A.  
 Health Program Manager  
 Environmental Justice Program

CC: Ellis "Eli" Jones, Deputy Director EHS



J. Patrick O'Neal, M.D.  
 Interim District Health Director, District 3-2

**RECOMMENDED CONDITIONS**

If this petition is approved by the Board of Commissioners, it should be APPROVED C-2 (Commercial) CONDITIONAL subject to the owner's agreement to the following enumerated conditions. Where these conditions conflict with the stipulations and offerings contained in the Letter of Intent, these conditions shall supersede unless specifically stipulated by the Board of Commissioners.

1. To the owner's agreement to restrict the use of the subject property as follows:
  - a. Retail, service commercial and/or office and accessory uses, excluding indoor amusements, commercial amusements, automotive parking lot, garage, parking garage/deck, automotive specialty shop, automotive repair garage, emission testing station, group residence, free standing fast food restaurant, free standing liquor/wine/beer/package store, motel, hotel, check cashing store, pawn shop (including title pawn), laundromat, massage establishment, nail salon, beauty supply store, beauty shop, barber shop, flea market, discount retail shop, roadside vending, roadside produce stand and seasonal vending.
  
2. To the owner's agreement to abide by the following:
  - a. To the site plan received by the Department of Environment and Community Development on September 28, 2015. Said site plan is conceptual only and must meet or exceed the requirements of the Zoning Resolution and these conditions prior to the approval of a Land Disturbance Permit. In the event the Recommended Conditions of Zoning cause the approved site plan to be substantially different, the applicant shall be required to complete the concept review procedure prior to application for a Land Disturbance Permit. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of the first Certificate of Occupancy.
  
3. To the owner's agreement to the following site development considerations:
  - a. Reduce the landscape strips to the extent necessary to allow existing structures to remain.



# APPLICATION FOR ADMINISTRATIVE OR ZONING MODIFICATIONS

The undersigned, having an interest in the property herein described respectfully request:

## SECTION I

MODIFICATION #: \_\_\_\_\_  
(To be assigned by the City of South Fulton)

A. **ADMINISTRATIVE MODIFICATION:** A modification of a condition(s) of zoning or Use Permit that does not require a public hearing. A decision will be made by the Director of Community Development Services.

B. **ZONING MODIFICATION:** A modification of a condition(s) of zoning or Use Permit where public interest has been determined. This requires a public hearing by the City of South Fulton Councilmembers.

If "A" was denied, list previous case number: #M \_\_\_\_\_

- 1) Planner who determined the type of Modification you should file: Richard Hathcock
- 2) Identify the specific condition(s) being modified as provided by the Planner. State the condition number(s) and letters(s) (e.g. 2-b, 2-e). "Discount Retail" is a restricted use under condition 1A of zoning petition
- 3) Petition number of the Zoning or Use Permit to which this application applies 2015Z-0007 SFC  
Current zoning district C-2 Conditional
- 4) Attach a copy of Legal Description [must be metes and bounds], or complete the following information if the property is within a recorded subdivision.

SUBDIVISION NAME: \_\_\_\_\_ UNIT/PHASE: \_\_\_\_\_

LOT NUMBER: \_\_\_\_\_ BLOCK DESIGNATION: \_\_\_\_\_ LAND LOT(S): \_\_\_\_\_

DISTRICT/SECTION: \_\_\_\_\_ / \_\_\_\_\_ RECORDED IN PLAT BOOK: \_\_\_\_\_ PAGE: \_\_\_\_\_

ROAD NAME: \_\_\_\_\_

**NOTICE:** Sections III or IV below **MUST** be signed and notarized when application is submitted. If Section III is signed and notarized, applicant need only complete Section IV as "Applicant", notarization of Section IV is not necessary.

**SECTION III:** Owner states under oath that he/she is the owner of property described in the attached legal description, which is made part of this application for a Modification.

Andrew Gurvey  
APPLICANT (SIGNATURE)

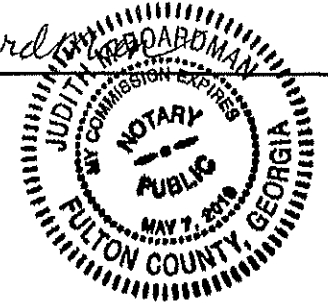
HABITAT FOR HUMANITY IN ATLANTA, INC  
BY ANDREW GURVEY, DIRECTOR OF REAL ESTATE

824 MEMORIAL DRIVE, SE  
ATLANTA, GEORGIA 30316  
404-849-7856  
ANDREW.GURVEY@ATLANTAHABITAT.ORG

Sworn to and subscribed before me this

25th day of February, 2019

Judith M Boardman  
NOTARY PUBLIC



**SECTION IV:** Applicant, if different from the Owner, states under oath that:

- 1) Applicant is the executor or attorney-in-fact under a Power-of-Attorney for the Owner. Attach copy of Power-of-Attorney and type name of Owner as indicated in Section III; or
- 2) Applicant has an option to purchase said property conditioned upon the property being granted a modification. Attach copy of contract and type name of Owner as indicated in Section III; or
- 3) Applicant has an estate for years which permits the applicant to apply for a modification. Attach a copy of lease and type name of Owner as indicated in Section III.

\_\_\_\_\_  
APPLICANT (SIGNATURE)

\_\_\_\_\_  
TYPE/PRINT NAME OF APPLICANT

\_\_\_\_\_  
ADDRESS

\_\_\_\_\_  
CITY & STATE          ZIP CODE

\_\_\_\_\_  
PHONE NUMBER

\_\_\_\_\_  
EMAIL ADDRESS

Indicate which of the above is applicable: 1 \_\_\_\_\_ 2 \_\_\_\_\_ or 3 \_\_\_\_\_

Sworn to and subscribed before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
NOTARY PUBLIC

**SECTION V:** Attorney or Agent, if different from the applicant and/or owner

\_\_\_\_\_  
SIGNATURE OF ATTORNEY/AGENT

CHECK ONE: [  ] ATTORNEY [  ] AGENT

\_\_\_\_\_  
ADDRESS

\_\_\_\_\_  
CITY & STATE          ZIP CODE

\_\_\_\_\_  
PHONE NUMBER

EXHIBIT A

SECTION I (4): Legal Description

All that tract or parcel of land lying and being in Land Lot 93 of the 13<sup>th</sup> District, Fulton County, Georgia, and being more particularly described as follows:

Beginning at a rebar found on the east right of way line of Old National Highway (right of way varies) 1,114.93 feet south as measured along the east right of way line of Old National Highway from its intersection with the south right of way line of Surrey Trail (a 60 foot right of way), which said rebar found is the POINT OF BEGINNING; from said POINT OF BEGINNING, run thence South 88 degrees 02 minutes 21 seconds East 284.53 feet to a rebar found; run thence South 89 degrees 02 minutes 06 seconds East 295.81 feet to a one inch crimp top pipe found; run thence South 00 degrees 14 minutes 05 seconds East 101.17 feet to a 5/8ths inch rebar found; run thence North 89 degrees 31 minutes 37 seconds West 262.57 feet to a rebar set, run thence South 83 degrees 26 minutes 47 seconds West 307.60 feet to a rebar found on the east right of way line of Old National Highway; run thence along the east right of way line of Old National Highway North 04 degrees 45 minutes 37 seconds West 149.34 feet to a rebar found on the east right of way line of Old National Highway, which said rebar found is the POINT OF BEGINNING. Said tract contains 1.519 acres more or less as shown on that certain topographic map for Atlanta Habitat for Humanity and First American Title Insurance Company, prepared by Michael R. Noles, R.L.S. No. 2646, dated 9-29-17, last revised October 23, 2017, which said topographic map is expressly incorporated herein and made a part hereof.

Said parcel having a street address of 5620 Old National Highway according to the present system of numbering houses in the City of South Fulton, Georgia.

Habitat for Humanity in Atlanta, Inc  
Application for Zoning Modification  
TPID#: 13 0093 LL1182

#### Legal Description

All that tract or parcel of land lying and being in Land Lot 93 of the 13<sup>th</sup> District, Fulton County, Georgia, and being more particularly described as follows:

Beginning at a rebar found on the east right of way line of Old National Highway (right of way varies) 1,114.93 feet south as measured along the east right of way line of Old National Highway from its intersection with the south right of way line of Surrey Trail (a 60 foot right of way), which said rebar found is the POINT OF BEGINNING; from said POINT OF BEGINNING, run thence South 88 degrees 02 minutes 21 seconds East 284.53 feet to a rebar found; run thence South 89 degrees 02 minutes 06 seconds East 295.81 feet to a one inch crimp top pipe found; run thence South 00 degrees 14 minutes 05 seconds East 101.17 feet to a 5/8ths inch rebar found; run thence North 89 degrees 31 minutes 37 seconds West 262.57 feet to a rebar set, run thence South 83 degrees 26 minutes 47 seconds West 307.60 feet to a rebar found on the east right of way line of Old National Highway; run thence along the east right of way line of Old National Highway North 04 degrees 45 minutes 37 seconds West 149.34 feet to a rebar found on the east right of way line of Old National Highway, which said rebar found is the POINT OF BEGINNING. Said tract contains 1.519 acres more or less as shown on that certain topographic map for Atlanta Habitat for Humanity and First American Title Insurance Company, prepared by Michael R. Noles, R.L.S. No. 2646, dated 9-29-17, last revised October 23, 2017, which said topographic map is expressly incorporated herein and made a part hereof.

Said parcel having a street address of 5620 Old National Highway according to the present system of numbering houses in the City of South Fulton, Georgia.



February 25, 2019

City of South Fulton  
Community Development Services  
Planning and Zoning Division

RE: Application for Zoning Modification  
TPID#: 13 0093 LL1182

### LETTER OF INTENT

To Whom It May Concern:

Habitat for Humanity in Atlanta, Inc. is a leading nonprofit, affordable, single-family housing developer in the Metro Atlanta area and one of the largest affiliates of Habitat for Humanity International. We also operate the *Atlanta Habitat ReStore* that sells household goods to the public. The store is a community asset to consumers and a source of revenue to further our mission.

We have acquired parcels of land at 5620 and 5626 Old National Highway (TPID 13 0093 LL1182 & 13 0093 LL1190) in the City of South Fulton for the purpose of developing the combined site for a new *ReStore* and office space. Our investment of \$5,000,000 in new construction on this site will serve as a base of operations as we continue to build high-quality, affordable homes and complete critical home repairs in South Fulton. This location will provide improved retail space for the area and jobs to residents of the City of South Fulton.

The intent of our application for Zoning Modification is to strike the singular prohibition of "discount retail" from the 2015 zoning petition 2015Z-0007 SFC affecting Tax Parcel 13 0093 LL1182.

Respectfully submitted,

A handwritten signature in black ink that reads "Andrew Gurvey".

Andrew Gurvey, Esq  
Director of Real Estate  
[andrew.gurvey@atlantahabitat.org](mailto:andrew.gurvey@atlantahabitat.org)  
404-465-1007



**PUBLIC PARTICIPATION PLAN  
FORM D**

Applicant: Habitat for Humanity in Atlanta, Inc.

1. The following individuals (property owners within a quarter mile of the property), homeowner's associations, political jurisdictions, other public agencies, etc., will be notified in accordance with the requirements of Article 28.4.7 of the Fulton County Zoning Resolution:

Please see the attached list of property owners identified by the City of South Fulton as Exhibit B.

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2. The individuals and others listed in 1. above will be notified of the requested modification using the following method(s): (e.g., letters, meeting notices, telephone calls, e-mails, etc.)

Notification of the meeting will be mailed to all property identified owners

Signs along the frontage of the property will be posted as required.

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3. Individuals and others listed in 1. above will be allowed to participate in the following manner: (At least one meeting at a convenient time and location is required.)

A public meeting will be scheduled at the Diamond Hall & Conference Center at 5495 Old

National Hwy #C9, Atlanta, Georgia 30349

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*Attach additional sheets as needed.*





March 1, 2019

TO: Adjacent Property Owners and Homeowner Associations

RE: Application for Zoning Modification  
TPID#: 13 0093 LL1182

Habitat for Humanity in Atlanta, Inc. has acquired property at 5620 Old National Highway (TPID 13 0093 LL1182) that was utilized as a used car lot. We have filed an application for Zoning Modification with the City of South Fulton to strike a singular prohibition of "discount retail" from the 2015 zoning petition 2015Z-0007 SFC affecting this property.

Please join us for a conversation regarding our development plans and investment in the community on March 14, 2019 from 7 p.m. to 9 p.m. at the Diamond Hall and Conference Center at 5495 Old National Highway, #C9, South Fulton, Georgia 30349.

Thank you.

Habitat for Humanity in Atlanta, Inc.



# DISCLOSURE REPORT FORM C

Office use only:  
 REZONING PETITION #: \_\_\_\_\_ CITY COUNCIL MEETING DATE: \_\_\_\_\_

- Within the (2) years immediately preceding the filing of this zoning petition have you, as the applicant, owner and/or opponent for the rezoning petition, or an attorney or agent of the applicant or opponent for the rezoning petition, made any campaign contributions aggregating \$250.00 or more or made gifts having an aggregate value of \$250.00 to a member of the City Council.

CIRCLE ONE:                    YES                    **NO**

If the answer is YES, proceed to sections 1 through 4.  
 If the answer is NO, complete only section 4.

1.            **CIRCLE ONE:**                    Party to Petition                    In Opposition to Petition

If party to petition, complete sections 2, 3, and 4 below.  
 If in opposition, proceed to sections 3 and 4 below.

2. List all individuals or business entities which have an ownership interest in the property which is the subject of this rezoning petition: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

3. CAMPAIGN CONTRIBUTIONS:

| Name of Government Official | Total Dollar Amount | Date of Contribution | Enumeration and Description of Gift Valued at \$250.00 or more |
|-----------------------------|---------------------|----------------------|----------------------------------------------------------------|
|                             |                     |                      |                                                                |
|                             |                     |                      |                                                                |
|                             |                     |                      |                                                                |
|                             |                     |                      |                                                                |
|                             |                     |                      |                                                                |
|                             |                     |                      |                                                                |

4. The undersigned acknowledges that this disclosure is made in accordance with the Official Code of Georgia, Section 36-67A-1 et. seq. Conflict of interest in zoning actions, and that the information set forth herein is true to the undersigned's best knowledge, information and belief.

Name (print) Habitat For Humanity in Atlanta, Inc. by Andrew Gurvey Director of  
 Signature: *Andrew Gurvey* Date: 2/25/2019 *Real Estate*

**GOVERNMENT OF THE CITY OF SOUTH FULTON**

Office of the City Manager

WILLIAM "BILL" EDWARDS  
MAYOR



ODIE DONALD II  
CITY MANAGER

**MEMORANDUM**

**TO:** City of South Fulton DRAFT Strategic Plan

**FROM:** Frank Milazi

**DATE:** May 14, 2019

**SUBJECT:** City of South Fulton DRAFT Strategic Plan

**REFERENCE:**

---

**CONCLUSION:**

**BACKGROUND:**

**FISCAL IMPACT:**

**ATTACHMENTS:**

| Description                 | Type       | Upload Date |
|-----------------------------|------------|-------------|
| Memo Strategic Plan         | Cover Memo | 5/10/2019   |
| South Fulton Strategic Plan | Cover Memo | 5/10/2019   |

# GOVERNMENT OF THE CITY OF SOUTH FULTON

## Office of the City Manager

WILLIAM “BILL” EDWARDS  
MAYOR



ODIE DONALD II  
CITY MANAGER

May 9, 2019

The Honorable Mayor William “Bill” Edwards  
and City of South Fulton City Council  
5440 Fulton Industrial Blvd., SW  
South Fulton, GA 30336

Greetings Mayor and City Council,

I am excited to transmit to the City of South Fulton’s DRAFT 2020 -2023 Strategic Plan: *Envisioning Our Future*. The goals identified within this three-year plan include the various reflect the hopes and dreams of the City of South Fulton and the community we proudly serve. This plan will drive each of us in our daily tasks and collaborative efforts to selflessly build a safer, stronger South Fulton for now and all future generations.

Dedicated staff members worked with our consultant to identify goals and KPIs that aligned with your strategic focus areas defined during the retreat facilitated by Carl Vinson Institute. The attached draft plan is a culmination of your thoughts and ideas as well as substantial feedback from the community-at-large. Your collective review and comments are necessary to move this plan forward to become a living document that governs the City’s growth and performance.

Your continuous support, engagement, innovative and responsive approach to the needs of the City of South Fulton community spearheaded the path to defining a clear and sustainable future for this great City. Therefore, as referenced during the previous Council presentation, it is requested that all comments and recommendations be returned by the June 11, 2019 Council meeting.

Under your leadership, the City of South Fulton is poised for limitless opportunities and success that is only possible due to the dedication and passion of people like you, who devote themselves to the mission of the City of South Fulton.

In Service,

A handwritten signature in black ink, appearing to read 'Odie Donald II', is written over a horizontal line.

Odie Donald II

# **City of South Fulton**

## **Strategic Plan**

# Draft

**Disclaimer: This is a draft copy of the strategic plan. Upon final submission of edits and approval, all images, charts, graphs, and other visual elements of this document will be professionally designed by the City of South Fulton's graphic designer and/or copy editor of choice.**

# City of South Fulton

## Strategic Plan Draft Version #9

Draft

November 14, 2018

December 19, 2018

January 2, 2019

March 6, 2019

March 11, 2019

April 17, 2019

April 26, 2019

May 7, 2019

May 8, 2019

## **Table of Contents**

1. Welcome Message from the Mayor
2. Message from the City Manager
3. Meet the Elected Officials
  - a. Citizens and Stakeholders (graph)
  - b. Council and Staff
  - c. Administrative Team & Organizational Chart
4. A Brief History of City of South Fulton
5. Where We Are Now
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  - b. Public Input - Town Hall Meetings
  - c. Public Input - Citizen Survey
  - d. Analysis of Strengths, Weaknesses, Opportunities, Threats (SWOT)
6. Where we want to go as a City
  - a. Vision
  - b. Mission
  - c. Operating Values
7. How we will achieve our vision & mission
  - a. Strategic Focus Areas
  - b. City Council Strategic Initiatives
  - c. Departmental Strategic Initiatives
  - d. Key Performance Indicators (KPIs)
8. Financial Ramifications of the Strategic Plan
9. How the City will Implement the Strategic Plan
10. How Citizens can participate in the Plan
11. Closing Thoughts and Thank you

**Welcome Message from the Mayor**

Draft



## Letter from the City Manager

For nearly six months from September 2018 through March 2019, the City gathered qualitative and quantitative information from citizens, staff and elected officials about both the needs in South Fulton and ideas for building a great City. We had over 10 Town Hall interactions related to the Strategic Planning and received over 680 survey responses about the City from stakeholders.

Overwhelmingly, Citizens expressed concerns about safety, a need for a higher quality of life (walking paths, trails, senior services), for better economic conditions and their desire for a government they can trust. Citizens spoke favorably about roadway infrastructure (travel-ability) although they did want better street lighting and intersection safety...and they spoke highly of fire services, housing options, and an openness to diversity. A full summary of these statistics can be found starting on page ##.

This citizen feedback aligns to the strategic focus areas as set forth by the elected officials and staff:

- More responsive and efficient government
- Healthy Council and Staff teams
- A growing economy
- Higher quality of life
- Improved infrastructure

The City is highly committed to implementing plans and projects that will advance these five strategic focus areas as they address nearly all of the citizens' concerns and aspirations. The City's staff has outlined a number of projects and initiatives in this plan that will directly impact the concerns that citizens have expressed. Now that we have clarity about the challenges and have set forth specific focus and initiatives, we will begin to execute these plans and communicating progress with you, our valued stakeholders.

South Fulton was created out of self-determination giving us a blank slate to create a City of opportunity where our residents feel safe, raise healthy families, and build thriving businesses. Building a City is hard work and there are numerous components to making the City of South Fulton "Where you want to be". I am excited to lead a team of brilliant professionals who are as dedicated to you as I am, and I am happy to move the City forward by continuing with such important work.

# Meet the Elected Officials

## Mayor and City Council



**District 1**  
Councilwoman  
Catherine Foster-Rowell  
[District 1 Map](#)  
[Email Councilwoman  
Rowell](#)



**District 2**  
Councilwoman  
Carmalitha Gumbs  
[District 2 Map](#)  
[Email Councilwoman  
Gumbs](#)



**District 3**  
Councilwoman Helen  
Willis  
[District 3 Map](#)  
[Email Councilwoman  
Willis](#)



**District 4**  
Councilwoman Naeema  
Gilyard  
[District 4 Map](#)  
[Email Naeema Gilyard](#)



**District 5**  
Councilwoman Rosie  
Jackson  
[District 5 Map](#)  
[Email Councilwoman  
Jackson](#)



**District 6**  
Councilman khalid  
kamau  
[District 6 Map](#)  
[Email Councilman khalid](#)



**District 7**  
Councilman Mark Baker  
[District 7 Map](#)  
[Email Mayor Pro Tem  
Baker](#)

City Councilmembers were asked to share their perspectives regarding what makes a community great including leadership, service and government effectiveness.

**Councilwoman Rosie Jackson**

As a community leader, public servant and passionate about what she believes, she is highly respected in her district for speaking truth and doing what is legally right.

She has worked tirelessly in her community breaking down barriers and overcoming obstacles.

**Efficiency in South Fulton Government**

“When you have a culture of openness to good ideas for **efficiency** regardless of the scale big or small, coupled with the right data, constant improvement will become the norm rather than the exception.” - Councilwoman Jackson

**Councilwoman Helen Zenobia Willis**

Councilwoman Helen Zenobia Willis was elected into office May 1, 2017, to represent District 3 in the City of South Fulton.

Her platform was to reduce the pipeline to prison by enhancing parks and recreation, financial transparency, and improving public safety.

**Service to Others**

“Service to others is the perfect example of role-modeling leadership. Residents should be empowered, engaged, and feel a sense of ownership in the city. To do so, they must see it from leadership first.” - Councilwoman Willis

**Councilman khalid kamau**

Councilman khalid is a champion for South Fulton’s core values of open and fair government, data driven decision-making, and innovative solutions.

khalid was educated in Fulton Public Schools and has is a passionate advocate for South Fulton’s core value of engaging youth and developing the next generation of civic leaders.

**Engaged Citizens**

“The only way to build a city that engages & develops South Fulton’s young people is to give them a seat at the table where decisions are made.” – Councilman khalid

**Councilwoman Dr. Catherine Foster Rowell**

Councilwoman Dr. Catherine Foster Rowell represents City of South Fulton District 1 and served as the city’s first Mayor Pro Tem.

**Honesty and Openness**

“As the city’s first elected leaders, we must set the tone by being open, honest and transparent with stewardship of our public resources.” – Councilwoman Rowell

She desires for the city to have quality growth that is sustainable and improves the quality of life for the city's residents.

**Councilwoman Carmalitha Gumbs**

Councilwoman Carmalitha Gumbs represents District 2. As a member of the City's inaugural administration, she has been an enthusiastic champion of her community and fierce advocate for seniors and youth.

Councilwoman Gumbs has sponsored legislation that aims to create a more ethical and transparent government, lay the foundation for South Fulton to evolve as a smart city, promote quality development and better regulate the local economy.

**Respect**

“Respect is one of the most important pillars of a successful government. A deep respect for people and sound processes is the compass that guides ethical, inclusive and results-driven policy.”

- Councilwoman Gumbs

**Councilwoman Naeema Gilyard, MHA**

Councilwoman Gilyard serves District 4

The last thirty years of Ms. Gilyard's career have focused on prevention programs, education, management and finance in a public health setting, environmental activism in communities.

She has a goal to make land use decisions that protect our quality of life, support environmentally friendly businesses and ensure that the community adheres to environmental compliance laws that protects our health while being fiscally frugal.

**Environmentalism**

“Citizens and Council working together can overcome the environmental challenges we face as a city.”

- Councilwoman Gilyard

**Mayor Pro-Tem Mark Baker**

Councilman Baker serves District 7

**BAKER – BIO & QUOTE PENDING**

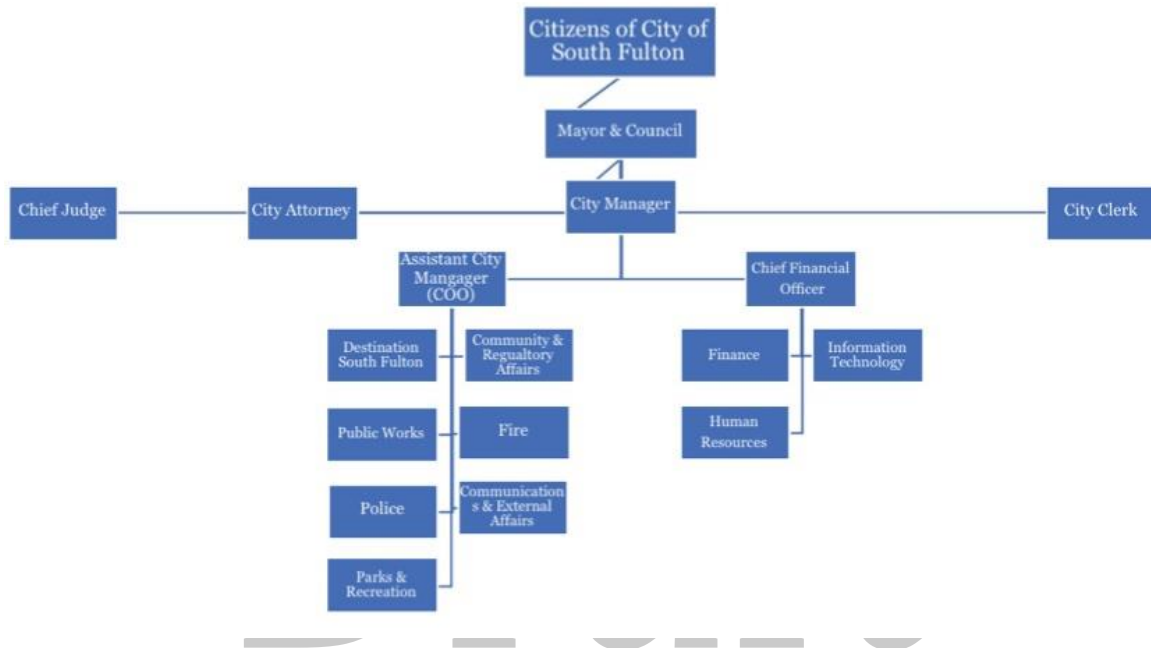
**Passion and Positivity**

“...”

- Councilman Baker

## Administrative Team Organizational Chart

The City of South Fulton is a Council / Manager form of government where the legislative and policy arena is lead by the Council and the day-to-day operations are led by the City Manager. The team made significant contributions to the development of this strategic plan to help shape the direction and near-term goals.



## A Brief History of the City of South Fulton

The city of South Fulton was incorporated in May 2017 as part of the Metropolitan Atlanta area. South Fulton is the third largest city in metro Atlanta and the 8<sup>th</sup> largest city in the state of Georgia, serving the population of 98,000 according to the US Census Bureau's report estimate for 2018 census projections.

The City's daytime population remain consistent at more than 110,000 due to the concentration of major industries in business districts located within the city including; wholesale trade, educational services, retail trade, waste management and remediation, food services and agriculture

The City is home to the South Fulton Parkway Corridor, which runs through one of the districts and is only minutes from Hartsfield-Jackson Atlanta international Airport. The Old National Highway Corridor is one of the region's most densely populated areas and serves as the largest commercial corridor within the City's limits.

The Fulton Industrial District is recognized as one of the largest industrial and business areas in the metropolitan Atlanta region, and is adjacent to the City. Portions of Camp Creek's industrial commercial businesses are also held within the City's borders. The City also houses the Wolf Creek Amphitheater, an outdoor recreation concert venue.

### City Snapshot

- Chartered May 1, 2017
- 85.64 Square Miles
- 1,700+ Businesses
- Home to Wolf Creek Amphitheater
- 17 parks totaling 692 acres
- Fire Service
  - 10 Fire Stations
  - ISO 3-9
  - 167 Fire Personnel
- Police Service
  - 3 Precincts
  - 117 Police Personnel
- Busiest Airport in the World
  - 15.5 miles from City Hall

### City Demographics (US Census Bureau, 2018)

- Median Age – 35
- Number of Households – 35,392
- Percent of Population (Homeownership) – 66.7%
- Median Household Value - \$187,477
- Median Household Income - \$59,395
- Average Household Income - \$78,244
- Per Capita Income - \$29,181
- Education Attainment – 91.6% (HS graduate+) / 36.9% (Bachelor's Degree +

# **Where We Are Now**

*What are our current strengths, weaknesses,  
opportunities and threats?*

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## The Current Situation of South Fulton

On November 18, 2018, the City of South Fulton successfully transitioned all city services from Fulton County. The pace and breadth of policy development and organizational establishment since early 2018 has been significant. Rightly so, this has been the focus of the City for last year and a half.

In addition, the City Council, many of which have little or no City government experience, have worked tirelessly to make decisions and advance the burgeoning City so that it is functional and operational. While the process has been fraught with disagreement at times, the intent and heart behind the City's development debates has been positive.

Now the City is turning its focus to more operational matters as there is a significant amount of organizational, process, technology, relational and policy matters yet to firmly establish. Being a new City brings with it the positive of a considerable amount of control and better services, but also brings a significant need for the development of new processes, systems, relationships and direction.

In a University of Georgia Carl Vinson School of Government facilitated retreat in September 2018, the Council and senior staff provided input as to areas of the City that are considered strengths, weaknesses, opportunities and threats (SWOT). Identifying these four areas through a process known as a SWOT analysis helped the City remain focused on the areas it can advance and leverage and overcome the areas that are considered weaknesses or threats.

It is healthy for the City to clearly define what is lacking and to agree on the current state of affairs so that any goals that are developed help address areas of agreed upon weaknesses or outside threats.

Below are the strengths, weaknesses, opportunities and threats for each of the five strategic focus areas outlined in this plan.

### City Council Input

In a subsequent interview process in November 2018, City Council members were asked about current and future desires for the City. Below are their consolidated responses.

**When asked about their core desire** for South Fulton, Councilmembers replied financial viability, economic development, quality service delivery and best practices, an efficient government and development of team talent and team excellence.

**When asked what the greatest hindrances** to success are, the Council answered generational divide, lack of leadership, relations with Council / Mayor, growing pains and crime.

**When asked how each Councilperson defines success** in South Fulton the Council's answers included economic development, working together as a



team, communicating well with citizens, quality service delivery, investing in staff and reducing crime.

**When asked how to create unity** on City and Council teams, Council responded with ideas including a desire to eliminate competing with each, a need for more education of Council, the need to form work groups, increase respect, grow team harmony / unity and build a comprehensive, strategic plan that will create a shared vision.

**When asked about how to create more economic opportunity** Council responded more focus on Old National, rethink our character / who we are, reduce crime, broaden revenue streams and promote our assets.

**When asked how to improve the quality of life in South Fulton**, Council responded to reduce income inequality, make good decisions, deal with neighboring cities and warehouse issues, create more outlets for young people (parks and recreation), live, work, play..., focus on efficient government and reduce crime.

*“Collaboration is a key part of the success of any organization, executed through a clearly defined vision and mission and based on transparency and constant communication.” - Dinesh Paliwal*

## **Public Input – Town Hall Meetings**

**PICTURES OF TOWN HALL MEETINGS HERE – IMAGE HERE**

Citizens were invited to participate in public town hall style meetings during the development of this plan. The city sponsored ten public townhall meetings and the public responded and participated in a very active and positive way. Over all several hundred people participated in these public events and nearly all of their comments and concerns for the city are outlined in this document.

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## Public Input – Citizen Survey of South Fulton

Over 680 citizens participated in an online survey to share their thoughts on the city's current state and future direction. A full listing of the results sort-able by District can be found at: [www.cityofsouthfulton.com/surveyresults](http://www.cityofsouthfulton.com/surveyresults)

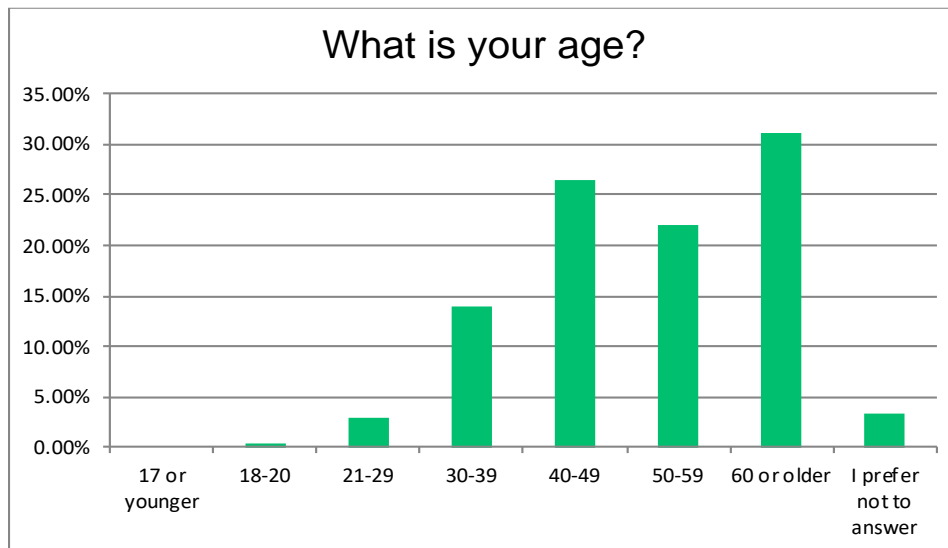
The responses of the citizens who participated in the survey reflect a well serious interest in advancing key areas of the city. Their overall message to the City is:

- We want a better sense of safety
- We want a higher quality of life with more walking trails and senior activities
- We want to make South Fulton a great place for others to visit
- We want to grow our trust in our local government
- We want to see more development of the local economy with more employment opportunities
- We want to make South Fulton an even better place to raise children
- We want to see a better direction for the City and grow confidence in our local government

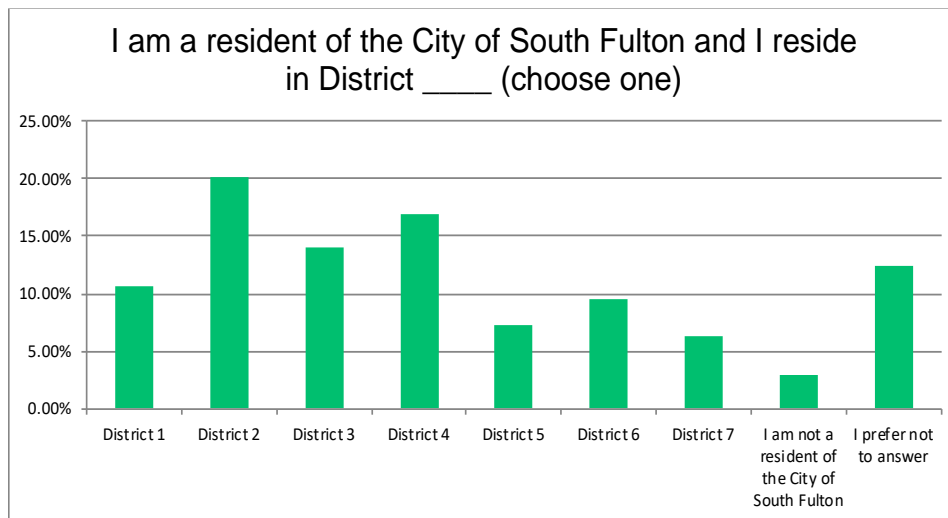
There are many reasons for these strong sentiments, one of which may be a pent-up frustration with not having an identity or not having representation for so such a long period of time. Citizens expect and demand a lot now that they have their own City and they want it now. Citizens often don't know or understand why large projects take a long time to complete, nor do they hear about the large progress made in many areas of the City. The City should continue to grow its sharing of successes with Citizens so that they better understand the progress that is being made....and there is plenty.

Below are selected results of the survey that directly relate to the areas of the plan we want to address:

- Confidence in South Fulton Government – IMAGE HERE
- Satisfied with quality of new developments – IMAGE HERE
- Satisfied with overall image and reputation – IMAGE HERE
- Satisfied with opportunities to participate in community matters – IMAGE HERE
- South Fulton is a great place to start a business – IMAGE HERE
- Quality of recreation programs – IMAGE HERE
- Enough walking trails – IMAGE HERE
- Quality of life overall – IMAGE HERE



*\*Median Age in the City of South Fulton is 35*



Of 40+ questions asked on the survey, the bottom 10 rated questions are outlined below as well as the Top 5 highest rated responses.

81% of respondents live in the City of South Fulton and 80% were 40 years old or over.

When asked residents to rate the City of South Fulton, the Top 10 responses that were rated best by citizens include:

1. The City of South Fulton accepts people of diverse backgrounds  
(62.46% Agree; 14.83% Disagree; 22.70% Neutral)
2. I will live in the City of South Fulton for the next 5 years  
(56.12% Agree; 18.85% Disagree; 25.04% Neutral)
3. It's easy to get around (travel) in the City of South Fulton

- (47.57% Agree; 31.08% Disagree; 21.35% Neutral)
4. The City of South Fulton has enough affordable quality housing  
(45.95% Agree; 24.30% Disagree; 29.75% Neutral)
  5. The City of South Fulton's fire services are adequate  
(42.24% Agree; 18.76% Disagree; 39.00% Neutral)
  6. The City of South Fulton is a great place to visit  
(34.81% Agree; 34.07% Disagree; 31.13% Neutral)
  7. The City of South Fulton's government is honest  
(33.33% Agree; 18.80% Disagree; 47.87% Neutral)
  8. I feel safe in the City of South Fulton  
(29.85% Agree; 46.48% Disagree; 23.68% Neutral)
  9. The City of South Fulton is developing from an economic perspective  
(29.44% Agree; 39.05% Disagree; 31.51% Neutral)
  10. The City of South Fulton's government acts in our best interest  
(29.31% Agree; 33.58% Disagree; 37.11% Neutral)

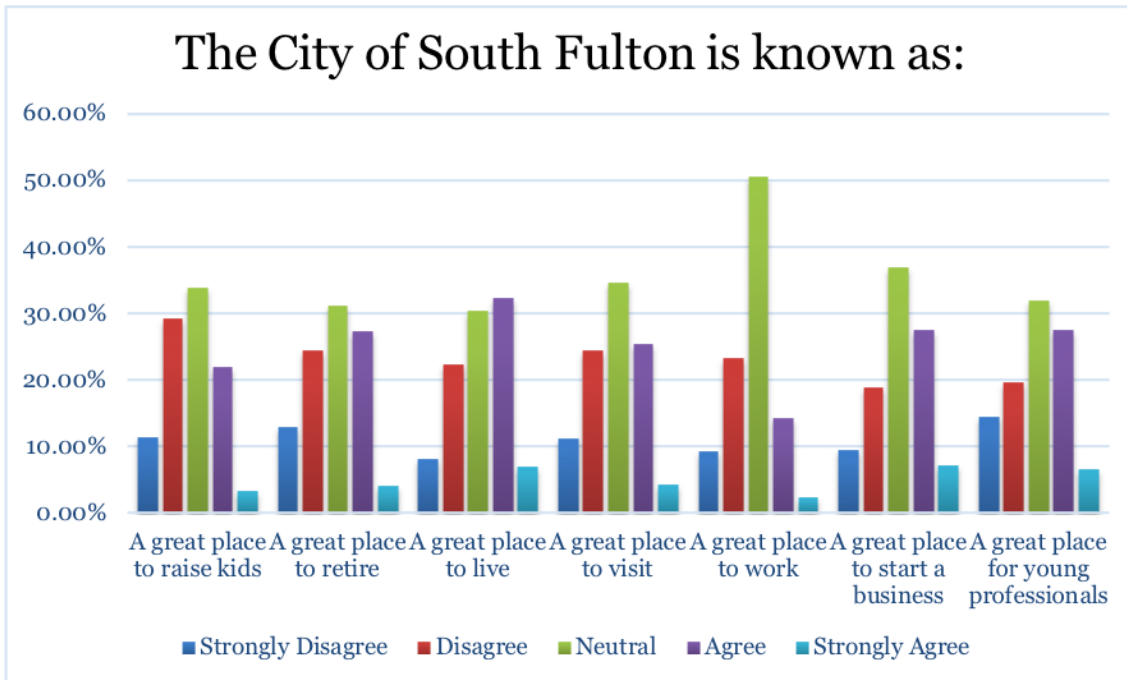
Bottom 10 Rated Responses by Citizens:

1. The City of South Fulton has ample paths and walking trails  
(6.90% Agree; 77.53% Disagree; 15.57% Neutral)
2. The City of South Fulton has great parks  
(24.01% Agree; 51.54% Disagree; 24.45% Neutral)
3. I feel safe in the City of South Fulton  
(29.85% Agree; 46.48% Disagree; 23.68% Neutral)
4. The City of South Fulton's police services are adequate  
(25.22% Agree; 45.73% Disagree; 29.06% Neutral)
5. The City of South Fulton makes good use of the city's land  
(10.69% Agree; 44.96% Disagree; 44.36% Neutral)
6. There are employment opportunities in the City of South Fulton  
(22.56% Agree; 39.38% Disagree; 38.05% Neutral)
7. The City of South Fulton is developing from an economic perspective  
(29.44% Agree; 39.05% Disagree; 31.51% Neutral)
8. The City of South Fulton has ample services and programs for senior citizens  
(14.39% Agree; 38.72% Disagree; 46.88% Neutral)
9. The City of South Fulton has ample services and programs for veterans

(3.71% Agree; 34.42% Disagree; 61.87% Neutral)

10. The City of South Fulton is a great place to visit  
(34.81% Agree; 34.07% Disagree; 31.13% Neutral)

When respondents were asked to select if they agreed or disagreed with statements regarding the perception of South Fulton we found that almost 40% of respondents do not agree that the City is known as a great place to raise kids, retire, or visit. While 39% of respondents believe the City of South Fulton is a known as a great place to live, almost 50% were undecided or neutral on whether the City is a great place to work and 36% undecided or neutral about how the City embraced young professionals.



Lastly, we asked respondents to rate how satisfied they were with particular attributes of and services provided by the City. Out of the Top 10 response only one options scored more than 50% agreement—*public engagement*. Fifty-three percent of respondents said they were satisfied with the “Opportunities to participate in community matters impacting the City of South Fulton”.

1. Opportunities to participate in community matters impacting the City of South Fulton  
(53.85% Agree; 19.38% Disagree; 26.78% Neutral)
2. The City's support for minority businesses  
(38.41% Agree; 18.84% Disagree; 42.75% Neutral)
3. Variety of housing options within the City of South Fulton

- (33.04% Agree; 31.41% Disagree; 35.56% Neutral)
4. Overall quality of life in the City of South Fulton  
(31.36% Agree; 36.83% Disagree; 31.80% Neutral)
  5. Overall customer service provided by the City of South Fulton employees  
(29.48% Agree; 27.26% Disagree; 43.26% Neutral)
  6. The City's support for non-minority businesses  
(29.20% Agree; 13.87% Disagree; 56.93% Neutral)
  7. The overall direction that the City of South Fulton is taking  
(28.34% Agree; 31.90% Disagree; 39.76% Neutral)
  8. Overall confidence in the City of South Fulton government  
(27.51% Agree; 39.50% Disagree; 32.99% Neutral)
  9. Opportunities to attend cultural activities within the City of South Fulton  
(26.22% Agree; 43.71% Disagree; 30.07% Neutral)
  10. My knowledge of South Fulton City government & how it works  
(23.91% Agree; 28.99% Disagree; 47.10% Neutral)

Bottom 10 Rated Responses by Citizens:

1. Shopping opportunities available in the City of South Fulton  
11.21% 75.81% 12.98%
2. Recreation & entertainment activities for children & families in the City of South Fulton  
(13.87% Agree; 60.59% Disagree; 25.55% Neutral)
3. The overall image or reputation of the City of South Fulton  
(16.71% Agree; 59.91% Disagree; 23.37% Neutral)
4. Cleanliness of the City of South Fulton  
(18.37% Agree; 59.86% Disagree; 21.78% Neutral)
5. Entertainment activities for young professionals in the City of South Fulton  
(7.30% Agree; 59.86% Disagree; 32.85% Neutral)
6. Overall appearance of the City of South Fulton  
(19.50% Agree; 58.79% Disagree; 21.71% Neutral)
7. Overall quality of business and service establishments in the City of South Fulton  
(17.07% Agree; 53.00% Disagree; 29.94% Neutral)
8. Quality of new development in the City of South Fulton  
(15.87% Agree; 52.67% Disagree; 31.45% Neutral)

9. Value of services for the taxes paid to the City of South Fulton  
(18.94% Agree; 51.93% Disagree; 29.14% Neutral)

10. Quality of K12 education in the City of South Fulton  
(14.22% Agree; 45.63% Disagree; 40.15% Neutral)

The feedback not only aligns with the strategic focus areas of Council and staff, but they justify them.

See this [LINK](#) to view all the survey results.

### **How These Survey Results will be Used**

Citizen input is vital to ensuring that the City is focused on the things that matter most to the City. The City will analyze the results of the survey and then use the results to guide incremental spending and focus for the areas of concern. Each of the five areas of strategic focus are important, the weight and input of the citizenry will and does impact the amount of focus and attention each of these five areas received from Council.

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**SWOT ANALYSIS**

**SWOT Analysis – Developing Strong Healthy Teams**

Government, processes, services, public space, public safety and all the other areas of the City of South Fulton involve people. The development and cultivation of relational skills and professional work skills is paramount to advancing any initiatives in the Strategic Plan. It is first. Below is a SWOT analysis that addresses issues regarding teamwork.

| <b>Goal 1 – Develop Strong Healthy Teams</b>           |                                                    |                                                             |                                                                            |
|--------------------------------------------------------|----------------------------------------------------|-------------------------------------------------------------|----------------------------------------------------------------------------|
| <b>Strengths</b>                                       | <b>Weaknesses</b>                                  | <b>Opportunities</b>                                        | <b>Threats</b>                                                             |
| Openness to the relational challenges                  | Council that argues in public                      | Develop service orientation for employees                   | Economic engines outside community do not invest due to relational tension |
| Staff has positive outlook in place to implement goals | Lack of team unity among Council                   | Increase professional skills and leadership skills of staff | Too many new, unplanned urgencies                                          |
| Creating strong policies to strengthen processes       | Have no common unity around direction              | Develop relationships with surrounding communities          | Short-term decision making                                                 |
| Ideologically diverse Council                          | Focus on who gets credit versus servant leadership | Develop relationship skills of Council                      | Citizens expectations not aligned to budget and resources                  |

## SWOT Analysis – Grow Infrastructure and Solidify Finances

The main work of government is public safety and the provision of basic services such as water, roads and sanitation. Because South Fulton is a new City considerable time and effort needs to be put into growing its infrastructure and financial health so that it can best serve the basic needs of the community. Below is a SWOT analysis of the City’s infrastructure and financial situation.

| <b>Goal 2 - Grow Infrastructure and Solidify Finances</b> |                                         |                                         |                                                           |
|-----------------------------------------------------------|-----------------------------------------|-----------------------------------------|-----------------------------------------------------------|
| <b>Strengths</b>                                          | <b>Weaknesses</b>                       | <b>Opportunities</b>                    | <b>Threats</b>                                            |
| Access to Local Option Sales Tax                          | Low cash reserves                       | Develop diversified revenues            | Lack of public understanding of long-term financial needs |
| Large tax base                                            | Financial obligations due to transition | Increase financial stability            | Decrease in tax digest                                    |
| Limited debt                                              | Infrastructure needs are significant    | Create Development Authority            | Not managing to budget; unplanned expenses                |
|                                                           |                                         | Eliminate some IGAs with other agencies | Dependent on a few sources of income                      |

**SWOT Analysis: Increase Community Collaboration and Improve Quality of Life**

All new communities, especially a new city like South Fulton, should establish strong relationships with its neighbors and focus on quality of life issues. The SWOT analysis and issues for the City in developing community collaboration and quality of life is shown below.

| <b>Goal 3 - Increase Community Collaboration and Improve Quality of Life</b> |                                                     |                                                       |                                                                 |
|------------------------------------------------------------------------------|-----------------------------------------------------|-------------------------------------------------------|-----------------------------------------------------------------|
| <b>Strengths</b>                                                             | <b>Weaknesses</b>                                   | <b>Opportunities</b>                                  | <b>Threats</b>                                                  |
| Large city with large influence                                              | Vocal naysayers that need to be included and valued | Our size benefits our influence                       | Further annexation of parts of South Fulton                     |
| Facilities to support collaboration                                          | Lack of diversity                                   | Leverage resources from neighboring communities       | Trucking demands and influence on quality of life               |
| Engaged citizens                                                             | 48% voted against City formation                    | Grow partnerships with school system                  | Neighbor cities not linked to our zoning                        |
| Council strong desire to build outside ties                                  | Weak school system                                  | Educate citizens on City processes                    | Legal challenges from zoning issues                             |
| Strong state legislators                                                     |                                                     | Grow citizen confidence in City                       | Continued strain from a difficult transition from Fulton County |
|                                                                              |                                                     | Improved communications with neighboring communities  |                                                                 |
|                                                                              |                                                     | Develop new partnerships with neighboring Communities |                                                                 |

**SWOT Analysis: Focus on Economic Development**

Growing the economy and generating sufficient tax revenues goes a long way to addressing and resolving City issues. Since South Fulton is a new City, more effort must be put in place to leverage strengths and minimize threats and weaknesses in this important area. Below is the SWOT analysis related to the topic of economic development.

| <b>Goal 4 - Focus on Economic Development</b>      |                                                                      |                                                       |                                                          |
|----------------------------------------------------|----------------------------------------------------------------------|-------------------------------------------------------|----------------------------------------------------------|
| <b>Strengths</b>                                   | <b>Weaknesses</b>                                                    | <b>Opportunities</b>                                  | <b>Threats</b>                                           |
| Location: Close to Interstate 20, rail and airport | No past focus on Economic Development                                | Annexation of Fulton Industrial Blvd                  | Gentrification: Negative citizen impact from development |
| Existing developer interest                        | Funding to invest in resources for Economic Development              | Develop City Center                                   | Loss of industrial base                                  |
| Significant land availability                      | Lack of retail, entertainment, transportation and healthcare options | Reclaim illegally annexed areas                       | Industrial expansion location not ideal                  |
|                                                    | Lack of investment in land by City                                   | Large commercial and retail development opportunities |                                                          |
|                                                    | Limited housing stock                                                | Significant land availability                         |                                                          |
|                                                    | Lack of Economic Development Plan                                    | Develop tourism                                       |                                                          |
|                                                    | Lack of “toolkit” for Economic Development                           | Develop new tools for Economic Development            |                                                          |
|                                                    | Lack of policies and regulations around Economic Development         | Obtain industrial base                                |                                                          |
|                                                    |                                                                      | Opportunity to develop public / private partnerships  |                                                          |

**SWOT Analysis: Create an Efficient Government & Service Delivery**

It is important that the City continue to work toward more and more efficiencies in how it operates. There is a need for systems, boundaries, clarity of roles and systems to allow Departments and others to function in an efficient manner. Below is the SWOT analysis for the City for the area of efficiency and service delivery.

| <b>Goal 5 – Create an Efficient Government &amp; Service Delivery</b> |                                                       |                                                     |                                                                 |
|-----------------------------------------------------------------------|-------------------------------------------------------|-----------------------------------------------------|-----------------------------------------------------------------|
| <b>Strengths</b>                                                      | <b>Weaknesses</b>                                     | <b>Opportunities</b>                                | <b>Threats</b>                                                  |
| Professional staff with strong desire to have cooperation             | Lack interdepartmental systems and processes          | Increase public safety headcount                    | Outdated facilities                                             |
|                                                                       | Lack of performance management systems                | Improve healthcare access                           | Loss of focus on critical initiatives due to unplanned projects |
|                                                                       | Lack transparent budgeting system                     | Leverage Great park programming                     | IT threats and outages                                          |
|                                                                       | New City with limited history in how to achieve goals | Increase park programming for youth                 |                                                                 |
|                                                                       |                                                       | Implement Performance Management system             |                                                                 |
|                                                                       |                                                       | Create intra-departmental teams to focus on process |                                                                 |

# **Where We Want to go as a City**

*“If you want to go fast, go alone. If you want to go far, go together.”  
African Proverb*

## **South Fulton’s Vision, Mission and Values**

According to the New York Times selling author Patrick Lencioni, there are six crucial questions that each organization needs to be able to answer to be successful. They are:

1. Why do we exist?
2. How do we behave?
3. What do we do?
4. How will we succeed?
5. What is most important--right now?
6. Who must do what?

The City of South Fulton has established a vision for why it exists, how it will commit to behave and what the team will do each day. The City’s vision, values and mission answer the first three questions. The remainder of the Strategic Plan answers many of the other questions.

### **City of South Fulton Vision – *This is a future-looking aspirational statement of who we want to be.***

City of South Fulton will be an innovative, diverse community that is safe, environmentally conscious, healthy, transparent and financially sustainable for all its citizens and visitors.

### **City of South Fulton Mission – *This is the day-to-day focus of each employee.***

Each day we will exceed the expectations of our customers as we deliver municipal services with respect and professionalism.

### **City of South Fulton Values – *These values guide how we treat each other and how we serve the Citizens.***

1. **Honesty / Integrity:** We will agree to hold ourselves to a high ethical standard and hold each other accountable to that standard. This is the foundation of all our interaction and purpose.
2. **Respect:** We will respect others even when we disagree with their point of view or feel as though we are being misrepresented. We will learn to be open and encourage disagreement but not be disagreeable. We commit to holding each other to this standard of behavior.
3. **Service to Others:** We are here to serve others and we believe the public service is based in humility. We will submit our individual ideas and plans to the City’s larger plans and progress. This is a hallmark of a strong leader.
4. **Environmentalism:** We will act in a way that preserves and protects our environment and encourage environmentalism in our community.



5. **Efficiency:** We will be good stewards of our resources, be efficient in how we deliver services and provide prompt accurate service to our citizens and stakeholders.
6. **Open-Mindedness:** We promise to be open-minded and respectful to those with which we work. We will be willing to not only listen but to be open to change ourselves.
7. **Passion and Positivity:** Being positive and passionate about our City and our future is critical to inspiring others to do their best. We commit to finding ways to be positive and uplifting despite challenges that may come our way.

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# **How We Will Achieve Our Vision and Mission**

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*Strategic Focus Areas*

"If members of a leadership team can rally around clear answers to the six fundamental questions--without using jargon--they will drastically increase the likelihood of creating a healthy organization," he says. "This may well be the most important step of all in achieving the advantage of organizational health." - Author Patrick Lencioni

## **South Fulton's Five Strategic Focus areas**

Following are the five areas of unique strategic focus that the City of South Fulton will act on with extra effort, resources and intentionality over the next 2-5 years.

### **Goal 1 – Invest in Developing Strong Teams**

Develop a cohesive, servant-leader environment of trust and cooperation; commit to a shared vision while maintaining the epitome of professionalism.

### **Goal 2 - Grow Infrastructure and Solidify Finances**

Build and diversify our revenue sources to ensure financial adequacy and stability to reduce dependence on any single source.

### **Goal 3 - Increase Community Collaboration and Quality of Life**

Strengthen relationships with our county and state legislators and surrounding municipalities that will aid the City of South Fulton to take a regional approach to services. Launch initiatives and create change that will improve our quality of life.

### **Goal 4 - Focus on Economic Development**

Promote a healthy and prosperous economy that supports small businesses, entrepreneurs, tourism, and public-private partnerships. Define and promote who the City is and market it to stakeholders.

### **Goal 5 – Create an Efficient Government**

Provide quality and efficient services to improve the quality of life for residents and businesses. Services include fire, police, parks and recreation, courts, economic development, zoning and land use, public works, and sanitation.

# **Council and Departmental Strategic Goals and Initiatives**

## **Goal 1 – Develop Strong Healthy Teams Council Goals**

|                                                                                                                                                      |                                |             |
|------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|-------------|
| Move forward with a cohesive, altruistic environment of trust and cooperation with a shared vision while maintaining the epitome of professionalism. |                                |             |
|                                                                                                                                                      | <b>DEPT</b>                    | <b>Term</b> |
| Improve teamwork and communication among Staff and Council                                                                                           | Mayor / City Manager / Council | Annually    |
| Council training regarding effective communication, confidentiality, staff relations, etc.                                                           | Council / City Manager         | 2020        |
| Develop a professional and educated City Council team                                                                                                | Council / City Manager         | 2020-2021   |
| Define process for appropriate interactions between council and staff                                                                                | Council / City Manager         | 2020        |
| Engage South Fulton Delegation to clarify aspects of City Charter & improve relationships                                                            | City Manager / Council         | In Process  |
| Audit processes, systems and overall performance issues for departments to build stronger teams                                                      | IT / Performance               | 2020-2021   |
| Define and launch customer service initiatives to improve efficiency & better serve citizens                                                         | City Manager / Performance     | 2020-2022   |
| Create and implement policies for clarity and organizational effectiveness                                                                           | City Manager / HR              | 2020        |
| Implement and communicate strategic plan for codified vision/purpose                                                                                 | In Process                     | 2019        |

## Goal 1: Develop Strong Healthy Teams Departmental Strategic Goals

| Item                                                                                                                                                                                 | Focus Area           | Department                             | Timeframe |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|----------------------------------------|-----------|
| Implement an internal Newsletter for Team to help increase awareness of events and morale                                                                                            | Develop Strong Teams | Communications                         | 2019+     |
| Provide media training for Council                                                                                                                                                   | Develop Strong Teams | Communications                         | 2019      |
| Improve technology support model (people, processes and technology) including self-service                                                                                           | Develop Strong Teams | IT                                     | Ongoing   |
| Conduct internal training for staff on areas including topics such as making a good impression, etiquette, attire.                                                                   | Develop Strong Teams | Communications, Council                | 2019      |
| Formalize the City's salary administration by implementing a comprehensive classification and compensation study.                                                                    | Develop Strong Teams | HR                                     | 2020      |
| Implement activities to improve recruitment and retention of a talented workforce to meet the needs of the City (including leadership development and management skills development) | Develop Strong Teams | HR                                     | 2019+     |
| Train City, Staff and Council on Economic Development Realities (Retail = Tax Revenue)                                                                                               | Develop Strong Teams | Economic Development / Council & Staff | 2019      |
| Certify all Sworn officers in Crisis Intervention                                                                                                                                    | Develop Strong Teams | Police                                 | 2019      |

**Goal 2 - Improve Infrastructure and Solidify Finances  
Council Strategic Goals**

Build and diversify our revenue sources to ensure financial adequacy and stability to reduce dependence on any single source.

|                                                                                                                                              | <b>DEPT</b> | <b>Term</b> |
|----------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|
| Grow financial reserves to provide City with a “rainy day” fund                                                                              | Finance     | 2020-2024   |
| Develop and implement a plan to diversify revenue and, where applicable, increase financial stability through improved policies and new fees | Finance     | 2019-2020   |
| Capture all LOST funds due to the City                                                                                                       | Finance     | 2019-2020   |

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## Goal 2 - Improve Infrastructure and Solidify Finances Departmental Strategic Goals

| Item                                                                                   | Focus Area                 | Department                                 | Timeframe |
|----------------------------------------------------------------------------------------|----------------------------|--------------------------------------------|-----------|
| Implement impact fees for commercial and residential development                       | Finance and Infrastructure | Community & Regulatory Affairs             | 2019      |
| Reconsider and recommend fee schedule for department                                   | Finance and Infrastructure | Community & Regulatory Affairs             | 2019      |
| Secure Federal grant funding for training and other designations such as LCI & CDBG    | Finance and Infrastructure | Community & Regulatory Affairs             | 2020      |
| Research and establish (cash) bonding rules to improve long-term development viability | Finance and Infrastructure | Community & Regulatory Affairs and Finance | 2019      |
| Improve government transparency through implementation of OpenGov                      | Finance and Infrastructure | Finance                                    | 2019      |
| Increase use of grants to reduce City operating funds (such as CDBG)                   | Finance and Infrastructure | Finance                                    | 2019-2022 |
| Implement bond financing capabilities                                                  | Finance and Infrastructure | Finance                                    | 2019-2021 |
| Develop Fire Station Facility upgrade plan                                             | Finance and Infrastructure | Fire                                       | 2019      |
| Consider County fire tax to help pay for capital needs of Fire Department              | Finance and Infrastructure | Fire                                       | 2020-2021 |
| Create a small cell and Smart City Plan                                                | Finance and Infrastructure | IT                                         | 2019-2020 |
| Research and develop a plan to generate additional revenue in Parks                    | Finance and Infrastructure | Parks                                      | 2019-2020 |
| Research and document alternative ways to fund parks for the long-term                 | Finance and Infrastructure | Parks                                      | 2019-2024 |
| Develop and implement a plan to improve park facilities                                | Finance and Infrastructure | Parks                                      | 2019-2020 |
| Evaluate and document Police vehicle needs in Police annually                          | Finance and Infrastructure | Police                                     | Annually  |
| Implement Body-Worn Cameras for all Sworn Certified Officers                           | Finance and Infrastructure | Police                                     | 2019      |
| Build Police / Fire Headquarters                                                       | Finance and Infrastructure | Police / Fire                              | 2021-2022 |



## Goal 3 - Increase Community Collaboration and Quality of Life

### Council Goals

Strengthen relationships with our county and state legislators and surrounding municipalities that will aid the City of South Fulton to take a regional approach to services that will improve our quality of life.

|                                                                                                                                                                                         | DEPT                                    | Term      |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|-----------|
| Create a communication plan to better inform citizenry and outside stakeholders                                                                                                         | Communications & Other Departments      | 2019      |
| Ensure City meets transition planning key dates for Charter                                                                                                                             | Completed on Target                     | 2018      |
| Set plans to build strong relationships at State Legislative level via lobbyist                                                                                                         | City Manager / Council                  | 2019-2020 |
| Create and implement a plan to grow citizen and Elected Official relationships                                                                                                          | Communications / City Manager / Council | 2019-2020 |
| Create partnerships to assist school initiatives and improve education                                                                                                                  | Parks & Rec                             | 2019-2020 |
| Interact with surrounding communities related to zoning and economic development coordination                                                                                           | Economic & Community Development        | 2019-2021 |
| Implement the <b>Comprehensive Plan</b> through the use of a standard Short-Term Work Plan (STWP) to benefit various aspects of the community                                           | Community & Regulatory Affairs          | 2019      |
| Create <b>Master Zoning Ordinance</b> including land use, sign regulations, parking regulations, development, resident developments, industrial and office use, telecom ordinance, etc. | Community & Reg Affairs                 | 2019      |
| Implement walking trails, sidewalks and other quality of life goals (part of Comp Plan)                                                                                                 | Pub Works / Parks                       | 2020-2022 |
| Improve Public Safety through 21st Century Policing (strong partnerships in Community)                                                                                                  | Communication / Fire / Police           | 2019-2020 |

### **Goal 3: Increase Community Collaboration and Quality of Life Departmental Strategic Goals**

|                                                                                                                                                 |                                             |                              |           |
|-------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|------------------------------|-----------|
| Provide Citizens with better ways to engage with City using technology                                                                          | Community Collaboration and Quality of Life | IT                           | 2019-2020 |
| Develop and enhance municipality technical partnerships (experience, cut time to market)                                                        | Community Collaboration and Quality of Life | IT                           | 2020      |
| Continue Economic Development Stakeholder Sessions to engage regional interest in South Fulton                                                  | Community Collaboration and Quality of Life | Econ Development             | Ongoing   |
| Interact with surrounding communities related to zoning and economic development coordination                                                   | Community Collaboration and Quality of Life | Econ & Community Development | 2019-2021 |
| Develop Parks Master Plan 2019                                                                                                                  | Community Collaboration and Quality of Life | Parks                        | 2019      |
| Develop and implement diversity programming for youth core and aging population                                                                 | Community Collaboration and Quality of Life | Parks                        | 2019-2020 |
| Develop and implement a plan to better support local schools and student education                                                              | Community Collaboration and Quality of Life | Parks                        | 2019      |
| Create and implement programs to support healthy living                                                                                         | Community Collaboration and Quality of Life | Parks                        | 2019      |
| Improve park safety by better interfacing with Police / Parks                                                                                   | Community Collaboration and Quality of Life | Parks/Police                 | 2019-2021 |
| Increase cooperation in partnership with the City of South Fulton Public Arts Council and local artists to increase art activities for citizens | Community Collaboration and Quality of Life | Parks                        | 2019      |
| Establish Cultural Affairs division to develop and implement cultural programs                                                                  | Community Collaboration and Quality of Life | Parks                        | 2020      |
| Explore and expand public-private partnerships to provide additional large-scale capital projects and programming                               | Community Collaboration and Quality of Life | Parks                        | 2020-2021 |
| Continue inter-governmental events with surrounding Public Safety departments to improve medical training and follow best practices             | Community Collaboration and Quality of Life | Fire                         |           |

|                                                                                                 |                                             |                                |           |
|-------------------------------------------------------------------------------------------------|---------------------------------------------|--------------------------------|-----------|
| Secure transport license for Fire Department to better service citizens and reduce time to care | Community Collaboration and Quality of Life | Fire                           | 2019-2020 |
| Complete Automatic Aid by finalizing Agreements with neighboring cities                         | Community Collaboration and Quality of Life | Fire                           |           |
| Establish a City-Wide Emergency Procedure Plan                                                  | Community Collaboration and Quality of Life | Fire                           | 2019      |
| Implement 21st Century Policing to aid in crime prevention                                      | Community Collaboration and Quality of Life | Police                         | 2019      |
| Improve public crime perception via community meetings, positive publicity & hotspot plans      | Community Collaboration and Quality of Life | Police                         | 2019      |
| Document and implement Community Enhancing initiatives such as back to school events            | Community Collaboration and Quality of Life | Police                         |           |
| Complete Comprehensive Plan for City                                                            | Community Collaboration and Quality of Life | Community & Regulatory Affairs | 2019      |
| Improve file sharing processes with Fulton Co to improve citizen response (old permits/files)   | Community Collaboration and Quality of Life | Community & Regulatory Affairs | 2019      |
| Create a "Blighted Housing" Program                                                             | Community Collaboration and Quality of Life | Community & Regulatory Affairs | 2019-2020 |

## Goal 4 – Focus on Economic Development Council Strategic Goals

Promote a healthy and prosperous economy that supports small businesses, entrepreneurial opportunities, tourism, and public-private partnerships.

|                                                                                                                                                                                             | <b>DEPT</b>                                               | <b>Term</b> |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|-------------|
| Develop City Center Complex to act as a central facility as well as convening location and anchor for economic development                                                                  | Council / Mayor / City Manager / Destination South Fulton | 2020-2021   |
| Improve branding to highlight rail, airport, interstates to create a positive image of South Fulton                                                                                         | Destination South Fulton / Communications                 | 2020        |
| Create Econ Development plan to grow interest from developers for commercial, residential and retail (groceries, tourism, medical, specialty healthcare, Senior Living, entertainment etc.) | Economic Development                                      | 2019-2020   |
| Train City, Staff and Council on Economic Development                                                                                                                                       | Economic Development / Council & Staff                    | 2019        |
| Transition and Update Fulton County's Zoning to City Zoning Ordinances                                                                                                                      | Community & Regulatory Affairs                            | 2019        |
| Pursue alternative transportation options (light rail, more Marta)                                                                                                                          | City Manager/ Council / Public Works                      | 2020-2021   |
| Work with surrounding communities to "fill holes" in South Fulton                                                                                                                           | Community & Reg Affairs                                   | 2019-2021   |
| Create a Development Authority to attract high-quality employers and housing developers                                                                                                     | Economic Development / City Manager                       | 2020-2021   |
| Invest in land purchases                                                                                                                                                                    | Economic Development / City Manager / Council             | 2020-2022   |
| Develop and launch new tools like TADs and public private partnerships                                                                                                                      | Economic Development / City Manager                       | 2019-2020   |
| Improve branding including history and telling the City's story                                                                                                                             | Communications & Economic Development                     | 2019        |

## Goal 4 – Focus on Economic Development Departmental Strategic Goals

|                                                                                          |                      |                      |           |
|------------------------------------------------------------------------------------------|----------------------|----------------------|-----------|
| Increase communication between Elected Officials from COSF and other Cities              | Economic Development | Communications       | Ongoing   |
| Develop a communication / marketing strategic plan for the City                          | Economic Development | Communications       | 2019      |
| Implement citywide branding of all public facing materials for residents and others      | Economic Development | Communications       | 2019-2020 |
| Upgrade website to include podcast, user friendliness and connection to OpenGov          | Economic Development | Communications       | 2019-2020 |
| Pursue and document a Workforce Development Collaboration with Atlanta Technical College | Economic Development | Economic Development | 2019-2020 |
| Research and document a plan for a Small Business Incubator / Co-Working Space           | Economic Development | Economic Development | 2019-2022 |
| Improve ISO rating from 3 to a 2 to reduce premiums for businesses and residents         | Economic Development | Fire                 | 2019-2020 |

## Goal 5 – Create an Efficient Government Council Strategic Goals

To provide quality and efficient services to improve the quality of life for residents and businesses. Services include fire, police, parks and recreation, courts, economic development, zoning and land use, public works, and sanitation.

|                                                                                                                                   | <b>DEPT</b>                           | <b>Term</b> |
|-----------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|-------------|
| Increase civic education (Public wants to be heard and represented and involved)                                                  | Communications, City Manager & Others | Annually    |
| Implement and budget for improved parks programming for youth and underserved population (special needs, seniors, veterans, etc.) | Parks                                 | In Progress |
| Insure programs exist for energy efficiency                                                                                       | City Manager                          | 2020-2022   |
| Streamline internal services among departments (Shared Services)                                                                  | IT / Performance Dept                 | 2019-2020   |
| Develop and implement a work order system for Shared Services issues                                                              | City Manager                          | 2019-2020   |
| Implement a Performance Management system to measure and track progress toward Strategic Goals                                    | City Manager                          | 2019-2020   |

## Goal 5 – Create an Efficient Government Departmental Strategic Goals

| Item                                                                                                                                                      | Focus Area           | Department                     | Timeframe |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|--------------------------------|-----------|
| Implement a system to better manage Communication flow of work                                                                                            | Efficient Government | Communications                 | 2019-2020 |
| Implement and train on department software programs                                                                                                       | Efficient Government | Community & Regulatory Affairs | 2019      |
| Create Standard operating procedures                                                                                                                      | Efficient Government | Community & Regulatory Affairs | 2019      |
| Cross train all employees on all areas of department                                                                                                      | Efficient Government | Community & Regulatory Affairs | 2019-2020 |
| Implement Risk Management Software to help insure employee's safety                                                                                       | Efficient Government | Finance                        | 2019-2020 |
| Present and gain approvals for moving to NFPA staffing levels                                                                                             | Efficient Government | Fire                           | 2020-2021 |
| Improve training of fire staff with additional staff to help improve skills of team                                                                       | Efficient Government | Fire                           | 2019-2021 |
| Improve morale and employee engagement by implementing a rewards and recognition program                                                                  | Efficient Government | HR                             | 2019      |
| Insure HR policies and procedures are understood and followed for team effectiveness                                                                      | Efficient Government | HR                             | 2019-2020 |
| Align and maximize employee's performance with the goals of the City by ensuring that performance management processes are designed and executed properly | Efficient Government | HR                             | 2019-2020 |
| Streamline the benefits administration process to generate cost savings through a partnership of a benefit broker.                                        | Efficient Government | HR                             | 2019-2020 |
| Create formalized communications platforms & processes                                                                                                    | Efficient Government | IT                             | 2019      |
| Enhance and complete IT projects from transition                                                                                                          | Efficient Government | IT                             | 2019      |
| Centralize and formalize Departmental processes related to technology                                                                                     | Efficient Government | IT                             | 2019      |
| Implement mobile technology in vehicles                                                                                                                   | Efficient Government | IT                             | 2019      |
| Audit IT, Processes, Systems and overall performance issues for departments                                                                               | Efficient Government | IT / Performance Dept          | 2019-2020 |

|                                                                                           |                      |                       |           |
|-------------------------------------------------------------------------------------------|----------------------|-----------------------|-----------|
| Implement technology to streamline internal services among departments (Shared Services)  | Efficient Government | IT / Performance Dept | 2019-2020 |
| Implement electronic process for collecting fees for inspections                          | Efficient Government | IT/Fire               | 2019      |
| Maximize use of online Parks tools for faster registration and marketing                  | Efficient Government | Parks                 | 2019      |
| Establish Comm-Stat to encourage Hotspot Policing to reduce crime                         | Efficient Government | Police                | 2019      |
| Reduce on-scene time to crimes                                                            | Efficient Government | Police                | 2019      |
| Establish and publicize Part 1 Crime Goals for 2019 compared to 2017 and 2018 by District | Efficient Government | Police                | 2019      |

Draft



# **Key Performance Indicators**

# Draft

*The City will focus on and measure specific activities on a regular basis to ensure that it is healthy and achieving desired outcomes*

## Key Performance Indicators (KPIs)

Each department will track key metrics throughout 2019 that are critical to their success in delivering services. These metrics will be measured on a monthly basis and reported to the City Manager’s office and to the Performance Management system the City is utilizing for tracking strategic success.

Below are the major KPIs that each department in the City are focused on tracking and improving in 2019.

| <b>Destination South Fulton – Office of Economic Development Department KPIs</b> |
|----------------------------------------------------------------------------------|
| New Business Licenses - 5% growth                                                |
| Building Permit Revenue - 8% Growth                                              |
| Non-residential Tax Revenue - 4% growth                                          |
| Economic Development Site Tours - 4 Tours (1 per quarter)                        |

| <b>Parks &amp; Recreation KPIs</b>                                                                                                        |
|-------------------------------------------------------------------------------------------------------------------------------------------|
| Increase departmental program participation rates by 10% in all program areas (Summer Camp, After School, Athletics, Instructor Services) |
| Survey program participants in all departmental programs on quality of services with a goal of 75% good/very good                         |
| Respond to all citizen inquiries and program queries with in 48 hours.                                                                    |
| Establish, track, and increase arts activities and events to at least 3 per quarter                                                       |
| Improve and survey Cust. Svc Levels at Parks for at least 75% good / very good rating level                                               |
| Work with General Services Department to established benchmarked facility improvement plan by at least \$100,000 spend every six months.  |
| Work with Police to measure public safety incidents in parks to maximum 6 per quarter                                                     |
| Track and increase departmental revenue generation by 10% annually                                                                        |

| <b>Human Resources KPIs</b>                                                                         |
|-----------------------------------------------------------------------------------------------------|
| Track number of days from job requisition open to filled to a goal of no more than 45 days          |
| Track turnover to a goal of no more than 15% annually or Track retention rate to a goal of 85%      |
| 60% participation rate of exit interviews                                                           |
| Track number of employee complaints (grievance process) to be no more than 15 per month             |
| Track percent of employee complaints resolved prior to formal grievance process to be 85%           |
| Track employee satisfaction levels annually (via survey) to at least a 65% good or very good rating |

| <b>Fire Department KPIs</b>                                                                       |
|---------------------------------------------------------------------------------------------------|
| Measure and track "on-scene" time with goal of 90% under 8 minutes or less.                       |
| Measure number of smoke alarms installed with goal of increasing from 166 (2018) to 250 by 9/1/19 |
| Measure number fire safety classes with goal of increasing from 536 (2018) to 625 (2020)          |

| <b>Communications Department KPIs</b>                                                            |
|--------------------------------------------------------------------------------------------------|
| Issue minimum 27 Press releases per quarter                                                      |
| Grow Twitter followers by 54% from 584 to 900 by Q4 FY 2020                                      |
| Grow InstaGram followers by 20% from 792 to 950 by Q4 FY 2020                                    |
| Grow Facebook friends "likes" by 50% from 800 to 1,200 by Q4 FY 2020                             |
| Grow website unique page views by 52.5% from 97,056 to 148,000 by Q4 FY 2020                     |
| Grow newsletter subscriptions by 20% from 2,407 to 2,907 by Q4 FY 2020                           |
|                                                                                                  |
|                                                                                                  |
| <b>Finance Department</b>                                                                        |
| Track cash reserves monthly for a goal of \$3,000,000 by EOY 2020                                |
| Track new revenue sources for City with a goal of at least \$700,000 annual run rate by EOY 2020 |
| Track and secure LOST funds for City with a goal of at least \$3,500,000 annually                |

| <b>Police Department KPIs</b>                                                            |
|------------------------------------------------------------------------------------------|
| Achieve an overall 1-minute reduction in priority 1 calls during the 2019 calendar year. |
| Achieve a 4% reduction in reported Part 1 crimes during the 2019 calendar year           |
| Participate in no less than 4 Town Hall meetings for the calendar year                   |
| Achieve an overall 14% growth in the workforce during the 2019 calendar year             |

**Public Works Department**  
**Traffic Signals:** Provide 8-hour response to traffic signal failures

**Traffic Signs-** Provide 8-hour response to missing or damaged regulatory sign

**Pothole Repairs-** 100% of potholes patched within 1 business day (Priority 1)

**Right-of-way Mowing / Trash Pick Up:** Road Miles mowed (Winter 150 mi/Summer 210mi), and litter pick up within a 4-week cycle

**Decrease Response Time** to complete work orders by (30%) response time to routine work orders within 48 hours

**Reduce Energy Consumption** by 25% at all city facilities

|                                                                       |
|-----------------------------------------------------------------------|
| <b>Information Technology Department KPIs</b>                         |
| 99.8%+ uptime of key IT systems                                       |
| Resolve 90% of helpdesk requests within 48 hours                      |
|                                                                       |
| <b>Community Development and Regulatory Affairs</b>                   |
| <b>Land Development Permits</b>                                       |
| Issue 90% building permit review within 30 business days              |
| Issue 80% Land Disturbance Permits review within 25 business days     |
| Issue of 80% Plats review within 25 business days                     |
| <b>Planning and Zoning</b>                                            |
| Issue 80% building permit review within 25 business days              |
| Process 80% zoning certifications within 3 business days of receiving |
| <b>Code Enforcement</b>                                               |
| Process code enforcement's first inspection within 3 business days    |
| Close 75% of cases within 45 business days of receiving               |

Draft

**Financial  
Ramifications of this  
Plan  
Draft**

## **Financial Implications of this Plan**

It's no surprise that it takes time, effort and money to provide services to citizens, manage the day-to-day operations and make improvements to city infrastructure and programs.

Many of the projects and goals listed in this strategic plan cost more than just time and energy...many of them cost money. Due to the current lack of City cash reserves and limited financial resources some of the projects listed in this plan will be delayed or reduced.

The City is in the process of building up its fund balance now that the initial debt of the City has been paid off. This fund balance (known as a "rainy day" fund) will fund incremental projects and unexpected expenses as they come about.

The key word related to the City's finances and the strategic plan is:

### **Ownership**

The citizens of South Fulton own the City and as such are vital to the process of deciding what gets funded and what the priorities are of the City.

We want to get where other Cities have gone. We want to develop our land, build our economy, improve services and better serve our citizens, but it will be done at the pace of our ability to afford the improvements.

The Finance Department will continue to update citizens and Council as to the financial health of the City and when and how the City can enact some of the projects and goals in this plan.

## How the City Will Implement the Strategic Plan

Proper focus, execution and tracking of strategic plans helps ensure that change occurs.

Because so many strategic plans fail to be implemented, the City of South Fulton will utilize several initiatives to ensure that the Strategic Plan is visible in the community and that major goals are being achieved.

Some of the tools and systems that will be used are:

### **Implement Citywide Performance Management System**

The City of South Fulton has purchased and is implementing a performance management program called ClearPoint Strategies to help track and measure strategic performance within each department and the city overall.

67%  
Sixty-seven percent of strategic plan failures are attributed to a breakdown in execution.  
- C12 Group , Dallas, TX

City Department Directors and others will update the goals in the system periodically so that staff, Council and citizens are informed as to progress towards strategic goals.

#### **Updating Major Goals**

The performance management process includes weekly meetings within each department and at the City level to review progress toward major initiatives. The process relies on staff and others to update the status of major initiatives so that all of the important strategic goals are updated and not hindered in any way.

#### **Coaching for Performance**

The City will invest in resources to coach the Department heads to modify goals as needed, updates progress, create new goals quarterly and discuss hurdles to goal progress.

### **Transparent Goals and Financials**

The City is implementing a budget program and process that makes key budget items and strategic projects visible to the public via a system called OpenGov. The City's Performance Management Department will work with finance and other departments to ensure that these major strategic goals and financial goals and actuals are communicated clearly through the OpenGov system.

### **Develop Internal and External Teams**

Many of the initiatives outlined in this plan involve more than one department to implement. As such many of the goals require the cooperation and participation of people in multiple departments and even people outside of city staff. So, in order to achieve many of the goals in this plan, the City will create teams of individuals that will convene to set objectives and implement the milestones throughout the year.

### **Team Meetings**

Keeping the team informed with regular meetings about progress toward strategic goals is key to the success of actually achieving the goals. When a focus is put on goal progress accountability is heightened and action tends to grow. So, the City will encourage each department, Department heads and other internal teams to receive updates on strategic progress and remain open to questions and issues that may be impeding success.

### **Reporting to City Council and Citizens**

Part of implementing the plan includes reporting to City Council and Citizens regarding the success toward specific goals. As with internal team briefing meetings, these public facing meetings help sharpen the focus of the team onto the main goals and their delivery.

## **How Citizens Can Get Involved in the Plan**

### **Participate in Council Town Hall Meeting**

The City encourage citizens to continue to be a part of any and all Townhall events that occur throughout the year. We would like to continue to receive your input and your questions related to this strategic plan at those events.

### **Attend Council Meetings**

We continue to encourage you to participate and attend council meetings throughout the year. In doing this you will remain informed as to major initiatives and be able to ask questions about progress in this strategic plan.

### **Participate in City Teams**

As mentioned earlier there are likely to be several staff / citizen teams that are formed to help implement many of the citywide goals in this plan. Keep an eye out for requests for citizen participation in specific projects as they come available.

### **Join a Committee**

From time to time departmental and other major initiatives will include a citizen or stakeholder-led committee. We encourage you to be a part of these committees and provide your input, leadership and personal effort. Together we can all make the City of South Fulton a great place to live, work and play.

The City currently operates the following boards for Citizens to participate in:

- Parks and Rec Advisory Board
- Older Americans Board
- Census complete Count Committee
- Environmental Committee
- South Fulton Business and Community Council

“The time is always right to do what is right.”  
– **Dr. Martin Luther King, Jr.**



### **Closing Thoughts / Thank You**

I'd like to express my sincere appreciation for your continued support and input regarding the direction and state of our City. My team and I pledge to provide the highest quality of service possible to you--our valued citizens, visitors and stakeholders. We look forward to implementing this plan and making South Fulton a great place to live, work and play.

In service,

Odie Donald II, City Manager

and/or

William "Bill" Edwards , Mayor

Draft

**GOVERNMENT OF THE CITY OF SOUTH FULTON**

**Office of the City Manager**

WILLIAM "BILL" EDWARDS  
MAYOR



ODIE DONALD II  
CITY MANAGER

**MEMORANDUM**

**TO:** Proclamations - Nina Giddens

**FROM:** Frank Milazi

**DATE:** May 14, 2019

**SUBJECT:** Proclamations - Nina Giddens

**REFERENCE:**

---

**CONCLUSION:**

**BACKGROUND:**

**FISCAL IMPACT:**

**ATTACHMENTS:**

| Description                 | Type       | Upload Date |
|-----------------------------|------------|-------------|
| Proclamation - Nina Giddens | Cover Memo | 5/8/2019    |



## City of South Fulton

**WHEREAS,** Nina Giddens is a native Atlantan who has a heart for others and has demonstrated her passion for helping others throughout her matriculation at Westlake High School;

**WHEREAS,** Nina is an exemplary scholar at Westlake serving as the Beta Club President, the student representative on the School Governance Council, an active member of the National Honor Society, 21st Century Leaders, Future Health Professionals, Girls Going Global and Girl Scouts of Greater Atlanta.

**WHEREAS,** Nina has been recognized for her service to humanity and passion for community service by being awarded the Georgia Youth Leadership Award (Georgia Top 21 Under 21), the President's Volunteer Service Award (Gold Level), and the Girl Scout Silver Award, the second highest award in girl scouting.

**WHEREAS,** Nina's intrinsic value of "global interconnectedness" has afforded her opportunities to study in China, volunteer in Peru and serve as a youth ambassador in Germany. Further, Nina has been recognized for organizing a day camp to expose young children to African culture and history through music and movement. This project evolved into an initiative titled Mimi Ni Afrika which Nina continues to teach today.

**WHEREAS,** Nina has excelled in the dual Science and Mathematics Magnet and International Baccalaureate Diploma Program at Westlake. Nina's academic excellence has earned her over three million dollars in scholarship offers to over fifty colleges and universities which have offered her admittance.

**WHEREAS,** Nina aspires to continue her impact on the world by becoming a global health advocate and creating her own non-profit organization aimed at serving underserved communities to gain access to preemptive medicine. Further Nina intends to continue to live her life with purpose and realize her dreams of positively impacting the lives of others through global community service, motivational speaking and mentorship.

**NOW THEREFORE, BE IT RESOLVED,** that Mayor and Council recognizes Nina's outstanding accomplishments, acknowledges her love and passion for humanity and the global community, congratulates her for caring for "the least of these" and do hereby proclaim Tuesday, May 21, 2019 as "**NINA GIDDENS DAY**" in the City of South Fulton.

---

**Councilwoman Catherine Foster Rowell, Ph.D., District 1**

**GOVERNMENT OF THE CITY OF SOUTH FULTON**

Office of the City Manager

WILLIAM "BILL" EDWARDS  
MAYOR



ODIE DONALD II  
CITY MANAGER

**MEMORANDUM**

**TO:** Proclamation to Marquis Grissom Baseball Association

**FROM:** Frank Milazi

**DATE:** May 14, 2019

**SUBJECT:** Proclamation to Marquis Grissom Baseball Association

**REFERENCE:**

---

**CONCLUSION:**

**BACKGROUND:**

**FISCAL IMPACT:**

**ATTACHMENTS:**

| Description                                   | Type       | Upload Date |
|-----------------------------------------------|------------|-------------|
| Proclamation - Marquis Grissom Baseball Assoc | Cover Memo | 5/8/2019    |



## **City of South Fulton**

**WHEREAS**, The Marquis Grissom Baseball Association, Inc. (MGBA) was founded in 2006 by former major league baseball player Marquis Grissom. MGBA is a non-profit 501(c)(3) tax exempt organization that provides athletes in underserved communities the opportunity to compete in a competitive baseball league;

**WHEREAS**, Marquis Grissom played in the Major League for 17 years and his accomplishments include a 1995 World Series Championship, being named as a Major League All Star in 1993 & 1994, a 4-time Gold Glove Award Winner, a 2-time National League stolen base champion and a 1997 American League Championship MVP;

**WHEREAS**, MGBA sponsors youth travel baseball teams in the metropolitan Atlanta area and teams range in age from 7-22. MGBA provides coaching, mentoring, college placement assistance, tutoring, and scholarship assistance. MGBA also sponsored the annual Smoltz-Grissom Wood Bat Classic tournament, which was in Atlanta. The tournament is well attended with over 100 teams participating from throughout the southeast. The championship games were played at Turner Field allowing qualifying teams the experience of playing on a major league baseball field;

**WHEREAS**, 1,600 students have participated in the MGBA program since 2006 and MGBA has awarded over \$2.3 million dollars in collegiate scholarship awards since 2006; 98% of players going through the program have received collegiate scholarships. MGBA supplements the cost of the program by using funds raised through the foundation covering uniform, tournament fees, travel expenses and coaching fees;

**WHEREAS**, “The Marquis Grissom Baseball Association” will provide an opportunity for the youth to be taught the game of baseball by an individual from their community that knows how to win in life and on the field.

**NOW THEREFORE BE IT RESOLVED** that the Mayor and the City Council of the City of South Fulton congratulates Marquis Grissom on his service and contributions to the citizens of South Fulton and welcome the Marquis Grissom Baseball Association to the City of South Fulton and does hereby proclaim Monday, May 6, 2019, as “**MARQUIS GRISSOM BASEBALL ASSOCIATION DAY**” in the City of South Fulton, Georgia.

---

**Councilwoman Helen Z. Willis, District 3**

**GOVERNMENT OF THE CITY OF SOUTH FULTON**

Office of the City Manager

WILLIAM "BILL" EDWARDS  
MAYOR



ODIE DONALD II  
CITY MANAGER

**MEMORANDUM**

**TO:** Proclamations - GA 811 Safe Digging Month

**FROM:** Frank Milazi

**DATE:** May 14, 2019

**SUBJECT:** Proclamations - GA 811 Safe Digging Month

**REFERENCE:**

---

**CONCLUSION:**

**BACKGROUND:**

**FISCAL IMPACT:**

**ATTACHMENTS:**

| Description                              | Type       | Upload Date |
|------------------------------------------|------------|-------------|
| Proclamation - GA 811 Safe Digging Month | Cover Memo | 5/8/2019    |



## *City of South Fulton*

*WHEREAS, thousands of times each year, the underground infrastructure is damaged by those who do not have underground lines located prior to digging, resulting in service interruption, environmental damage and threat to public safety;*

*WHEREAS, in 2005, the Federal Communications Commission designated 811 to provide contractors and homeowners a simple number to contact utility operators to request the location of underground lines at the intended dig site;*

*WHEREAS, the Fulton County Utility Coordinating Committee, a stakeholder-driven organization dedicated to the prevention of damage to underground utilities in Georgia, promotes the National 811 Notification System in an effort to reduce these damages; and*

*WHEREAS, damage prevention is a shared responsibility; by using safe digging practices, the contractors and homeowners of South Fulton can save time, money and help keep our infrastructure safe and connected.*

***NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council encourage contractors and homeowners throughout South Fulton to always call 811 before digging, realizing that safe digging is no accident, do hereby proclaim the month of April as “GA 811 SAFE DIGGING MONTH” in the City of South Fulton.*

---

*William “Bill” Edwards, Mayor*

**GOVERNMENT OF THE CITY OF SOUTH FULTON**

Office of the City Manager

WILLIAM "BILL" EDWARDS  
MAYOR



ODIE DONALD II  
CITY MANAGER

**MEMORANDUM**

**TO:** Proclamations - Robert Mayes

**FROM:** Frank Milazi

**DATE:** May 14, 2019

**SUBJECT:** Proclamations - Robert Mayes

**REFERENCE:**

---

**CONCLUSION:**

**BACKGROUND:**

**FISCAL IMPACT:**

**ATTACHMENTS:**

| Description                 | Type       | Upload Date |
|-----------------------------|------------|-------------|
| Proclamation - Robert Mayes | Cover Memo | 5/8/2019    |





## City of South Fulton

*WHEREAS, Mr. Robert Mayes was born on April 27, 1924 in Washington, Georgia. During his early years, his family relocated to Marietta, Georgia where he was a student in the public school system;*

*WHEREAS, Mr. Mayes enlisted in the United States Army at the age of 16 and sacrificially served his country in World War II for three years;*

*WHEREAS, after being honorably discharged, Mr. Mayes worked for the Centers for Disease Control and Prevention (CDC) for forty-two years until retirement on December 31, 1985;*

*WHEREAS, Mr. Mayes and his lovely wife, the late Mrs. Virginia Mayes, resided in College Park for more than fifty years, and were long-time members of New Life Presbyterian Church for twenty-five years;*

*WHEREAS, Mr. & Mrs. Mayes were very vibrant members and wanted to use their combined gifts to enhance the quality of life of the senior population, thus, they are the primary founders of Elite Seniors at New Life;*

*WHEREAS, Mr. Mayes was never one to rest on his laurels, he continued being an active servant. He is one of the organizers of the New Life Men's Chorus and he, along with the late Milton Street, started the Meals on Wheels Program at New Life;*

***NOW, THEREFORE, BE IT RESOLVED,** that the Mayor and Council are honored and privileged to join with family and friends in celebration of the 95<sup>th</sup> Birthday of Mr. Robert Mayes and do hereby proclaim Sunday, April 28, 2019 as **MR. ROBERT MAYES DAY** in the City of South Fulton.*

---

*Mayor William "Bill" Edwards*

**GOVERNMENT OF THE CITY OF SOUTH FULTON**

Office of the City Manager

WILLIAM "BILL" EDWARDS  
MAYOR



ODIE DONALD II  
CITY MANAGER

**MEMORANDUM**

**TO:** Proclamations - Pastor Martin Potratz

**FROM:** Frank Milazi

**DATE:** May 14, 2019

**SUBJECT:** Proclamations - Pastor Martin Potratz

**REFERENCE:**

---

**CONCLUSION:**

**BACKGROUND:**

**FISCAL IMPACT:**

**ATTACHMENTS:**

| Description                          | Type       | Upload Date |
|--------------------------------------|------------|-------------|
| Proclamation - Pastor Martin Potratz | Cover Memo | 5/8/2019    |



## City of South Fulton

**WHEREAS**, the Fountain of Hope, Inc., founded by Pastor Martin Potratz, is a 501c3 nonprofit organization, founded originally in Los Angeles, California in 1994 and relocated to Fulton County in 2006, where it has been ever since.

**WHEREAS**, the Fountain of Hope's vision is one of altruism, as it seeks to improve the quality of life for many of those in need through food drives, clothing drives, and spiritual counseling to aid in the betterment of our Atlanta Community.

**WHEREAS**, the Fountain of Hope's Mission is to raise the spiritual, emotional, mental and physical countenance of people through active connections within our Community, through a growing team of faithful volunteers and a network of local churches and charities dedicated to serving the disadvantaged in Metro Atlanta, South Fulton, and surrounding Communities.

**WHEREAS**, the Fountain of Hope provides daily, weekly and monthly charity services to the underprivileged Men, Women and Children of Atlanta and surrounding Communities through their 'Boxes of Hope' food box and pantry program, where they provide sack lunches and Community meals, clothing, haircuts, as well as additional public benefits through strategic partnerships.

**WHEREAS**, the City of South Fulton's Mayor Pro Tem Mark Baker has partnered with the Fountain of Hope and L.A. Pink's Community Boutique to provide turkey and hot meal drives, coat and clothing drives, a job fair, as well as other Community outreach programs to the residents of the South Fulton Community.

**WHEREAS**, the Fountain of Hope's daily "Gathering" and "Once a Month Church" are the cornerstones of this organization, as they are tailored to speak into, and motivate all people to be empowered and reach their full potential, transforming themselves and their subsequent Communities.

**NOW, THEREFORE BE IT RESOLVED**, that the Mayor and City Council of the City of South Fulton do hereby proclaim "**PASTOR MARTIN POTRATZ**" as **HUMANITARIAN OF THE YEAR**, on this Sunday, April 28th, 2019, in the City of South Fulton, Georgia.

---

Mayor Pro Tem Mark Baker, District 7

**GOVERNMENT OF THE CITY OF SOUTH FULTON**

Office of the City Manager

WILLIAM "BILL" EDWARDS  
MAYOR



ODIE DONALD II  
CITY MANAGER

**MEMORANDUM**

**TO:** Proclamations - Union Grove Baptist Church

**FROM:** Frank Milazi

**DATE:** May 14, 2019

**SUBJECT:** Proclamations - Union Grove Baptist Church

**REFERENCE:**

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**CONCLUSION:**

**BACKGROUND:**

**FISCAL IMPACT:**

**ATTACHMENTS:**

| Description                              | Type       | Upload Date |
|------------------------------------------|------------|-------------|
| Proclamation -Union Grove Baptist Church | Cover Memo | 5/8/2019    |



## City of South Fulton

*WHEREAS, on July 19, 2019, Union Grove Baptist Church in Union City, Georgia will celebrate 100 years of faithful service to our God, our country, and our community;*

*WHEREAS, Union Grove has been blessed with a long history of powerful and gifted pastors, including the Church's first pastor, Rev. Walter Banks, and continuing with the current pastor, Rev. John D. Menefee, Sr., who began his pastorate in April 2000 and leads with integrity, power and love;*

*WHEREAS, the mission of Union Grove Baptist Church of Union City, Inc., is, "to go, reach, teach and make disciples of all men," with a mandate to "reach out to the unsaved and the unchurched, seeking to make them disciples of Jesus Christ," and to encourage the believers in fellowship and in true worship of God and Jesus Christ;"*

*WHEREAS, Union Grove Baptist Church ministers to and serves those most vulnerable, such as youth, elderly, the homeless and those with various addictions;*

*WHEREAS, on July 27 and 28, 2019, the Union Grove Baptist Church family will celebrate 110 years of blessings from God and service to God, uplifting their theme "Unwavering Faith;"*

***NOW, THEREFORE, BE IT RESOLVED*** that the Mayor and Council celebrates with members and friends 110 Years of service to God, our country and the community and do hereby proclaim Sunday, July 28, 2019 as **UNION GROVE BAPTIST CHURCH DAY** in the City of South Fulton.

---

*Mayor William "Bill" Edwards*

**GOVERNMENT OF THE CITY OF SOUTH FULTON**

Office of the City Manager

WILLIAM "BILL" EDWARDS  
MAYOR



ODIE DONALD II  
CITY MANAGER

**MEMORANDUM**

**TO:** Proclamations - Atlanta Interfaith Broadcasters

**FROM:** Frank Milazi

**DATE:** May 14, 2019

**SUBJECT:** Proclamations - Atlanta Interfaith Broadcasters

**REFERENCE:**

---

**CONCLUSION:**

**BACKGROUND:**

**FISCAL IMPACT:**

**ATTACHMENTS:**

| Description                                    | Type       | Upload Date |
|------------------------------------------------|------------|-------------|
| Proclamation - Atlanta Interfaith Broadcasters | Cover Memo | 5/8/2019    |



## City of South Fulton

*WHEREAS, the Atlanta Interfaith Broadcasters (AIB) Network was established in 1969 by Rev. John H. Allen with a vision to connect people from all walks of life and faiths;*

*WHEREAS, “at the height of the Civil Rights era in the 1960s, AIB had one of the first television programs to bring teens together across the racial divides and today, programs are produced through a range of social issues and content which stimulates the mind, strengthens the body and inspires the spirit”;*

*WHEREAS, the AIB Network grew from a 20-hour broadcast week to programming 24 hours, 7 days a week, airing throughout Metro Atlanta and North Georgia, via cable and worldwide over the internet while creating partnerships to foster connections across communities;*

*WHEREAS, the AIB Network became the largest interfaith broadcaster in the United States in 1999 and provides more than \$1 million annually in in-kind airtime and production services to other non-profit organizations to create awareness of their causes and services to the community to promote engagement and volunteerism;*

*WHEREAS, Mr. Collie Burnett was named President following the term of founder, Rev. John Allen, and Ms. Audrey Daniels has been elected AIB’s third President;*

***NOW, THEREFORE, BE IT RESOLVED,** that Mayor and Council appreciates the phenomenal impact AIB has had on the community by “Connecting People for 50 Years” and, in celebration of its 50<sup>th</sup> Anniversary, do hereby proclaim Thursday, May 23, 2019 as **AIB NETWORK DAY** in the City of South Fulton.*

---

*Mayor William “Bill” Edwards*

**GOVERNMENT OF THE CITY OF SOUTH FULTON**

Office of the City Manager

WILLIAM "BILL" EDWARDS  
MAYOR



ODIE DONALD II  
CITY MANAGER

**MEMORANDUM**

**TO:** Council Approval of Board Appointments

**FROM:** Frank Milazi

**DATE:** May 14, 2019

**SUBJECT:** Council Approval of Board Appointments

**REFERENCE:**

---

**CONCLUSION:**

**BACKGROUND:**

**FISCAL IMPACT:**



**GOVERNMENT OF THE CITY OF SOUTH FULTON**

Office of the City Manager

WILLIAM "BILL" EDWARDS  
MAYOR



ODIE DONALD II  
CITY MANAGER

**MEMORANDUM**

**TO:** Council Approval to Apply for Bulletproof Vest Partnership Grant

**FROM:** Frank Milazi

**DATE:** May 14, 2019

**SUBJECT:** Council Approval to Apply for Bulletproof Vest Partnership Grant

**REFERENCE:**

---

**CONCLUSION:**

**BACKGROUND:**

**FISCAL IMPACT:**

**ATTACHMENTS:**

| Description                        | Type       | Upload Date |
|------------------------------------|------------|-------------|
| Bulletproof Vest Partnership Grant | Cover Memo | 5/8/2019    |

# GOVERNMENT OF THE CITY OF SOUTH FULTON

## Office of the City Manager


WILLIAM "BILL" EDWARDS  
MAYOR



ODIE DONALD II  
CITY MANAGER

### MEMORANDUM

**TO:** Honorable Mayor William "Bill" Edwards and City Council Members

**FROM:** Odie Donald II   
City Manager

**DATE:** May 7, 2019

**SUBJECT:** **Request Approval for the Police Department to apply for the Bulletproof Vest Partnership Program**

---

The Police Department would like to apply for the Bulletproof Vest Partnership Program.

The Bulletproof Vest Partnership (BVP) Program, created by the Bulletproof Vest Partnership Grant Act of 1998, is a unique U.S. Department of Justice initiative designed to provide critical resources to state and local law enforcement agencies for the purpose of purchasing body armor for sworn law enforcement officers.

The purpose of the BVP Program is to reimburse states, counties, federally recognized tribes, cities, and local jurisdictions that employ law enforcement officers for up to 50% of the total cost of body armor vests purchased for those officers. Current legislation places the priority on funding jurisdictions with less than 100,000 residents. Remaining funds are distributed on a pro rata basis to jurisdictions with over 100,000 residents.

Since 1999, the BVP Program has awarded more than 13,000 jurisdictions a total of \$467 million in federal funds for the purchase of over one million vests as of January 2019.

The Bureau of Justice Assistance (BJA) has announced that all applications for the FY2019 BVP Program application funding period must be submitted online by 6:00 p.m. EST on Tuesday, May 28, 2019.

The South Fulton Police Department currently has 18 vacancies and five (5) bulletproof vests that are at the end of their life cycle bringing the total number of vests needed to 23. The cost of the vests is \$820 each for a total of \$18,860 which was budgeted for in the FY2019 budget. This BVP Program funding opportunity will allow the police department to recoup \$9,430 of the cost back to the City.

Should you need further information regarding this correspondence, please contact Keith Meadows at [keith.meadows@cityofsouthfultonga.gov](mailto:keith.meadows@cityofsouthfultonga.gov).



## Introduction to the Bulletproof Vest Partnership Program

### Introduction to the Bulletproof Vest Partnership Program

The Bulletproof Vest Partnership (BVP) Program is an initiative designed to provide critical resources to state, local and tribal jurisdictions for the purpose of purchasing body armor for sworn law enforcement officers. The BVP Program is administered by the Office of Justice Programs Bureau of Justice Assistance (BJA).

The purpose of the BVP Program is to reimburse states, counties, federally recognized tribes, cities, and local jurisdictions that employ law enforcement officers for up to 50% of the total cost of body armor vests purchased for those officers. Current legislation places the priority on funding jurisdictions with less than 100,000 residents. Remaining funds are distributed on a pro rata basis to jurisdictions with over 100,000 residents.

The phrase "law enforcement officer" means any officer, agent, or employee of a State, unit of local government, or federally recognized tribe authorized by law or by a government agency to engage in or supervise the prevention, detection, or investigation of any violation of criminal law, or authorized by law to supervise sentenced criminal offenders. This includes full-time, part-time, and auxiliary personnel, whether paid or volunteer.

### What Does the BVP Program Cover?

In order to be reimbursed under the BVP Program, all purchased body armor must comply with the most current National Institute of Justice (NIJ) ballistic or stab body armor standards. BVP will reimburse for up to 50% of the total cost of eligible purchases. The total cost of each qualifying vest purchase includes items considered integral to or essential for the proper care, use, and wearability of the vest: namely the cost of the vest, vest carrier, attachments, inserts, shipping and handling charges, fitting charges, and applicable taxes.

BVP funds may be used for tactical-level armor, but for only one vest per officer in a replacement cycle. If the agency purchases a tactical level vest for an officer, it must be the officer's primary vest. The agency cannot then use BVP funds to purchase a regular duty vest for the same officer during the same replacement cycle.

### How Do Eligible Entities Participate in the BVP Program?

To participate in the BVP Program, jurisdictions and participating law enforcement agencies (LEAs) must respond to BVP Program solicitations by submitting application information. The BVP solicitation period opens once a year, usually beginning in April and closing six weeks from the opening date.

BJA reviews the submitted application, approves or rejects it, and notifies the applicant accordingly. Approved applicants are given an award amount, and must provide receipt information along with a payment request in order to receive funding. BJA reviews the payment request for accuracy, and completes payments on a monthly schedule. Once awarded, BVP funds are available for drawdown for two years from the time of the award announcement.

The entire application-through-payment process for the BVP Program is managed via the online BVP system.

**GOVERNMENT OF THE CITY OF SOUTH FULTON**

Office of the City Manager

WILLIAM "BILL" EDWARDS  
MAYOR



ODIE DONALD II  
CITY MANAGER

**MEMORANDUM**

**TO:** Council Approval of Resolution Expansion of Airport West  
CID

**FROM:** Frank Milazi

**DATE:** May 14, 2019

**SUBJECT:** Council Approval of Resolution Expansion of Airport West  
CID

**REFERENCE:**

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**CONCLUSION:**

**BACKGROUND:**

**FISCAL IMPACT:**

**ATTACHMENTS:**

| Description                         | Type       | Upload Date |
|-------------------------------------|------------|-------------|
| Resolution Expansion of Airport CID | Cover Memo | 5/8/2019    |

1 **STATE OF GEORGIA**  
2 **COUNTY OF FULTON**  
3 **CITY OF SOUTH FULTON**

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4  
5 **A RESOLUTION CONSENTING TO EXPANSION OF THE AIRPORT WEST**  
6 **COMMUNITY IMPROVEMENT DISTRICT AND FOR OTHER LAWFUL PURPOSES**  
7

8 **WHEREAS**, the City of South Fulton (the “City”) is a municipal corporation duly  
9 organized and existing under the laws of the State of Georgia;

10  
11 **WHEREAS**, the duly elected governing authority of the City is the Mayor and City  
12 Council (the “City Council”);

13  
14 **WHEREAS**, by Act of the Legislature, 1987 Ga. L. 5460, as amended, the  
15 Georgia Legislature enacted the Fulton County Community Improvement Districts Act;

16 **WHEREAS**, pursuant to said Act, the Airport West Community Improvement  
17 District (hereinafter “CID”) was created by Resolution of the Fulton County Commission,  
18 the City of Atlanta, the City of College Park, and the City of East Point in 2014;

19 **WHEREAS**, a majority of the owners of real property within a proposed  
20 expansion area, as attached hereto, which will be subject to taxes, fees, and  
21 assessments levied by the District Board, have consented in writing to their inclusion  
22 into the CID;

23 **WHEREAS**, the owners of real property within the proposed expansion area of  
24 the CID which constitutes at least 75% by value of all real property within said  
25 expansion area which will be subject to taxes, fees and assessments levied by the  
26 District Board, according to the most recent approved Fulton County ad valorem tax  
27 digest, have consented in writing to their inclusion into the CID;

28 **WHEREAS**, the City Council has determined that the expansion of the CID would  
29 promote the provision of governmental services and facilities within said District; and

30 **WHEREAS**, the City Council has determined that this Resolution, and the  
31 expansion of the CID, is in the best interests of the health and general welfare of the  
32 City, its residents and general public.

33  
34 **NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL** as  
35 follows:

36 **Section 1.** The City Council hereby declares that the City of South Fulton consents  
37 to the expansion of the boundaries of the Airport West Community Improvement District  
38 as attached hereto.

39 \*\*\*\*\*  
40  
41

42 **Section 2.** It is hereby declared to be the intention of the City Council that: (a) All  
43 sections, paragraphs, sentences, clauses and phrases of this Resolution are or were,  
44 upon their enactment, believed by the City Council to be fully valid, enforceable and  
45 constitutional.

46 (b) To the greatest extent allowed by law, each and every section, paragraph, sentence,  
47 clause or phrase of this Resolution is severable from every other section, paragraph,  
48 sentence, clause or phrase of this Resolution. No section, paragraph, sentence, clause  
49 or phrase of this Resolution is mutually dependent upon any other section, paragraph,  
50 sentence, clause or phrase of this Resolution.

51 (c) In the event that any phrase, clause, sentence, paragraph or section of this  
52 Resolution shall, for any reason whatsoever, be declared invalid, unconstitutional or  
53 otherwise unenforceable by the valid judgment or decree of any court of competent  
54 jurisdiction, it is the express intent of the City Council that such invalidity,  
55 unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not  
56 render invalid, unconstitutional or otherwise unenforceable any of the remaining  
57 phrases, clauses, sentences, paragraphs or sections of the Resolution.

58 **Section 3.** All Resolutions and parts of Resolutions in conflict herewith are hereby  
59 expressly repealed.

60 **Section 4.** The effective date of this Resolution shall be the date of adoption unless  
61 provided otherwise by the City Charter or state and/or federal law.

62 THIS RESOLUTION adopted this \_\_\_\_\_ day of \_\_\_\_\_ 2019. **CITY OF**  
63 **SOUTH FULTON, GEORGIA.**

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67 \_\_\_\_\_  
68 WILLIAM "BILL" EDWARDS, MAYOR

69 ATTEST:

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72  
73 \_\_\_\_\_  
74 S. DIANE WHITE, CITY CLERK

75 APPROVED AS TO FORM:

76  
77  
78 \_\_\_\_\_  
EMILIA C. WALKER, CITY ATTORNEY

79 The foregoing RESOLUTION No. 2019-\_\_\_\_\_, adopted on \_\_\_\_\_  
80 was offered by Councilmember \_\_\_\_\_, who moved its approval. The motion  
81 was seconded by Councilmember \_\_\_\_\_, and being put to a vote, the  
82 result was as follows:

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William "Bill" Edwards, Mayor  
Mark Baker, Mayor Pro Tem  
Catherine Foster Rowell  
Carmalitha Lizandra Gumbs  
Helen Zenobia Willis  
Gertrude Naeema Gilyard  
Rosie Jackson  
khalid kamau

|  | AYE   | NAY   |
|--|-------|-------|
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**GOVERNMENT OF THE CITY OF SOUTH FULTON**

Office of the City Manager

WILLIAM "BILL" EDWARDS  
MAYOR



ODIE DONALD II  
CITY MANAGER

**MEMORANDUM**

**TO:** Council Approval of Resolution Accepting Aerotropolis Transit Feasibility Study

**FROM:** Frank Milazi

**DATE:** May 14, 2019

**SUBJECT:** Council Approval of Resolution Accepting Aerotropolis Transit Feasibility Study

**REFERENCE:**

---

**CONCLUSION:**

**BACKGROUND:**

**FISCAL IMPACT:**

**ATTACHMENTS:**

| Description               | Type       | Upload Date |
|---------------------------|------------|-------------|
| Transit Feasibility Study | Cover Memo | 5/8/2019    |



1 **STATE OF GEORGIA**  
2 **COUNTY OF FULTON**  
3 **CITY OF SOUTH FULTON**

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4  
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6  
7 **A RESOLUTION ACCEPTING THE AEROTROPOLIS TRANSIT FEASIBILITY STUDY**  
8 **AND FOR OTHER LAWFUL PURPOSES**  
9

10 **WHEREAS**, the City of South Fulton (the “City”) is a municipal corporation duly  
11 organized and existing under the laws of the State of Georgia;

12  
13 **WHEREAS**, the duly elected governing authority of the City is the Mayor and City  
14 Council (the “City Council”);

15  
16 **WHEREAS**, the Airport West Community Improvement District and the Airport  
17 South Community Improvement District (“Aerotropolis CIDs”) organized a study team and  
18 undertook preparation of an Aerotropolis Transit Feasibility Study;

19  
20 **WHEREAS**, the Aerotropolis Transit Feasibility Study was developed in  
21 collaboration with the City, Fulton County, Clayton County, other cities in the project study  
22 area, the Georgia DOT, Atlanta Regional Commission, MARTA, The Atlanta Transit Link  
23 Authority, Hartsfield Jackson Atlanta International Airport;

24  
25 **WHEREAS**, the Aerotropolis Transit Feasibility Study was developed with input  
26 from residents and businesses within the study area that includes portions of the City;

27  
28 **WHEREAS**, the adoption of the Aerotropolis Transit Feasibility Study makes the  
29 study’s transit recommendations eligible for submission to The Atlanta Transit Link  
30 Authority for inclusion in the regional transit plan;

31  
32 **WHEREAS**, the adoption of the Aerotropolis Transit Feasibility Study makes the  
33 study’s transit recommendations eligible for transportation funds;

34  
35 **WHEREAS**, the City continues to promote mobility and quality of life initiatives to  
36 connect residents, employees, and visitors to jobs, retail, transit and hospitality  
37 establishments;

38  
39 **WHEREAS**, the City Council support the overall recommendations identified in the  
40 Aerotropolis Transit Feasibility Study, which is attached as Appendix A hereto; and

41  
42 **WHEREAS**, this Resolution is in the best interests of the health and general  
43 welfare of the City, its residents and general public.

44  
45 **NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL** as  
46 follows:

47 **Section 1.** The City Council hereby declares that the Aerotropolis Transit Feasibility  
48 Study shall be recognized and accepted as the guiding plan for expansion and  
49 improvement of transit facilities and services within the City.

50  
51  
52

\*\*\*\*\*

53 **Section 2.** It is hereby declared to be the intention of the City Council that: (a) All  
54 sections, paragraphs, sentences, clauses and phrases of this Resolution are or were,  
55 upon their enactment, believed by the City Council to be fully valid, enforceable and  
56 constitutional.

57 (b) To the greatest extent allowed by law, each and every section, paragraph, sentence,  
58 clause or phrase of this Resolution is severable from every other section, paragraph,  
59 sentence, clause or phrase of this Resolution. No section, paragraph, sentence, clause  
60 or phrase of this Resolution is mutually dependent upon any other section, paragraph,  
61 sentence, clause or phrase of this Resolution.

62 (c) In the event that any phrase, clause, sentence, paragraph or section of this Resolution  
63 shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise  
64 unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is  
65 the express intent of the City Council that such invalidity, unconstitutionality or  
66 unenforceability shall, to the greatest extent allowed by law, not render invalid,  
67 unconstitutional or otherwise unenforceable any of the remaining phrases, clauses,  
68 sentences, paragraphs or sections of the Resolution.

69 **Section 3.** All Resolutions and parts of Resolutions in conflict herewith are hereby  
70 expressly repealed.

71 **Section 4.** The effective date of this Resolution shall be the date of adoption unless  
72 provided otherwise by the City Charter or state and/or federal law.

73

74 THIS RESOLUTION adopted this \_\_\_\_\_ day of \_\_\_\_\_ 2019.

75

76

77 **CITY OF SOUTH FULTON, GEORGIA**

78

79

80

81 \_\_\_\_\_  
WILLIAM "BILL" EDWARDS, MAYOR

82

83

84 ATTEST:

85

86

87

88 \_\_\_\_\_  
S. DIANE WHITE, CITY CLERK

89

90

91 APPROVED AS TO FORM:

92

93

94

95 \_\_\_\_\_  
EMILIA C. WALKER, CITY ATTORNEY

96

97 The foregoing RESOLUTION No. 2019-\_\_\_\_\_, adopted on \_\_\_\_\_  
98 was offered by Councilmember \_\_\_\_\_, who moved its approval. The motion  
99 was seconded by Councilmember \_\_\_\_\_, and being put to a vote, the result  
100 was as follows:

101

102

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104 William "Bill" Edwards, Mayor

105 Mark Baker, Mayor Pro Tem

106 Catherine Foster Rowell

107 Carmalitha Lizandra Gumbs

108 Helen Zenobia Willis

109 Gertrude Naeema Gilyard

110 Rosie Jackson

111 khalid kamau

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NAY

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**GOVERNMENT OF THE CITY OF SOUTH FULTON**

Office of the City Manager

WILLIAM "BILL" EDWARDS  
MAYOR



ODIE DONALD II  
CITY MANAGER

**MEMORANDUM**

**TO:** Council Approval of Resolution Authorizing Leasing Agreement with City of South Fulton and Sandtown Crossing

**FROM:** Frank Milazi

**DATE:** May 14, 2019

**SUBJECT:** Council Approval of Resolution Authorizing Leasing Agreement with City of South Fulton and Sandtown Crossing

**REFERENCE:**

---

**CONCLUSION:**

**BACKGROUND:**

**FISCAL IMPACT:**

**ATTACHMENTS:**

| Description                                  | Type       | Upload Date |
|----------------------------------------------|------------|-------------|
| Sandtown Crossing Resolution_Lease Agreement | Cover Memo | 5/8/2019    |

# GOVERNMENT OF THE CITY OF SOUTH FULTON

## Office of the City Manager


WILLIAM "BILL" EDWARDS  
MAYOR



ODIE DONALD II  
CITY MANAGER

### MEMORANDUM

**TO:** Honorable Mayor William "Bill" Edwards and City Council Members

**FROM:** Odie Donald II   
City Manager

**DATE:** May 7, 2019

**SUBJECT:** Sandtown Crossing Lease Agreement

---

In the FY19 Budget, funding was allocated for the purpose of establishing a Small Business Resource Center in the City of South Fulton for the purpose of fostering economic development opportunities by supporting entrepreneurs, small businesses, and expanding business in the City of South Fulton.

Several locations were considered throughout the City. The location at Sandtown Crossing was identified as the location which had sufficient space to accommodate necessary programming and was in the budgeted amount allocated by Council.

Should you need further information regarding this correspondence, please contact Christopher Pike at [christopher.pike@cityofsouthfultonga.gov](mailto:christopher.pike@cityofsouthfultonga.gov).

1 STATE OF GEORGIA  
2 COUNTY OF FULTON  
3 CITY OF SOUTH FULTON

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4  
5  
6  
7 **A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A LEASE**  
8 **AGREEMENT AT SANDTOWN CROSSING AND FOR OTHER LAWFUL PURPOSES**  
9

10 **WHEREAS**, the City of South Fulton (the "City") is a municipal corporation duly  
11 organized and existing under the laws of the State of Georgia;

12  
13 **WHEREAS**, the duly elected governing authority of the City is the Mayor and City  
14 Council (the "City Council");

15  
16 **WHEREAS**, the City Council finds the establishment of suitable administrative and  
17 operational facilities to be of great importance to the City;

18  
19 **WHEREAS**, the City Council desires through this Resolution to authorize the City  
20 Manager to execute a lease agreement for purposes of securing an additional space for  
21 the provision of City services; and

22  
23 **WHEREAS**, this Resolution in the best interests of the health and general welfare  
24 of the City, its residents and general public.

25  
26 **NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL** as  
27 follows:

28 **Section 1.** The City Manager is hereby authorized to negotiate and execute an  
29 agreement for the City to lease approximately 2,357 square feet of property located at  
30 5835 Campbellton Road, Building 300, in substantial conformity with the lease proposal  
31 attached hereto as Exhibit A, within the current budget and up to the maximum monthly  
32 rental amount of \$\_\_\_\_\_.

33  
34 \*\*\*\*\*

35  
36 **Section 2.** It is hereby declared to be the intention of the City Council that: (a) All  
37 sections, paragraphs, sentences, clauses and phrases of this Resolution are or were,  
38 upon their enactment, believed by the City Council to be fully valid, enforceable and  
39 constitutional.

40 (b) To the greatest extent allowed by law, each and every section, paragraph, sentence,  
41 clause or phrase of this Resolution is severable from every other section, paragraph,  
42 sentence, clause or phrase of this Resolution. No section, paragraph, sentence, clause  
43 or phrase of this Resolution is mutually dependent upon any other section, paragraph,  
44 sentence, clause or phrase of this Resolution.

45 (c) In the event that any phrase, clause, sentence, paragraph or section of this Resolution  
46 shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise  
47 unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is  
48 the express intent of the City Council that such invalidity, unconstitutionality or  
49 unenforceability shall, to the greatest extent allowed by law, not render invalid,  
50 unconstitutional or otherwise unenforceable any of the remaining phrases, clauses,  
51 sentences, paragraphs or sections of the Resolution.

52 **Section 3.** All Resolutions and parts of Resolutions in conflict herewith are hereby  
53 expressly repealed.

54 **Section 4.** The effective date of this Resolution shall be the date of adoption unless  
55 provided otherwise by the City Charter or state and/or federal law.

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THIS RESOLUTION adopted this \_\_\_\_\_ day of \_\_\_\_\_ 2019.

**CITY OF SOUTH FULTON, GEORGIA**

\_\_\_\_\_  
WILLIAM "BILL" EDWARDS, MAYOR

ATTEST:

\_\_\_\_\_  
S. DIANE WHITE, CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
EMILIA C. WALKER, CITY ATTORNEY



89 The foregoing RESOLUTION No. 2019-\_\_\_\_\_, adopted on \_\_\_\_\_  
90 was offered by Councilmember \_\_\_\_\_, who moved its approval. The motion  
91 was seconded by Councilmember \_\_\_\_\_, and being put to a vote, the result  
92 was as follows:

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William "Bill" Edwards, Mayor  
Mark Baker, Mayor Pro Tem  
Catherine Foster Rowell  
Carmalitha Lizandra Gumbs  
Helen Zenobia Willis  
Gertrude Naeema Gilyard  
Rosie Jackson  
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## LEASE PROPOSAL – City of South Fulton

Sam Perlman  
Adams & Co. Real Estate, Inc.  
5784 Lake Forrest Drive, NW  
Suite 290  
Atlanta, GA 30328

RE: Lease Proposal – Sandtown Crossing, Building 300

Sam,

It was good to speak with you regarding the available space for lease at the Sandtown Crossing business center. We are pleased to present the following lease proposal on behalf of our client City of South Fulton for your consideration and acceptance:

**Tenant:** The City of South Fulton

**Building:** 5835 Campbellton Road, Building 300

**Landlord:** Adams & Co. Real Estate

**Premises:** That certain office space containing approximately 2,357 of rental square feet (includes combined units 305/306).

**Use of Premises:** General Office

**Lease Term:** Five (5) years. Lease shall be subject to annual termination provision consistent with general municipal real estate contracts.

**Rental Rate:** \$20.00 psf modified gross (excluding janitorial, HVAC, maintenance, internet, and phone).

**Lease Commencement:** Upon completion of Landlord's buildout of suite which shall not exceed 120-days from mutual execution of lease agreement.

**Tenant Improvements:** Landlord to provide an allowance of \$40 per rental square foot to construct improvements within Premises. All architectural, engineering, permits, plans, and construction management fees will be paid from this allowance. Any unused allowance may be applied towards rent reduction.

- Renewal Option: Tenant shall have one (1), 5-year option to renew at then market rate.
- Landlord's Responsibility: Landlord shall be responsible for roof, parking lot, common area, any sewer related issues leading to leased space, and the structural integrity of building.
- Parking: Tenant shall have access to all parking provided within the Sandtown Crossing business center. Should parking demands increase that would warrant limiting Tenant's access to parking, then Landlord agrees to work with Tenant to achieve a mutually agreeable arrangement that does not negatively impact Tenant's operations.
- Signage: Tenant shall be entitled to signage on Premises door, property directory, and in lawn, all of which is acceptable to Landlord. All sign installation and maintenance costs shall be the sole responsibility of Tenant.
- Broker Disclosure: Landlord is represented by Adam & Co. Real Estate, Inc. and Tenant is represented by Ackerman & Co, a licensed real estate broker in the State of Georgia. In the event a transaction is concluded between Landlord and Tenant, Landlord shall compensate Tenant Broker a commission per a separate agreement.

The proposed terms and conditions shall, at all times, be considered as a proposal, and not an offer to lease. This proposal shall be subject to final approval of Landlord and availability of space. This proposal shall be valid for ten (10) days from the date of submittal.

We are please to have this opportunity to work with you and look forward to being of service to you in the future.

Respectfully,

ACCEPTED:

By: \_\_\_\_\_

Date: \_\_\_\_\_

**GOVERNMENT OF THE CITY OF SOUTH FULTON**

Office of the City Manager

WILLIAM "BILL" EDWARDS  
MAYOR



ODIE DONALD II  
CITY MANAGER

**MEMORANDUM**

**TO:** Council Second Reading and Adoption of Amendment to Ethics Ordinance

**FROM:** Frank Milazi

**DATE:** May 14, 2019

**SUBJECT:** Council Second Reading and Adoption of Amendment to Ethics Ordinance

**REFERENCE:**

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**CONCLUSION:**

**BACKGROUND:**

**FISCAL IMPACT:**

**ATTACHMENTS:**

| Description                  | Type       | Upload Date |
|------------------------------|------------|-------------|
| Ordinance - Ethics Amendment | Cover Memo | 5/8/2019    |

1 STATE OF GEORGIA

2 **COUNTY OF FULTON**  
3 **CITY OF SOUTH FULTON**

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**AN ORDINANCE TO AMEND TITLE 1, ADMINISTRATION, OF THE CITY OF SOUTH FULTON CODE OF ORDINANCES, TO HELP ENSURE HIGH ETHICAL STANDARDS WITHIN THE CITY AND FOR OTHER LAWFUL PURPOSES**

**(Sponsored by Councilperson Willis)**

**WHEREAS**, the City of South Fulton (“City”) is a municipal corporation duly organized and existing under the laws of the State of Georgia;

**WHEREAS**, the duly elected governing authority of the City, is the Mayor and Council thereof (“City Council”);

**WHEREAS**, pursuant to City Charter Section 1.12(b)(10), the City is authorized to “adopt ethics ordinances and regulations governing the conduct of municipal elected officials, appointed officials, and employees, establishing procedures for handling ethics complaints”;

**WHEREAS**, the City desires to amend its ethics code through this Ordinance;

**WHEREAS**, this Ordinance is in the best interests of the health and general welfare of the City, its residents and general public.

**THE COUNCIL OF THE CITY OF SOUTH FULTON HEREBY ORDAINS** as follows:

**Section 1.** The City of South Fulton Code of Ordinances, Title 1, Administration, Chapter 5, Code of Ethics, Section 1-5006(c) is hereby revised to read as follows:

**TITLE 1. - ADMINISTRATION**

**CHAPTER 5. - CODE OF ETHICS**

**Sec. 1-5006. – Board of Ethics**

- c. No person shall serve as a member of the Board of Ethics if the person has, or has had within the preceding one (1) year period, any interest in any contract or contracting opportunity with the city or has been employed by the City. ~~or is employed by another local government doing business with the City.~~

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**Section 2.** It is hereby declared to be the intention of the City Council that: (a) All sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the City Council to be fully valid, enforceable and constitutional.

(b) To the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. No section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Resolution.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the City Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance.

**Section 3.** All Ordinance and Resolutions in conflict herewith are hereby expressly repealed.

**Section 4.** The City Attorney, City Clerk and contracted City Codifier are authorized to make non-substantive formatting and renumbering edits to this ordinance for proofing, codification, and supplementation purposes. The final version of all ordinances shall be filed with the clerk.

**Section 5.** The effective date of this Ordinance shall be on the date as set forth under Sec. 3.21 of the City Charter unless provided otherwise by applicable local, state and/or federal law.

71 THIS ORDINANCE adopted this \_\_\_\_\_ day of \_\_\_\_\_ 2019. CITY OF SOUTH  
72 FULTON, GEORGIA.

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75 "FIRST READING"

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WILLIAM "BILL" EDWARDS, MAYOR

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85 ATTEST:

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S. DIANE WHITE, CITY CLERK

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95 APPROVED AS TO FORM:

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EMILIA C. WALKER, CITY ATTORNEY

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100 The foregoing **ORDINANCE No. 2019-xxx** was adopted on \_\_\_\_\_  
101 moved for approval by Councilmember \_\_\_\_\_. The motion was seconded by  
102 Councilmember \_\_\_\_\_, and being put to a vote, the result was as  
103 follows:

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105 **“FIRST READING”**

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112 William “Bill” Edwards, Mayor

113 Mark Baker, Mayor Pro Tem

114 Catherine Foster Rowell

115 Carmalitha Lizandra Gumbs

116 Helen Zenobia Willis

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**GOVERNMENT OF THE CITY OF SOUTH FULTON**

Office of the City Manager

WILLIAM "BILL" EDWARDS  
MAYOR



ODIE DONALD II  
CITY MANAGER

**MEMORANDUM**

**TO:** Council's Second Reading and Adoption of Traffic Calming Ordinance

**FROM:** Frank Milazi

**DATE:** May 14, 2019

**SUBJECT:** Council's Second Reading and Adoption of Traffic Calming Ordinance

**REFERENCE:**

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**CONCLUSION:**

**BACKGROUND:**

**FISCAL IMPACT:**

**ATTACHMENTS:**

| Description               | Type       | Upload Date |
|---------------------------|------------|-------------|
| Traffic Calming Ordinance | Cover Memo | 5/8/2019    |

STATE OF GEORGIA  
COUNTY OF FULTON  
CITY OF SOUTH FULTON

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**AN ORDINANCE CREATING A TRAFFIC CALMING POLICY AS APPENDIX H TO  
THE CITY CODE OF ORDINANCES, ENHANCING RESIDENTIAL SAFETY AND  
FOR OTHER LAWFUL PURPOSES.**

**(Sponsored by Councilperson Gumbs)**

**WHEREAS**, the City of South Fulton (“City”) is a municipal corporation duly organized and existing under the laws of the State of Georgia;

**WHEREAS**, the duly elected governing authority of the City, is the Mayor and Council thereof (“City Council”);

**WHEREAS**, the rapid rate of growth of the Metropolitan Atlanta Area Counties has resulted in a significant increase in the volume of traffic within the City;

**WHEREAS**, motorists passing in and through the City have sought alternative routes through residential areas to avoid traffic congestion and delay;

**WHEREAS**, when cutting through residential neighborhoods, motorists tend to travel at speeds that greatly exceed the posted speed limit, resulting in a proliferation of traffic related problems in City neighborhoods;

**WHEREAS**, the City desires through this Ordinance to help manage and control problems associated with traffic flow, excessive speeding, cut through traffic and pedestrian safety; and

**WHEREAS**, the City Council finds that the creation and implementation of a traffic calming policy for the City is in the best interest of the health, safety, and welfare of, the citizens of the City.

**NOW THEREFORE, THE COUNCIL OF THE CITY OF SOUTH FULTON  
HEREBY ORDAINS** as follows:

**Section 1.** The City hereby adopts the Traffic Calming Policy, attached hereto, as “Appendix H” to the City Code of Ordinances.

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**Section 2.** It is hereby declared to be the intention of the City Council that: (a) All sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the City Council to be fully valid, enforceable and constitutional.

(b) To the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. No section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Resolution.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the City Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance.

**Section 3.** All Ordinance and Resolutions in conflict herewith are hereby expressly repealed.

**Section 4.** The City Attorney, City Clerk and contracted City Codifier are authorized to make non-substantive formatting and renumbering edits to this ordinance for proofing, codification, and supplementation purposes. The final version of all ordinances shall be filed with the clerk.

**Section 5.** The effective date of this Ordinance shall be on the date as set forth under Sec. 3.21 of the City Charter unless provided otherwise by applicable local, state and/or federal law.

THIS ORDINANCE adopted this \_\_\_\_\_ day of \_\_\_\_\_ 2019. **CITY OF SOUTH FULTON, GEORGIA.**

**“FIRST READING”**

\_\_\_\_\_  
WILLIAM “BILL” EDWARDS, MAYOR

ATTEST:

\_\_\_\_\_  
S. DIANE WHITE, CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
EMILIA C. WALKER, CITY ATTORNEY

The foregoing **ORDINACE No. 2019-xxx** was adopted on \_\_\_\_\_ was moved for approval by Councilmember \_\_\_\_\_. The motion was seconded by Councilmember \_\_\_\_\_, and being put to a vote, the result was as follows:

**“FIRST READING”**

|                               | AYE   | NAY   |
|-------------------------------|-------|-------|
| William “Bill” Edwards, Mayor | _____ | _____ |
| Mark Baker, Mayor Pro Tem     | _____ | _____ |
| Catherine Foster Rowell       | _____ | _____ |
| Carmalitha Lizandra Gumbs     | _____ | _____ |
| Helen Zenobia Willis          | _____ | _____ |
| Gertrude Naeema Gilyard       | _____ | _____ |
| Rosie Jackson                 | _____ | _____ |
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# CITY OF SOUTH FULTON



## **TRAFFIC CALMING POLICY**

Appendix H, City of South Fulton Code of Ordinances

Adopted XX/XX/2019

**Introduction:**

The rapid rate of growth in the metropolitan Atlanta counties has resulted in a significant increase in the volume of traffic on area roadways. Motorists are seeking alternative routes to avoid traffic congestion and lengthy delays. Some of these alternatives are cut-through routes on local, residential streets, which can result in increased traffic-related problems within the affected neighborhoods. Additionally, cut through motorists generally travel through residential areas at speeds in excess of the posted speed limit. In recognition, the City of South Fulton Council charged the City Department of Public Works (“Department”) with developing this traffic calming policy (“Traffic Calming Policy”) to help safeguard its citizens.

The mission of the Traffic Calming Policy is to improve and enhance the quality of life and safety in residential areas by reducing the negative impact of automobile traffic on neighborhood streets. The objective of the program is to develop and implement traffic calming initiatives which provide corrective remedies to traffic problems associated with excessive speeding and cut-through traffic, while increasing overall vehicular and pedestrian safety. The Department of Public Works implements the program utilizing engineering, enforcement, education, and community participation. The Traffic Calming Policy, although developed by the City, is a community driven program. The community will choose the type of traffic calming initiatives that it deems suitable based on the recommendations of the City Department of Public Works. The community may be required to pay for the cost of implementing, maintaining, and removing any device associated with the traffic calming initiatives.

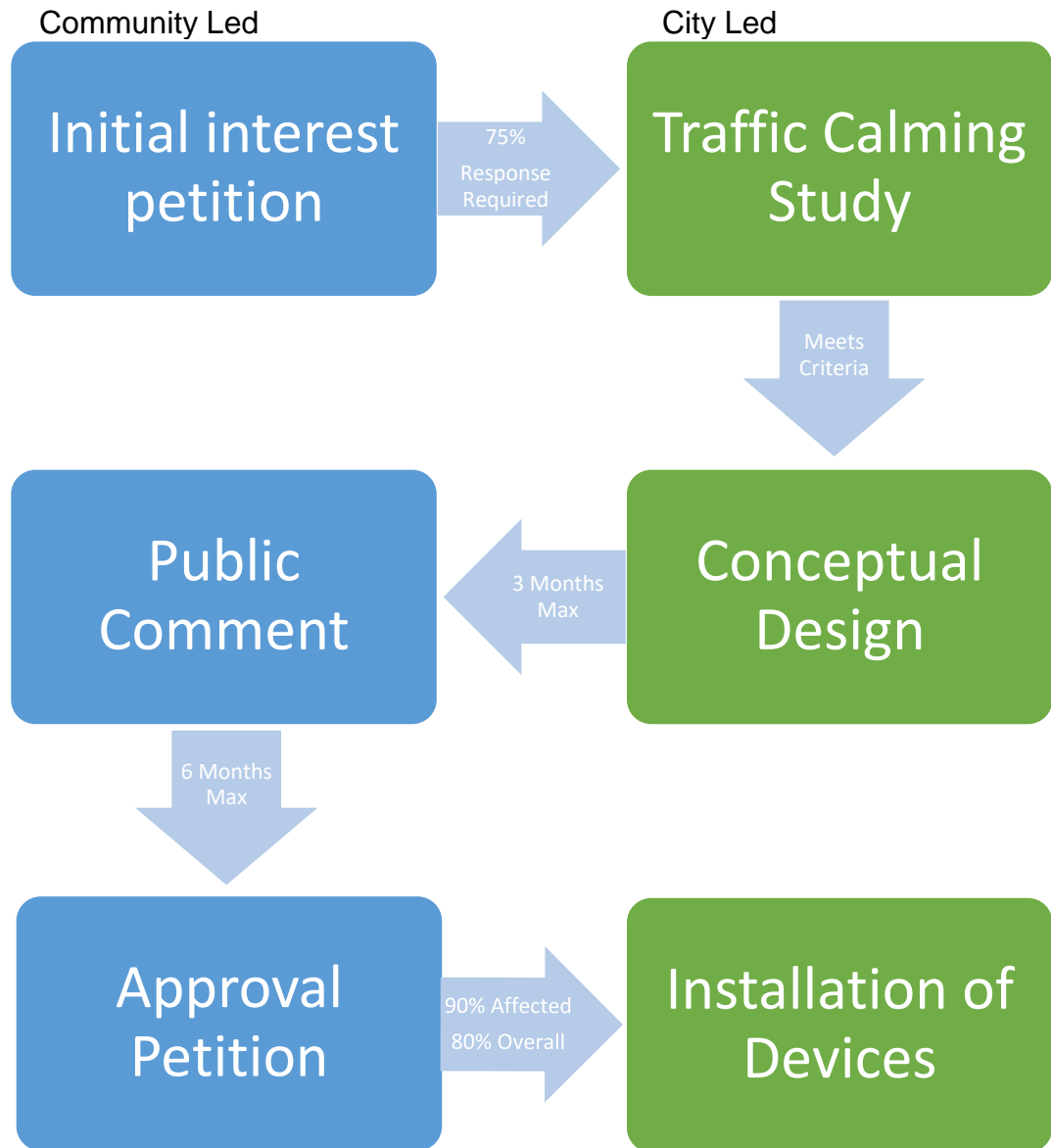
**Need and Purpose:**

The City of South Fulton Traffic Calming Policy establishes policy guides for consistently dealing with traffic related matters and promoting safe and convenient travel in residential neighborhoods. The program outlines policies, processes, and engineering guidelines for implementing traffic calming measures that may be used as possible remedies for traffic related problems in residential neighborhoods. Standardized designs for various devices are included as a part of this program to ensure uniformity and safety.

**Implementation:**

Before any traffic calming measures can be implemented, a traffic study must be undertaken by the Department of Public Works or a qualified consultant. The results of this study will be analyzed, and the Department of Public Works will make the appropriate recommendations. Staff of the Department of Public Works is available to make presentations and discuss their findings and recommendations with neighborhood associations and community groups. Recommendations are based on engineering and design standards publications such as the AASHTO Green Book, the Manual on Uniform Traffic Control Devices (MUTCD), the TRB-Highway Capacity Manual, and other design standards and regulations. Transportation Engineering Staff will use prudence, good judgment, and the community’s preferences in recommending traffic calming devices so that the health, safety, and welfare of the community. See below for a chart detailing the steps of the implementation process.

## Traffic Calming Process





**Sec. 1. - Definitions.**

For purposes of this article, certain terms and words are defined. Where words have not been defined but are defined in a subsequent sub-section of this article, those words shall have the meaning as defined therein. The following words, terms and phrases when used in this article shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

**Affected Area** means a geographic portion of a neighborhood consisting of all property owners whose quality of life as a resident in the neighborhood, and not necessarily as a traveler through the neighborhood, is being directly impacted by the excessive volume or speeding traffic problem being addressed. The affected area will include all lots from which residents must traverse the traffic calming measure. The affected area will also include all lots from which residents may have an alternate route without traffic calming measures but whose lots have driveways that access the residential street for which traffic calming measures are sought.

**Department** means the Public Works Department.

**Eligible Petitioner** means the person whose name is recorded as a property owner in the tax records maintained by the City's GIS department for the address listed on the petition that falls within the affected area.

**GIS** means Geographical Information Systems.

**Initiator** is a real property owner who has requested an initial interest petition form and/or has assumed a primary role in circulating the initial interest petition and the subsequent traffic-calming petition and undertakes to serve as the City's sole contact with respect to the progress of the initial interest petition and any subsequent traffic study and traffic-calming petition.

**ITE** means the Institute of Transportation Engineers.

**MUTCD** means the Manual on Uniform Traffic Control Devices.

**Real Property Owners** means homeowners or other real property owners as indicated in the tax records maintained by the City's GIS department.

**Reference Number** means the number assigned to a completed initial interest petition which meets the City's criteria for a study that will be used to determine the order in which traffic studies will be conducted.

**Renter** means party leasing property in the affected area.

**Residential Street** means a street classified and defined as "residential" in the City's current Transportation Master Plan.

**Traffic-Calming Measures** means those methods and processes that the City may use to reduce aggressive driving behavior that impairs the quality of life of its citizens in any neighborhood in which the posted speed limit is no greater than thirty (30) miles per hour.

**Traffic Study** means the process by which data pertinent to the flow, rate of speed and density of traffic, collected over a defined period of time, is measured and analyzed to determine its impact on the safety of citizens within a neighborhood or affected area.

**Sec. 2. - Procedure for requesting a traffic study.**

- A. The City shall require the filing of the initial interest petition on a form promulgated by the Department director or designee.
- B. Any person(s) interested in pursuing the installation of traffic-calming measures on a residential street, upon request to the department, will begin the initial interest petition process for the Department to perform a traffic study. The initial interest petition shall be completed no later than forty- five (45) days after the date the Department issues the initial interest petition. The initial interest petition will allow for persons (Real Property Owners or Renters) to sign in favor of requesting a traffic study or to register their opposition to the conduct of a traffic study.
- C. All persons signing an initial interest petition to request that the Department carry out a traffic study shall hereinafter be referred to as applicants. All persons opposed shall hereinafter be referred to as opponents.
- D. All applicants and opponents must be either real property owners or rental occupants.

**Sec. 3. - Initial interest petition.**

- A. The Department will not consider an initial interest petition unless at least Seventy-Five (75%) percent of the real property owners or rental occupants on the residential street are in favor of the traffic study.
- B. The initial interest petition shall include all of the following:
  - 1. The full name, signature, home address, and daytime telephone number of each person that signed the initial interest petition.
  - 2. The date upon which each person signed the initial interest petition.
  - 3. A description of the precise area for which the traffic study is requested by reference to the name of the subdivision or popular name of the neighborhood, or the bridges, streets, roads and where appropriate with house numbers that identify the area where a perceived speeding or excessive volume problem exists.
  - 4. The name, address and telephone number of an initiator.
- C. Only (1) real property owner or renter for each street address may sign the initial interest petition.

**Sec. 4. - Evaluating the initial interest petition and informing the initiator.**

- A. Upon completion of the initial interest petition, the Department will make a determination as to whether at least Seventy-Five (75%) percent of the real property owners or rental occupants on the residential street are in favor of the traffic study.
- B. After the Department has received the complete initial interest petition, no signature will be withdrawn from an initial interest petition unless the Department is notified in writing within fifteen (15) business days, that there is reasonable proof that fraud or other impropriety occurred regarding the obtaining of the petitioner's signature.
- C. Within thirty (30) business days, the initiator of the initial interest petition will be notified in writing by the Department as to whether the initial interest petition meets the criteria for a traffic study. In the event that the Department decides to conduct a traffic study, the written notification to the initiator will include a reference number assigned to the initial interest petition for the conduct of the study.
- D. In the event that the initiator moves away or is otherwise no longer a point of contact for the Department and a new initiator's name or address has not been provided to the department, the Department shall consider the initial interest petition abandoned and shall cease all work on processing of the initial interest petition and any subsequent traffic study.

**Sec. 5. - Traffic study to comply with national standards.**

- A. National standards promulgated by AASHTO, ITE, and other national standards shall govern the execution of traffic studies and the design and installation of traffic-calming measures.

**Sec. 6. - Priority for the conduct of traffic studies.**

- A. The Department will conduct traffic studies based on the reference number assigned to the completed initial interest petition.
- B. The Department reserves the right to change the order in which a traffic study is conducted where the Department determines that there is an initial interest petition further down the waiting list for an area that may relate to, or be affected by, another traffic study to be conducted on a neighboring street or in a neighboring area.

**Sec. 7. - The affected area and the traffic-calming plan.**

- A. Where a traffic study is warranted it will be conducted at a time to be determined by, and within the sole discretion of, the department.
- B. Upon completion of a traffic study, the Department shall make a determination as to whether the results clearly demonstrate that the installation of traffic-calming measures are warranted based upon at least one of the following criteria:
  1. **Speed standard:** 85th percentile speed is 11 miles per hour or greater than the posted speed limit; or

2. **Through Volume Standard:** The total number of daily trips generated by the affected area exceeds by 25% or more what would be expected based on the applicable trip generation rate(s) published in the current edition of the Trip Generation Report-An ITE Informational Report.

**Sec. 8. - Notification that traffic-calming measures are not warranted.**

Following the completion of the study, if the Department director or designee determines that no traffic-calming measures are warranted, then the Department director or designee shall notify the initiator of that conclusion in writing.

**Sec. 9. - Notification to initiator for commencement of traffic-calming conceptual design**

- A. Where traffic-calming measures are warranted the Department shall, within a reasonable time following the completion of the traffic study, not to exceed three (3) months, prepare a traffic-calming conceptual plan and notify the initiator in writing about the traffic-calming conceptual plan.
- B. The traffic-calming conceptual plan must identify the affected area and include a recommendation for a specific traffic-calming measure or a combination of such measures that the Department has determined to provide the most effective solution to the speeding and/or excessive volume problems identified in the traffic study for installation in the affected area, having regard to the pavement width, grades, the physical features of the proposed location for the installation measures and any structures that facilitate drainage. The plan may also include alternative measures that could be installed to provide some relief to the speeding and/or excessive volume problems identified in the traffic study for installation in the affected area, having regard to the pavement width, grades, and the physical features of the proposed location for the installation measures and any structures that facilitate drainage.
- C. Approved measures can be found in the Tool Box section at the end of this policy.
- D. A public comment period, not to exceed six (6) months, shall commence on the date that the letter of notification is sent to the initiator pursuant to subsection (a). During that public comment period, Department staff assigned to work on the traffic-calming conceptual plan shall meet with the initiator(s) and other interested persons for neighborhood input and public comment on the traffic-calming conceptual plan.

**Sec. 10. - Traffic-calming petition; choice of measures.**

- A. Following the public comment period, the Department director or designee shall provide the initiator with a traffic-calming petition form to be used for recording all of the signatures. The petition must set forth the traffic-calming measures that shall be the subject of the vote and the eligible petitioners will thereby have the opportunity to vote in favor or in opposition to the approved measures. No other measure may be included on the petition.

- B. The initiator will circulate the traffic-calming petition to all eligible petitioners in the affected area.
- C. A traffic-calming petition must be completed within ninety (90) days from the date the traffic- calming petition form was initiated.
- D. The traffic-calming petition shall indicate the full name, signature, home address date, and daytime telephone number for each person signing the selection petition.
- E. The tax records maintained by the City's GIS department shall control in determining whether a signatory to the petition is a real property owner and thus an eligible petitioner.
- F. In order to be eligible for the installation of traffic calming measure the initiator must secure signatures in favor of the installation of traffic-calming measures from eligible petitioners representing 80% of property owners in the neighborhood and 90% of the property owners along the affected road affirm their support for installation of a traffic calming device.
- G. In the event that the petition secures the requisite percentage of signatures in favor of the approved traffic-calming measure or combination of traffic calming measures, the director of the Department shall present a resolution to the City Council at a regularly scheduled meeting and the City Council shall thereafter by said resolution approve the installation of traffic calming measures. Advertising for said meeting must comply with city policy for advertising public announcements.
- H. All installation costs will be funded by a source approved by the City of South Fulton Council (most frequently the Homeowner's Association,) and the City will act as project administrator.
- I. The City will offer advice and assistance with the implementation process as appropriate. City personnel will inspect and approve the construction of all devices to ensure that they meet the design criteria.
- J. Repair and maintenance of all traffic calming devices will be the responsibility of the Homeowners Association unless other arrangements are made with the City.

**Sec. 11. – Removal of Traffic-calming petition;**

- A. In the event the traffic calming becomes unacceptable to the community, a request will be made to the department. The Department director or designee shall provide the initiator with a removal of traffic-calming petition form to be used for recording all of the signatures.
- B. The initiator will circulate the traffic-calming petition to all eligible petitioners in the affected area.

- C. A traffic-calming petition must be completed within ninety (90) days from the date the traffic- calming petition form was initiated.
- D. The traffic-calming petition shall indicate the full name, signature, home address date, and daytime telephone number for each person signing the selection petition.
- E. The tax records maintained by the City's GIS department shall control in determining whether a signatory to the petition is a real property owner and thus an eligible petitioner.
- F. In order to be eligible for the removal of traffic calming measure the initiator must secure signatures in favor of the removal of traffic-calming measures from eligible petitioners representing 90% of properties in the affected area.
- G. In the event that the petition secures the requisite percentage of signatures in favor of the removal of traffic-calming measure or combination of traffic calming measures, the director of the Department shall present a resolution to the City Council at a regularly scheduled meeting and the City Council shall thereafter by said resolution approve the removal of traffic calming measures. Advertising for said meeting must comply with city policy for advertising public announcements.

## *Appendix A*

### **TOOLBOX**

The “toolbox” contains different devices that address neighborhood traffic related concerns such as speeding vehicles, high traffic volumes, cut-through traffic, or collisions at neighborhood intersections. The devices vary in their ability to treat various traffic related concerns. For this reason, Chapter 4, “Toolbox Guidelines,” provides guidance on selecting the most appropriate devices given the type of specific traffic related concern and street being treated.

The “toolbox” of neighborhood traffic management devices can be grouped into three categories:

- Non-Physical devices
- Speed Control
  - Narrowing devices
  - Horizontal devices
  - Vertical devices
- Volume Control devices

For each device in the “toolbox,” the following information relating to each device is provided:

- Description of the measure
- Photograph and/or schematic
- List of advantages and disadvantages
- Data sheet indicating speed, volume, or collision reduction potential
- Estimated costs

Cost approximations are provided for information purposes only. Actual costs depend on many factors, including dimensions of device, construction materials, and actual construction costs.

### ***NON-PHYSICAL DEVICES***

#### **Description**

Non-physical devices include any measures that do not require physical changes to the roadway. Nonphysical devices are intended to increase drivers’ awareness of surroundings and influence driver behavior without physical obstructions. DPW staff will initially implement non-physical devices to treat traffic related concerns. However, these devices are not self-enforcing and may have limited effectiveness as stand-alone devices. This category includes the following devices:

- Targeted Speed Enforcement
- Speed Radar Trailers
- Speed Feedback Sign

- Centerline/Edgeline Lane Striping
- Optical Speed Bars
- Signage
- Speed Legend
- Centerline Raised Pavement Markers
- High Visibility Crosswalks
- Angled Parking

### **Targeted Speed Enforcement**

City Staff or NTC members can identify locations for temporary targeted enforcement, based on personal observations and survey comments. A request can be submitted to the South Fulton Police Department (JCPD) for the desired enforcement. Because of limited JCPD resources, the duration of the targeted enforcement may be limited. Targeted enforcement may also be used in conjunction with new neighborhood traffic management devices to help drivers become aware of the new restrictions.

Approximate Cost: No direct cost.

#### Advantages

- Inexpensive if used temporarily
- Does not physically slow emergency vehicles or buses
- Quick implementation
- Disadvantages
- Expensive to maintain an increased level of enforcement
- Effectiveness may be temporary

### **Radar Trailer**

A radar trailer is a device that measures each approaching vehicle's speed and displays it next to the legal speed limit in clear view of the driver. They can be easily placed on a street for a limited amount of time then relocated to another street, allowing a single device to be effective in many locations.

Approximate Cost: No direct cost. (Purchase \$6,000 - \$12,000)

#### Advantages

- Portable
- Does not physically slow emergency vehicles or buses
- Quick implementation

#### Disadvantages

- Effectiveness may be temporary
- Drivers may divert to alternate streets due to uncertainty of device implications



- Subject to vandalism

### **Speed Feedback Signs**

Speed feedback signs perform the same functions as radar trailers but are permanent. Real-time speeds are relayed to drivers and flash when speeds exceed the limit. Speed feedback signs are typically mounted on or near speed limit signs.

Approximate Cost: \$1,500 - \$10,000

#### Advantages

- Real-time speed feedback
- Does not physically slow emergency vehicles or buses
- Permanent installation

#### Disadvantages

- May require power source
- Only effective for one direction of travel
- Long-term effectiveness uncertain
- Subject to vandalism

### **Centerline/Edgeline Lane Striping**

Lane striping can be used to create formal travel lanes, bicycle lanes, parking lanes, or edge lines. As a neighborhood traffic management measure, they are used to narrow the travel lanes for vehicles, thereby inducing drivers to lower their speeds. The past evidence on speed reductions is, however, inconclusive.

Approximate Cost: \$2.00 per linear foot

#### Advantages

- Inexpensive
- Can be used to create bicycle lanes or delineate on-street parking
- Does not slow emergency vehicles

#### Disadvantages

- Has not been shown to significantly reduce travel speeds
- Requires regular maintenance

### **Optical Speed Bars**

Optical speed bars are a series of pavement markings spaced at decreasing distances. They have typically been used in construction areas to provide drivers with the impression of increased speed. They do not provide long-term speed reduction benefits.

Approximate Cost: \$1.00 per linear foot

### Advantages

- Inexpensive
- Does not physically slow emergency vehicles or buses

### Disadvantages

- Long-term effects in residential area unknown
- Increases regular maintenance

## **Signage**

Various signs may also be useful in alerting driver of certain conditions. Examples include:

- “Cross Traffic Does Not Stop” Signs
- Truck Restriction Signs

Approximate Cost: \$150 - \$500 per sign

### **Advantages**

- Inexpensive
- Truck restrictions can reduce through truck traffic
- Does not slow emergency vehicles or buses

### **Disadvantages**

- Requires regular maintenance
- Speed limit signs are not applicable because they do not necessarily change driver behavior
- If speed limits are set unreasonably low, drivers are more likely to exceed it

## **Speed Legend**

Speed legends are numerals painted on the roadway indicating the current speed limit in miles per hour.

They are usually placed near speed limit signposts. Speed legends can be useful in reinforcing a reduction in speed limit between one segment of a roadway and another segment. They may also be placed at major entry points into a residential area.

Approximate Cost: \$175 per location

### **Advantages**

- Inexpensive
- Helps reinforce a change in speed limit
- Does not slow emergency vehicles

### **Disadvantages**

- Has not been shown to significantly reduce travel speeds
- Requires regular maintenance

## **Centerline Raised Pavement Markers**

Raised pavement markers (RPMs) are small bumps lining the centerline or edge line of a roadway. They are often used on curves where vehicles have a tendency to

deviate outside of the proper lane, risking collision. Raised reflectors improve the nighttime visibility of the roadway edges.

Approximate Cost: \$4.50 per marker

#### Advantages

- Inexpensive
- Does not physically slow emergency vehicles or buses
- Can help keep drivers in the appropriate travel lane on curves and under low-visibility conditions

#### Disadvantages

- Noise caused by RPMs
- Requires regular maintenance
- Has not been shown to significantly reduce travel speeds

### **High Visibility Crosswalks**

High-visibility crosswalks use special marking patterns and raised reflectors to increase the visibility of a crosswalk. A “triple-four” marking pattern is created by painting two rows of four-foot wide rectangles, separated by four feet of unpainted space across the roadway. Raised reflectors are placed at the approach edges of these rectangles. The unpainted space along the center of the crosswalk provides an untreated path for wheelchair users and foot traffic, as markings may become slippery in rainy/wet conditions.

Approximate Cost: \$1,600 per location

#### Advantages

- Increased visibility of crosswalk
- Focus crossing pedestrians at a single location

#### Disadvantages

- May give pedestrians a false sense of security, causing them to pay less attention to traffic
- Requires more maintenance than normal crosswalks

### **Angled Parking**

Angled parking reorients on-street parking spaces to a 45-degree angle, increasing the number of parking spaces and reducing the width of the roadway available for

travel lanes. Angled parking is also easier for vehicles to maneuver into and out of than parallel parking.

Consequently, it works well in areas with high parking demand and turnover rates.

Approximate Cost: Dependent on amount of parking

#### Advantages

- Reduces speeds by narrowing the travel lanes
- Increases the number of parking spaces
- Provides for easier parking maneuvers that take less time than parallel parking
- Favored by businesses and multi-family residences

#### Disadvantages

- Precludes the use of bike lanes (unless roadway is wider than 58 feet)
- Ineffective on streets with frequent driveways
- Potential for collisions when backing out

## ***SPEED CONTROL – NARROWING DEVICES***

### **Description**

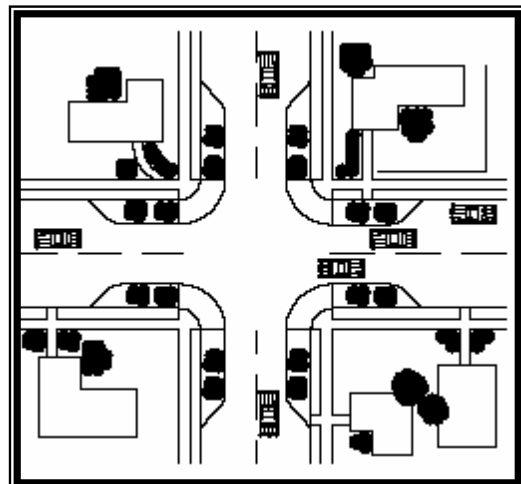
Narrowing devices use raised islands and curb extensions to physically narrow the travel lane for motorists.

The narrowing devices in the toolbox include:

- Neckdown/Bulbout
- Center Island Narrowing
- Two-Lane Choker
- One-Lane Choker

### **Neckdown / Bulbout**

Neckdowns/bulbouts are raised curb extensions that narrow the travel lane at intersections or mid-block locations. Neckdowns/bulbouts “pedestrianize” intersections by shortening the crossing distance and decreasing the curb radii, thus reducing turning vehicle speeds. Both of these effects increase pedestrian comfort and safety at the intersection. The magnitude of speed reduction is dependent on the spacing of neckdowns between points that require drivers to slow. On average, neckdowns achieve a



7 percent reduction in speeds.

Approximate Cost: \$5,000 – \$10,000 per corner

### Measured Effectiveness

Speed: Reduction in 85th Percentile Speeds between Slow Points -7%

Volume: Reduction in Vehicles per Day -10%

Safety: Reduction in Average Annual Number of Collisions I/D

*Note: I/D = Insufficient Data to predict reduction effect.*

*Source: Traffic Calming: State of the Practice, 2000.*



### Advantages

- Reduces pedestrian crossing distance and exposure to vehicles
- Through and left-turn movements are easily negotiable by large vehicles
- Creates protected on-street parking bays
- Reduces speeds (especially right-turning vehicles) and traffic volumes

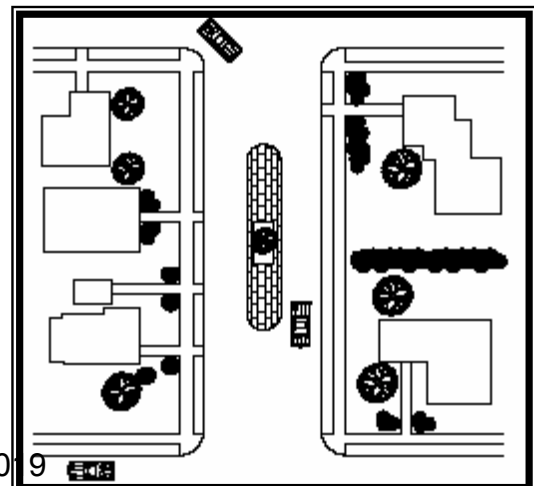
### Disadvantages

- Effectiveness is limited by the absence of vertical or horizontal deflection
- May slow right-turning emergency vehicles
- Potential loss of on-street parking
- May require bicyclists to briefly merge with vehicular traffic



### Center Island Narrowing

Center island narrowings are raised islands located along the centerline of a street that narrow the travel lanes at that location. Placed at the entrance to a neighborhood, and often combined with textured pavement, they are often called "gateways." Fitted with a gap to allow pedestrians



to walk through at a crosswalk, they are often called “pedestrian refuges.” They can also be landscaped to increase visual aesthetics. The magnitude of speed reduction is dependent on the spacing of center island narrowings between points that require drivers to slow (see page 55). On average, center island narrowings achieve a 7 percent reduction in speeds.

Approximate Cost: \$5,000 - \$10,000 per location

#### Measured Effectiveness

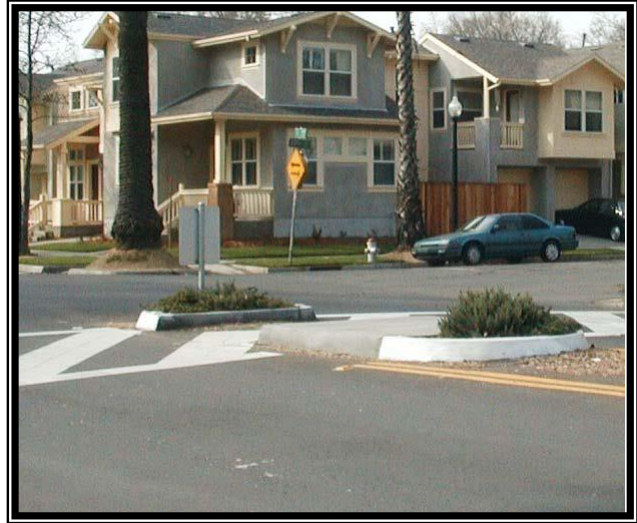
Speed: Reduction in 85th Percentile Speeds between Slow Points -7%

Volume: Reduction in Vehicles per Day - 10%

Safety: Reduction in Average Annual Number of Collisions I/D

*Note: I/D = Insufficient Data to predict reduction effect.*

*Source: Traffic Calming: State of the Practice, 2000.*



#### Advantages

- Can increase pedestrian safety
- Aesthetic upgrades can have positive aesthetic value
- Reduces traffic volumes if alternative routes are available

#### Disadvantages

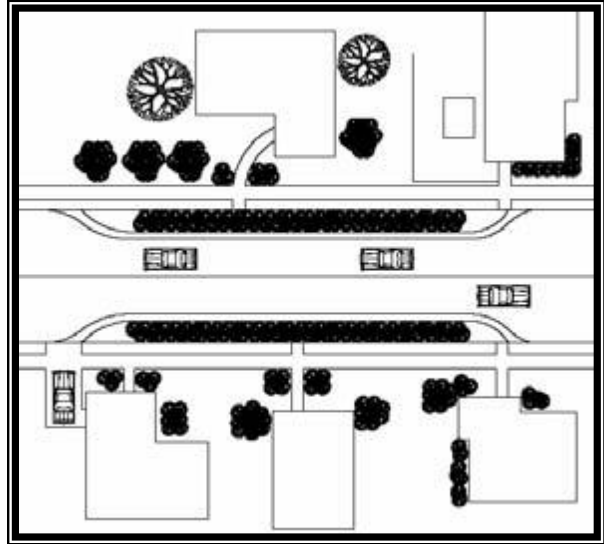
- Effect on vehicle speeds is limited by the absence of any vertical or horizontal deflection
- Potential loss of on-street parking



## Two-lane choker

Chokers are curbing extensions at mid-block that narrow a street. Chokers leave the street cross section with two lanes that are narrower than the normal cross section. The magnitude of speed reduction is dependent on the spacing of two-lane chokers between points that require drivers to slow (see page 55). On average two-lane chokers achieve a 7 percent reduction in speeds.

Approximate Cost: \$7,000 - \$8,000 per location



### Measured Effectiveness

Speed: Reduction in 85th Percentile Speeds between Slow Points -7%

Volume: Reduction in Vehicles per Day - 10%

Safety: Reduction in Average Annual Number of Collisions I/D

*Note: I/D = Insufficient Data to predict reduction effect.*

*Source: Traffic Calming: State of the Practice, 2000.*



### Advantages

- Easily negotiable by emergency vehicles and buses
- Can have positive aesthetic value



- Reduces both speeds and volumes

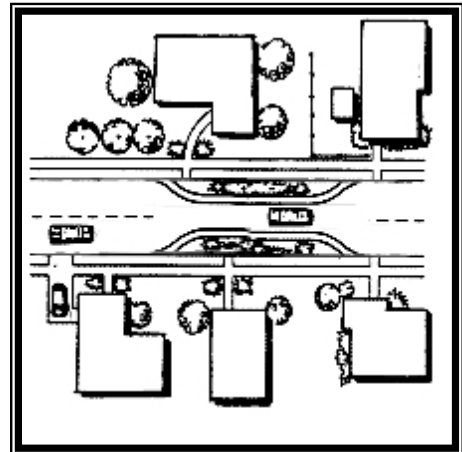
**Disadvantages**

- Effect on vehicle speeds is limited by the absence of any vertical or horizontal deflection
- May require bicyclists to briefly merge with vehicular traffic
- Loss of on-street parking
- Build-up of debris in gutter



**One-lane choker**

One-lane chokers narrow the roadway width such that there is only enough width to allow travel in one direction at a time. They operate similarly to one-lane bridges, where cars approaching on one side must wait until all traffic in the other direction has cleared before proceeding. The magnitude of speed reduction is dependent on the spacing of one-lane chokers between points that require drivers to slow (see page 55). On average, one-lane chokers achieve a 14 percent reduction in speeds.



Approximate Cost: \$8,000 - \$9,000 per location

**Measured Effectiveness**

Speed: Reduction in 85th Percentile Speeds between Slow Points -14%

Volume: Reduction in Vehicles per Day - 20%

Safety: Reduction in Average Annual Number of Collisions I/D

*Note: I/D = Insufficient Data to predict reduction effect.*



Source: *Traffic Calming: State of the Practice, 2000.*

**Advantages**

- Maintains two-way vehicle access, except at choker
- Very effective in reducing speeds and traffic volumes

**Disadvantages**

- Perceived as unsafe because opposing traffic is vying for space in a single lane
- Can be used only on low-volume, low speed roads
- Loss of on-street parking

**SPEED CONTROL – HORIZONTAL DEVICES**

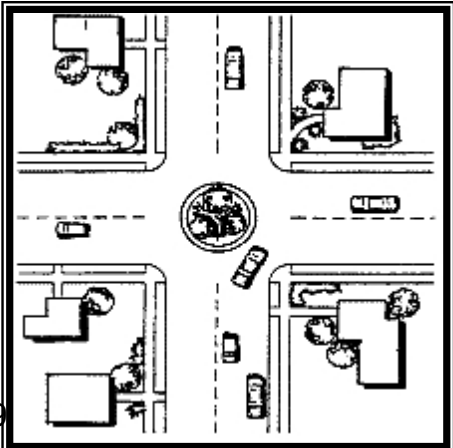
**Description**

Horizontal deflection devices use raised islands and curb extensions to physically eliminate straight-line paths along roadways and through intersections. The horizontal deflection devices in the toolbox include:

- Traffic Circle
- Roundabout (Single-Lane)
- Chicane
- Lateral Shift
- Realigned Intersection

**Traffic Circle**

Traffic circles are raised islands, placed in intersections, around which traffic circulates. Stop signs or yield signs can be used as traffic controls at the approaches of the traffic circle. Circles prevent drivers from speeding through intersections by



impeding the straight-through movement and forcing drivers to slow down to yield. Depending upon the size of the intersection and circle, trucks may be permitted to turn left in front of the circle. The magnitude of speed reduction is dependent on the spacing of traffic circles between points that require drivers to slow (see page 55). On average, traffic circles achieve an 11 percent reduction in speeds and a dramatic 71 percent decrease in collisions.

Approximate Cost: \$10,000 - \$25,000 per location

### Measured Effectiveness

Speed Impacts Reduction in 85th Percentile Speeds between Slow Points -11%

Volume Impacts Reduction in Vehicles per Day -5%

Safety Impacts Reduction in Average Annual Number of Collisions -71%

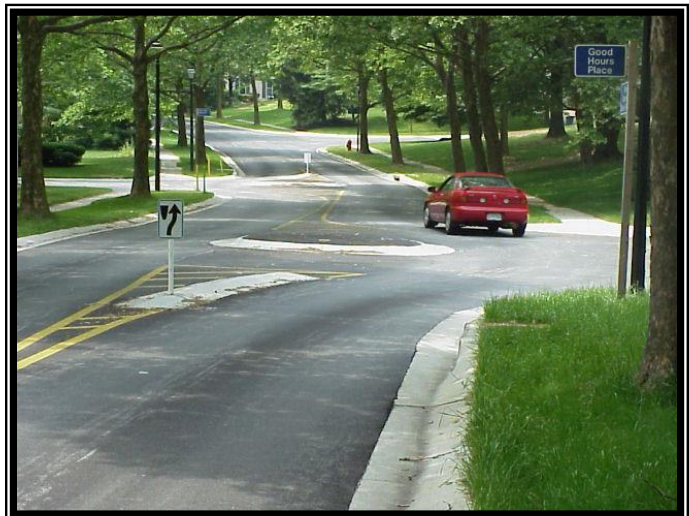
Source: *Traffic Calming: State of the Practice, 2000.*

### Advantages

- Very effective in moderating speeds and improving safety
- Can have positive aesthetic value

### Disadvantages

- If not designed properly, difficult for emergency vehicles or large trucks to travel around
- Must be designed so that the circulating traffic does not encroach on crosswalks
- Potential loss of on-street parking



## Chicane

Chicanes are curb extensions that alternate from one side of the street to the other, forming S-shaped curves. Chicanes can also be created by alternating on-street parking between one side of the road and the other. Each parking bay can be created either by restriping the roadway or by installing raised center islands at each end, creating a protected parking area. Chicanes have limited effectiveness in reducing traffic speeds and volumes as compared to other devices. Little data has been collected to predict the reduction in speed, traffic volumes, or collisions, and use of this device may not result in significant decreases. Resources permitting, DPW staff can collect before and after data to determine the effectiveness of chicanes.

Approximate Cost: \$8,000 - \$14,000 per location

### Measured Effectiveness

Speed Impacts Reduction in 85th Percentile Speeds between Slow Points I/D

Volume Impacts Reduction in Vehicles per Day I/D

Safety Impacts Reduction in Average Annual Number of Collisions I/D

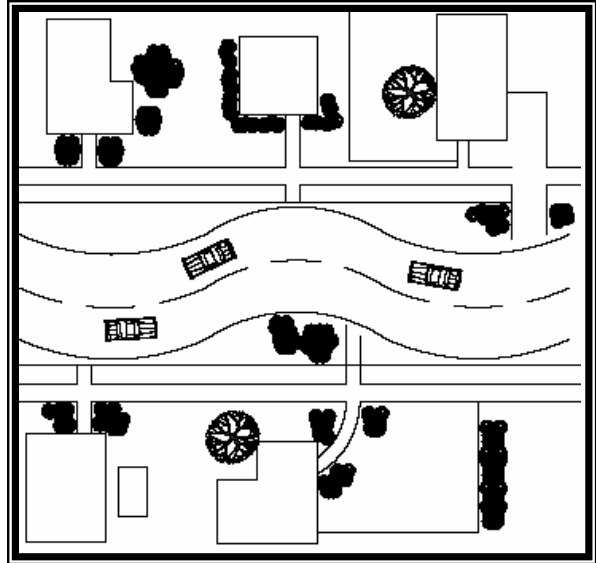
Note: I/D = Insufficient data to predict reduction effect.

### Advantages

- Discourages high speeds by forcing horizontal deflection
- Easily negotiable by emergency vehicles and buses

### Disadvantages

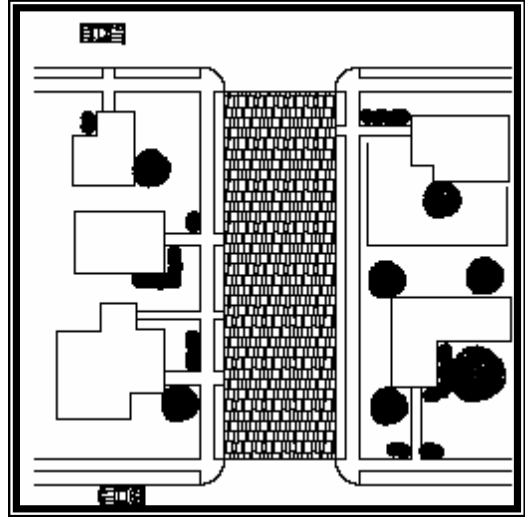
- Must be designed carefully to discourage drivers from deviating out of the appropriate lane
- Curb realignment and landscaping can be costly, especially if there are drainage issues
- Loss of on-street parking





## Textured Pavement

Textured colored pavement includes the use of stamped pavement (asphalt) or alternate paving materials to create an uneven surface for vehicles to traverse. Textured pavement may have limited effectiveness as a standalone device and should be used to supplement other devices such as raised crosswalks or center median islands. Little data has been collected to predict the reduction in speed, traffic volumes, or collisions, and use of this device may not result in significant decreases. Resources permitting, DPW staff can collect before and after data to determine the effectiveness of textured pavement.



Approximate Cost: \$8.00 per square foot

### Measured Effectiveness

Speed: Reduction in 85th Percentile Speeds between Slow Points I/D

Volume: Reduction in Average Daily Traffic I/D

Safety: Reduction in Average Annual Number of Collisions I/D

*Note: I/D = Insufficient Data to predict reduction effect.*

### Advantages

- Can reduce vehicle speeds
- Aesthetic upgrades can have positive value
- Placed at an intersection, it can slow two streets at once

### Disadvantages

- Expensive, varying by materials used
- Can be uncomfortable for bicyclists or handicapped.
- Textured pavement can increase noise to adjacent properties

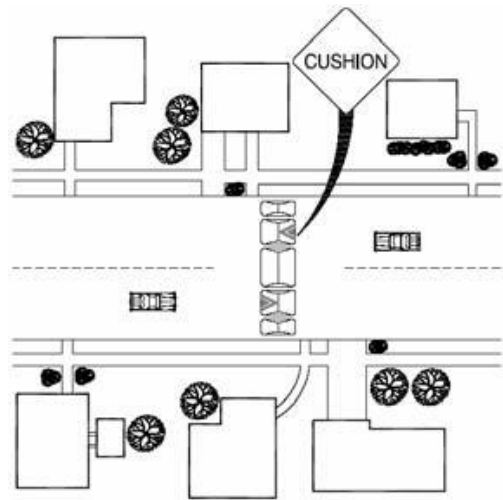


## Speed Cushion

Speed cushions are a variation of the speed lump that is constructed from durable recycled rubber. These prefabricated devices consistently have a more uniform shape than asphalt humps. Speed cushions provide wheel gaps for emergency vehicles and buses, and can be arranged to fit any street width. The magnitude of speed reduction is dependent on the spacing of speed cushions between points that require drivers to slow.

On average, speed cushions achieve a 14 percent reduction in speeds.

Approximate Cost: \$4,500 - \$6,000 per location



### Measured Effectiveness

Speed Reduction: Reduction in 85th Percentile Speeds between Slow Points -14%

Volume Reduction: Reduction in Average Daily Traffic

Safety Reduction: Reduction in Average Annual Number of Collisions

Source: City of Portland, Rubber Speed Bump Research, 1995

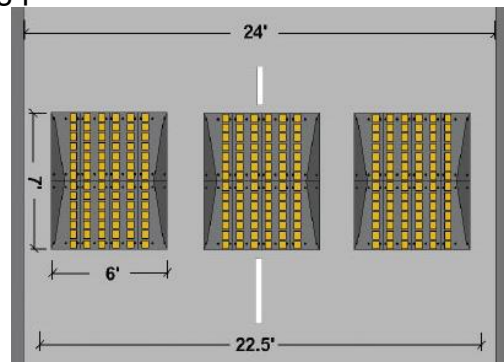


### Advantages

- Provides a more consistent ride than asphalt humps
- Can be used as a temporary device during a testing phase
- Reduces impacts to emergency vehicles due to cut-outs
- Easily accommodates street resurfacing

### Disadvantages

- Aesthetics
- Signs may be unwelcomed by adjacent residents
- Increased noise for adjacent residents

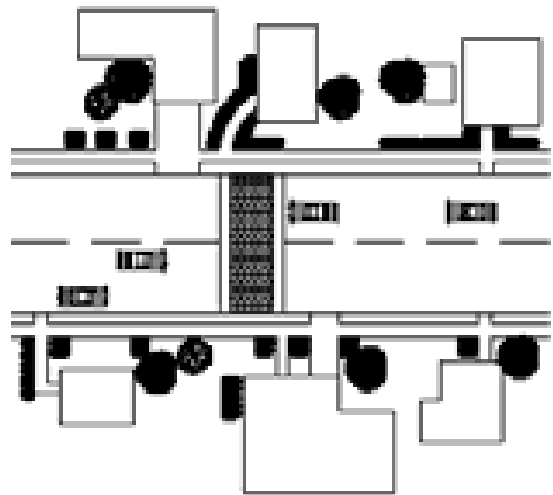


### Speed Cushion

Speed tables are flat-topped speed humps approximately 22 feet long. They are typically long enough for the

entire wheelbase of a passenger car to rest on top. Their long, flat fields, plus ramps that are more gently sloped than speed humps, give speed tables higher design speeds than humps, and, thus, may be more appropriate for streets with higher ambient speeds. Brick or other textured materials improve the appearance of speed tables, draw attention to them, and may enhance safety and speed reduction.

The magnitude of speed reduction is dependent on the spacing of speed tables between points that require drivers to slow (see page 55). On average, speed tables achieve an 18 percent reduction in speeds.



On average, speed tables achieve a 18 percent reduction in speeds.

Approximate Cost: \$4,500 - \$6,000 per location

#### Measured Effectiveness

- Speed Impacts Reduction in 85th Percentile Speeds between Slow Points -18%
- Volume Impacts Reduction in Vehicles per Day -12%
- Safety Impacts Reduction in Average Annual Number of Collisions -45%
- Source: Traffic Calming: State of the Practice, 2000.

#### Advantages

- Smoother on large vehicles (such as fire trucks) than speed humps
- Effective in reducing speeds, though not to the extent of speed humps





#### Disadvantages

- Aesthetics
- Textured materials, if used, can be expensive
- Signs may be unwelcome by adjacent residents
- Increased noise for nearby residents

**GOVERNMENT OF THE CITY OF SOUTH FULTON**

Office of the City Manager

WILLIAM "BILL" EDWARDS  
MAYOR



ODIE DONALD II  
CITY MANAGER

**MEMORANDUM**

**TO:** Council's Second Reading and Adoption of FY19 Mid-Year Budget Amendment

**FROM:** Frank Milazi

**DATE:** May 14, 2019

**SUBJECT:** Council's Second Reading and Adoption of FY19 Mid-Year Budget Amendment

**REFERENCE:**

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**CONCLUSION:**

**BACKGROUND:**

**FISCAL IMPACT:**

**ATTACHMENTS:**

| Description                              | Type       | Upload Date |
|------------------------------------------|------------|-------------|
| FY19 Mid-Year Budget Ordinance Amendment | Cover Memo | 5/9/2019    |

**GOVERNMENT OF THE CITY OF SOUTH FULTON**  
**OFFICE OF THE CITY MANAGER**

WILLIAM "BILL" EDWARDS  
 MAYOR



FRANK S. MILAZI  
 CITY TREASURER

**MEMORANDUM**

**TO:** Mayor Edwards and City Council Members

**FROM:** Frank S. Milazi, CFO

**DATE:** May 9, 2019

**SUBJECT:** 2019 Budget Mid-Year Review Summary 2<sup>nd</sup> Reading

**Overview**

On April 23<sup>rd</sup>, 2019 the Finance Team Presented to the City Council an update to the City Budget that was Amended in October 2018. The Finance Team stated that Revenues would decrease by about \$5 million. To meet this shortfall, some required operational request will be funded from salary savings due to existing vacancies. All Capital Outlay will be funded through borrowing.

Since the first reading of the ordinance to amend the budget, there were some adjustments made to the proposed items for funding. These changes are as follows:

**Revenues**

Increase in the projections for property tax receipts based on receipts to date \$1,110,000  
 Increase in business permits and IGA revenues \$696,000  
 Estimated funding from other sources \$1,000,000

**Expenditures Operations**

\$100,000 to Economic Development for annexation campaign and professional fees  
 \$25,000 to Public Works for traffic control operations approved by the Council on April 23<sup>rd</sup>  
 \$20,000 to Community and Regulatory Affairs for rental expense and professional fees  
 \$25,000 to the City Clerks budget for rental expense for city council meetings  
 \$50,000 to the Parks and Recreation Department for contractual services  
 \$200,000 to the General Services division to cover the increased in electricity bills.  
 \$200,000 funding for the Urban Redevelopment Authority (URA)

The table below details all departments with proposed increase and the operation to be funded.

| Department                    | Amount    | Operations                           |
|-------------------------------|-----------|--------------------------------------|
| City Clerk                    | 25,000.00 | Building rental for council meetings |
| Parks & Recreation Department | 50,000.00 | Contractual services, programs       |
| Solid Waste Transfer          | 75,000.00 | Landfill operations                  |
| Communications                | 75,000.00 | Branding/Marketing campaign          |
| Human Resources               | 75,000.00 | Hearing officer/Paycheck fees        |

|                                |                 |                                                  |
|--------------------------------|-----------------|--------------------------------------------------|
| Community & Regulatory Affairs | 20,000.00       | Permitting software, rent & professional service |
| Fire                           | 90,000.00       | Utilities                                        |
| Economic Development           | 150,000.00      | Business license, permits & annexation campaign  |
| Legislature                    | 105,000.00      | Additional funding for legislative aides         |
| General Services               | 200,000.00      | Electricity                                      |
| E-911 Operations               | 220,000.00      | Contracted cost                                  |
| Public Works                   | 325,000.00      | Street lights & Traffic control                  |
| Development Authority          | 200,000.00      | URA                                              |
|                                | \$ 1,610,000.00 |                                                  |

**Personnel**

Approval for the addition of (1FTE) Communications Manager in the Communications Department. This position will be funded through salary savings within the department.

|                                     |           |                                  |
|-------------------------------------|-----------|----------------------------------|
| Parks & Recreation (salary savings) | 88,000.00 | 5 additional temporary positions |
| Communications (salary savings)     | 25,000.00 | 1 FTE Communications Manager     |

**Capital**

\$1,400,000 for a Public Safety building relocation.  
 \$300,000 for continued improvements at various Fire stations.

A listing of all new capital projects is provided below.

| Proposed Capital Funding      | Amount           |
|-------------------------------|------------------|
| Public Safety Building        | 1,400,000.00     |
| Fire Stations Improvements    | 300,000.00       |
| Security Cameras (Parks)      | 50,000.00        |
| Tennis Centers                | 600,000.00       |
| Recreation Centers            | 500,000.00       |
| LMIG Projects                 | 560,000.00       |
| GDOT Projects                 | 80,000.00        |
| Real Estate                   | 60,000.00        |
| Software Purchase             | 210,000.00       |
| General Service Vehicles      | 70,000.00        |
| <b>Total Capital Increase</b> | <b>3,830,000</b> |

**Special Revenue Funds**

Appropriation of \$145,217 of confiscated funds to be used for police equipment. (see list attached).

Reallocation of the general fund transfer from the Hotel/Motel revenues to fund operations of the SW Arts Center and Wolf Creek Amphitheater scheduled to transition to City Operations in June 2019.

These changes have resulted in a proposed surplus of loan funds in the amount of \$4,686,927.

| <b>Fund</b>                | <b>2019 Adopted</b> | <b>Amended<br/>10/2018</b> | <b>2019 Proposed<br/>Amended</b> |
|----------------------------|---------------------|----------------------------|----------------------------------|
| General Fund               | \$71,174,436        | \$71,174,436               | 69,165,937                       |
| Older American Fund        | \$0                 | \$0                        |                                  |
| E- 911 Fund                | \$0                 | \$0                        |                                  |
| Restricted Grant Fund      | \$496,620           | \$496,620                  | 496,620                          |
| Hotel/Motel Fund           | \$180,000           | \$180,000                  | 180,000                          |
| TSPLOST                    | \$17,592,330        | \$17,592,330               | 17,592,330                       |
| Capital Project            | \$0                 | \$0                        |                                  |
| <i>Solid Waste Fund</i>    | <i>\$9,000,000</i>  | <i>\$9,000,000</i>         | <i>150,000</i>                   |
| Debt Service               | \$0                 | \$0                        | 10,000,000                       |
| <b>Total Revenues</b>      | <b>\$98,443,386</b> | <b>\$98,443,386</b>        | <b>97,584,887</b>                |
| <b>Expenditures</b>        |                     |                            |                                  |
| General Fund               | \$52,745,437        | \$54,325,437               | \$54,864,937                     |
| Older American Fund        | \$10,000            | \$10,000                   | 10,000                           |
| E- 911 Fund                | \$1,700,000         | \$1,700,000                | \$1,920,000                      |
| Restricted Grant Fund      | \$496,620           | \$496,620                  | 496,620                          |
| Hotel/Motel Fund           | \$0                 | \$0                        | 108,000.00                       |
| TSPLOST                    | \$17,592,330        | \$17,592,330               | \$17,592,330                     |
| <b>Capital Project</b>     | <b>\$3,691,508</b>  | <b>\$2,111,508</b>         | <b>5,385,073</b>                 |
| <i>Solid Waste Fund</i>    | <i>\$9,000,000</i>  | <i>\$9,000,000</i>         | <i>225,000</i>                   |
| Debt Service               | \$12,336,000        | \$12,336,000               | 12,296,000                       |
| <b>Total Expenses</b>      | <b>\$97,571,895</b> | <b>\$97,571,895</b>        | <b>92,897,960</b>                |
| <b>Net Surplus/Deficit</b> | <b>\$871,491</b>    | <b>\$871,491</b>           | <b>4,686,927</b>                 |

While the Finance Department hopes this amendment will cover all shortfalls, unanticipated expenditures may result in staff bringing a year-end amendment to Council.

**CONFISCATED FUNDS USE**

|                                                             |    |                                              |                  |
|-------------------------------------------------------------|----|----------------------------------------------|------------------|
| Equipment for Interviewing room<br>Canine Vehicle Equipment | 1  |                                              | 8,000            |
| Insight ANPAS Thermal Sight                                 | 1  | Equip Tactical team with weapons<br>and gear | 15,099           |
| Recon Robol XL Portable                                     | 1  | Equip Tactical team with weapons<br>and gear | 15,145           |
| Ecotech Night Vision                                        | 1  | Equip Tactical team with weapons<br>and gear | 15,104           |
| Krimesite Capture Master Kit                                | 1  | To process crime scenes &<br>investigations  | 21,995           |
| Biological Evidence Drying Cabinet                          | 1  | To process crime scenes &<br>investigations  | 8,624            |
| Mini Crime Scope Advance Forensic                           | 1  | To process crime scenes &<br>investigations  | 11,250           |
| Rocket Cameras in Car/Body worn                             | 30 | Equipment to operate body<br>cameras         | 10,000           |
| Genetic LPR Tag reader                                      | 8  | License plate reader                         | <u>40,000</u>    |
| <b>Total request for funding</b>                            |    |                                              | <b>\$145,217</b> |

City Of South Fulton  
 Fiscal Year 2019  
 Budget Amendment

## FY 2019 Proposed Amended Budget Revenues

| Fund                       | 2019 Adopted        | Amended<br>10/2018  | 2019 Proposed<br>Amended |                        |
|----------------------------|---------------------|---------------------|--------------------------|------------------------|
| General Fund               | \$71,174,436        | \$71,174,436        | 69,365,937               |                        |
| Older American Fund        | \$0                 | \$0                 |                          |                        |
| E- 911 Fund                | \$0                 | \$0                 |                          |                        |
| Restricted Grant Fund      | \$496,620           | \$496,620           | 496,620                  |                        |
| Hotel/Motel Fund           | \$180,000           | \$180,000           | 180,000                  |                        |
| TSPLOST                    | \$17,592,330        | \$17,592,330        | 17,592,330               | Being managed at Fulco |
| Capital Project            | \$0                 | \$0                 |                          |                        |
| Solid Waste Fund           | \$9,000,000         | \$9,000,000         | 150,000                  | Franchise fees         |
| Debt Service               | \$0                 | \$0                 | 10,000,000               |                        |
| <b>Total Revenues</b>      | <b>\$98,443,386</b> | <b>\$98,443,386</b> | <b>97,784,887</b>        |                        |
| <b>Expenditures</b>        |                     |                     |                          |                        |
| General Fund               | \$52,745,437        | \$54,325,437        | \$54,864,937             |                        |
| Older American Fund        | \$10,000            | \$10,000            | 10,000                   |                        |
| E- 911 Fund                | \$1,700,000         | \$1,700,000         | \$1,920,000              |                        |
| Restricted Grant Fund      | \$496,620           | \$496,620           | 496,620                  |                        |
| Hotel/Motel Fund           | \$0                 | \$0                 | 108,000.00               |                        |
| TSPLOST                    | \$17,592,330        | \$17,592,330        | \$17,592,330             |                        |
| <b>Capital Project</b>     | <b>\$3,691,508</b>  | <b>\$2,111,508</b>  | <b>5,385,073</b>         |                        |
| Solid Waste Fund           | \$9,000,000         | \$9,000,000         | 225,000                  |                        |
| Debt Service               | \$12,336,000        | \$12,336,000        | 12,296,000               |                        |
| <b>Total Expenses</b>      | <b>\$97,571,895</b> | <b>\$97,571,895</b> | <b>92,897,960</b>        |                        |
| <b>Net Surplus/Deficit</b> | <b>\$871,491</b>    | <b>\$871,491</b>    | <b>4,886,927</b>         |                        |

City Of South Fulton  
Fiscal Year 2019  
Budget Amendment

**General Fund**  
**FY 2019 Budget Amendment**

| <b>REVENUES</b>              | <b>FY 2019<br/>Amended</b> | <b>FY 2019<br/>Proposed</b> |                   |                                                                   |
|------------------------------|----------------------------|-----------------------------|-------------------|-------------------------------------------------------------------|
| Taxes                        | 64,727,936                 | (2,826,254)                 | 61,901,682        |                                                                   |
| License                      | 1,800,000                  | (14,000)                    | 1,786,000         |                                                                   |
| Fines & Forfeitures          | 200,000                    | 180,000                     | 380,000           |                                                                   |
| Charge For Service           | 750,000                    | (101,245)                   | 648,755           |                                                                   |
| Other Financing Sources      | 3,696,500                  | 753,000                     | 4,449,500         |                                                                   |
| <b>Total Revenues</b>        | <b>71,174,436</b>          | <b>(2,008,499)</b>          | <b>69,165,937</b> |                                                                   |
|                              |                            |                             |                   |                                                                   |
| <b>EXPENDITURES</b>          | <b>FY 2019<br/>Adopted</b> | <b>Change</b>               | <b>Proposed</b>   |                                                                   |
| Personnel                    | 36,050,063                 | (835,000)                   | 35,215,063        |                                                                   |
| Operations                   | 18,015,374                 | 1,634,500                   | 19,649,874        | Incl URA & contingency<br>Will now be funded through<br>borrowing |
| Transfer out to capital      | 2,111,508                  | (2,111,508)                 | -                 |                                                                   |
| Transfer out to Older Americ | 10,000                     | -                           | 10,000            |                                                                   |
| Transfer out to other funds  | 1,700,000                  | 295,000                     | 1,995,000         | E-911 & Amnesty day                                               |
| Debt Financing               | 12,336,000                 | (40,000)                    | 12,296,000        |                                                                   |
| <b>Total Expenditures</b>    | <b>70,222,945</b>          | <b>(1,057,008)</b>          | <b>69,165,937</b> |                                                                   |
| <b>Fund Balance</b>          | <b>951,491</b>             |                             | <b>-</b>          |                                                                   |
|                              |                            |                             |                   |                                                                   |
| <b>Debt Funding</b>          | \$ -                       |                             | 10,000,000        |                                                                   |
| <b>Use of Funds</b>          |                            |                             |                   |                                                                   |
| Capital                      |                            |                             | (5,385,073)       |                                                                   |
| Operations                   |                            |                             | -                 |                                                                   |
| Unappropriated               |                            |                             | 4,614,927         |                                                                   |



| Recommended Projects             | Department      | Adopted          |                  | Amended          |                  | Spent          |                  | Proposed         |                  | Comment                                              |
|----------------------------------|-----------------|------------------|------------------|------------------|------------------|----------------|------------------|------------------|------------------|------------------------------------------------------|
|                                  |                 | FY2019           | 10/01/18         | 10/01/18         | Change           | Encumbered     | Change           | Proposed         | Change           |                                                      |
| Buildings & Building Improvement | Fire            | 300,000          | 300,000          | 300,000          | 300,000          | 270,000        | 300,000          | 330,000          | 330,000          | Fire Stations improvement                            |
|                                  | Police          | 18,000           | 18,000           | 18,000           | 18,000           | 18,000         | 18,000           | 18,000           | 18,000           | Canine House and Design Study                        |
|                                  | Parks           | 255,000          | 255,000          | 255,000          | 255,000          | 18,985         | 500,000          | 736,015          | 736,015          | Lighting, Hvac and mold removal                      |
| <b>Subtotal</b>                  |                 | <b>573,000</b>   | <b>573,000</b>   | <b>573,000</b>   | <b>573,000</b>   | <b>288,985</b> | <b>800,000</b>   | <b>1,084,015</b> | <b>1,084,015</b> |                                                      |
| Computer Software                | Municipal Court | 34,000           | 34,000           | 34,000           | 34,000           | -              | -                | 34,000           | 34,000           | E-Ticketing Software, texting                        |
|                                  | IT              | 15,000           | 15,000           | 15,000           | 15,000           | -              | 150,000          | 15,000           | 15,000           | Software Purchase                                    |
|                                  | Community Dev   | 30,000           | 30,000           | 30,000           | 30,000           | -              | 60,000           | 90,000           | 90,000           | Rocket Internet, Permitting software                 |
|                                  | Fire            | 16,800           | 16,800           | 16,800           | 16,800           | -              | -                | 16,800           | 16,800           | Target Solution & Rocket Internet                    |
|                                  | Police          | 57,089           | 57,089           | 57,089           | 57,089           | 47,775         | -                | 9,314            | 9,314            | Mobile fingerprinting & gang sware                   |
| <b>Subtotal</b>                  |                 | <b>152,889</b>   | <b>152,889</b>   | <b>152,889</b>   | <b>152,889</b>   | <b>47,775</b>  | <b>210,000</b>   | <b>165,114</b>   | <b>165,114</b>   |                                                      |
| Computer Hardware                | Police          | 30,000           | 30,000           | 30,000           | 30,000           | -              | -                | 30,000           | 30,000           | CF-54 Laptops for Vehicles                           |
| <b>Subtotal</b>                  |                 | <b>30,000</b>    | <b>30,000</b>    | <b>30,000</b>    | <b>30,000</b>    | <b>-</b>       | <b>-</b>         | <b>30,000</b>    | <b>30,000</b>    |                                                      |
| Machinery & Equip                | Fire            | 210,727          | 210,727          | 210,727          | 210,727          | -              | -                | 210,727          | 210,727          | Extricate Equipment, Hoses, Safety house             |
|                                  | Police          | 215,417          | 215,417          | 215,417          | 215,417          | -              | -                | 215,417          | 215,417          | sirens, radios, cameras, vest,                       |
|                                  | Public Works    | 56,000           | 56,000           | 56,000           | 56,000           | -              | 50,000           | 56,000           | 56,000           | Hustler 60 inch Zero Turn                            |
|                                  | Parks           | -                | -                | -                | -                | -              | -                | 50,000           | 50,000           | Security Cameras                                     |
|                                  | Transportation  | 500,000          | 500,000          | 500,000          | 500,000          | -              | -                | -                | -                |                                                      |
| <b>Subtotal</b>                  |                 | <b>982,144</b>   | <b>482,144</b>   | <b>482,144</b>   | <b>482,144</b>   | <b>-</b>       | <b>50,000</b>    | <b>532,144</b>   | <b>532,144</b>   |                                                      |
| Vehicles                         | Community Dev   | 52,990           | 52,990           | 52,990           | 52,990           | -              | -                | 52,990           | 52,990           | Purchase 2 or leased 4 F150                          |
|                                  | Fire            | 70,000           | 70,000           | 70,000           | 70,000           | -              | -                | 70,000           | 70,000           | Passenger van, Ford F250                             |
|                                  | Police          | 225,000          | 225,000          | 225,000          | 225,000          | 219,675        | -                | 5,325            | 5,325            | Dodge, Durango, Chevy Tahoe, Patrol & K9             |
|                                  | Parks           | 36,125           | 36,125           | 36,125           | 36,125           | -              | -                | 36,125           | 36,125           | 15 Person Passenger Van                              |
|                                  | Court           | 35,000           | 35,000           | 35,000           | 35,000           | -              | -                | 35,000           | 35,000           | Re-allocate for furniture                            |
|                                  | Public Works    | 263,760          | 123,760          | 123,760          | 123,760          | -              | 70,000           | 193,760          | 193,760          | 4 pool cars, crew cab, + 2 trucks for GS             |
| <b>Subtotal</b>                  |                 | <b>682,875</b>   | <b>542,875</b>   | <b>542,875</b>   | <b>542,875</b>   | <b>219,675</b> | <b>70,000</b>    | <b>393,200</b>   | <b>393,200</b>   |                                                      |
| Lighting                         | Citywide        | 75,000           | 75,000           | 75,000           | 75,000           | -              | -                | 75,000           | 75,000           | Study for City wide lighting                         |
| Roadways & Sidewalks             | Public Works    | 560,000          | -                | -                | -                | -              | 560,000          | 560,000          | 560,000          | LMIG Match, replaced funds used                      |
| Culverts                         | Public Works    | 80,000           | -                | -                | -                | -              | 80,000           | 80,000           | 80,000           | GDOT Match in Jacobs contract                        |
| <b>Subtotal</b>                  |                 | <b>715,000</b>   | <b>75,000</b>    | <b>75,000</b>    | <b>75,000</b>    | <b>-</b>       | <b>640,000</b>   | <b>715,000</b>   | <b>715,000</b>   |                                                      |
| Facility & Park Renovations      | Parks           | 190,900          | 190,900          | 190,900          | 190,900          | -              | 600,000          | 790,900          | 790,900          | Various Parks an tennis court repairs                |
| <b>Subtotal</b>                  |                 | <b>190,900</b>   | <b>190,900</b>   | <b>190,900</b>   | <b>190,900</b>   | <b>-</b>       | <b>600,000</b>   | <b>790,900</b>   | <b>790,900</b>   |                                                      |
| Real Estate                      |                 |                  |                  |                  |                  |                |                  |                  |                  |                                                      |
| Real Estate                      | Parks           | 64,700           | 64,700           | 64,700           | 64,700           | -              | 60,000           | 124,700          | 124,700          | Trammel Crowe & Tom Lowe, Wolf Creek, SW Arts Center |
| Public Works Facilities          | Public Works    | 300,000          | -                | -                | -                | -              | 1,400,000        | 1,400,000        | 1,400,000        | Public Safety Building                               |
| <b>Subtotal</b>                  |                 | <b>364,700</b>   | <b>64,700</b>    | <b>64,700</b>    | <b>64,700</b>    | <b>-</b>       | <b>1,460,000</b> | <b>1,524,700</b> | <b>1,524,700</b> |                                                      |
| <b>Grand Total Capital</b>       |                 | <b>3,691,508</b> | <b>2,111,508</b> | <b>2,111,508</b> | <b>2,111,508</b> | <b>556,435</b> | <b>3,830,000</b> | <b>5,385,073</b> | <b>5,385,073</b> |                                                      |

1 STATE OF GEORGIA  
2 COUNTY OF FULTON  
3 CITY OF SOUTH FULTON

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4  
5  
6 **AN ORDINANCE TO AMEND THE FISCAL YEAR 2019 FINAL BUDGET**  
7 **FOR EACH FUND OF THE CITY OF SOUTH FULTON, GEORGIA,**  
8 **APPROPRIATING THE AMOUNTS SHOWING IN EACH FUND AS**  
9 **EXPENDITURES/EXPENSES, ADOPTING THE SEVERAL ITEMS OF**  
10 **REVENUE ANTICIPATIONS, PROHIBITING EXPENDITURES OR**  
11 **EXPENSES FROM EXCEEDING THE ACTUAL FUNDING AVAILABLE**  
12 **AND FOR OTHER LAWFUL PURPOSES**  
13

14 **WHEREAS**, the City of South Fulton ("City") is a municipal corporation duly  
15 organized and existing under the laws of the State of Georgia;

16  
17 **WHEREAS**, the duly elected governing authority of the City, is the Mayor and  
18 Council thereof ("City Council");

19 **WHEREAS**, sound governmental operations require a budget in order to plan  
20 the financing of services for City residents;

21  
22 **WHEREAS**, O.C.G.A. § 36-81-1 requires a balanced budget for the City's fiscal  
23 year, which runs from October 1<sup>st</sup> to September 30<sup>th</sup> of each year;

24  
25 **WHEREAS**, O.C.G.A. § 36-81-3 authorizes a local government to amend "its  
26 budget so as to adapt to changing governmental needs during the budget period."

27  
28 **WHEREAS**, Section 6.27 of the City Charter provides that "the City Council by  
29 majority vote may make changes in the appropriations contained in the current  
30 operating budget at any regular meeting or special or emergency meeting called for  
31 such purposes;"

32  
33 **WHEREAS**, the City Council has reviewed the amended budget as presented  
34 by the City Manager;

35  
36 **WHEREAS**, each of these funds is a balanced budget, so that anticipated  
37 revenues and other financial resources for each fund equal the proposed expenditures  
38 or expenses;

39  
40 **WHEREAS**, the City Council wishes by this Resolution to amend its final Fiscal  
41 Year 2019 annual budget (said amendment referred to herein as "Amended Final  
42 Fiscal Year 2019 Budget"), effective from October 1, 2018 through September 30,  
43 2019; and

44  
45 **WHEREAS**, this Ordinance will benefit the health and general welfare of the  
46 City, its citizens and general public.

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49

NOW THEREFORE, THE COUNCIL OF THE CITY OF SOUTH FULTON  
HEREBY ORDAINS as follows:

50 **Section 1. Amendment of Budget.** The Amended Final Fiscal Year 2019 Budget,  
51 attached hereto and incorporated herein as a part of this Resolution, is hereby adopted  
52 as the final budget for the City for the Fiscal Year 2019, which began October 1, 2018  
53 and ends September 30, 2019. A summary is copied below of the current Fiscal Year  
54 2019 budget ("2019 Adopted") as compared to the Amended Final Fiscal Year 2019  
55 Budget adopted herein:

| Fund                       | 2019 Adopted        | Amended<br>10/2018  | 2019 Proposed<br>Amended |
|----------------------------|---------------------|---------------------|--------------------------|
| General Fund               | \$71,174,436        | \$71,174,436        | 69,165,937               |
| Older American Fund        | \$0                 | \$0                 |                          |
| E- 911 Fund                | \$0                 | \$0                 |                          |
| Restricted Grant Fund      | \$496,620           | \$496,620           | 496,620                  |
| Hotel/Motel Fund           | \$180,000           | \$180,000           | 180,000                  |
| TSPLOST                    | \$17,592,330        | \$17,592,330        | 17,592,330               |
| Capital Project            | \$0                 | \$0                 |                          |
| <i>Solid Waste Fund</i>    | <i>\$9,000,000</i>  | <i>\$9,000,000</i>  | <i>150,000</i>           |
| Debt Service               | \$0                 | \$0                 | 10,000,000               |
| <b>Total Revenues</b>      | <b>\$98,443,386</b> | <b>\$98,443,386</b> | <b>97,584,887</b>        |
| <b>Expenditures</b>        |                     |                     |                          |
| General Fund               | \$52,745,437        | \$54,325,437        | \$54,864,937             |
| Older American Fund        | \$10,000            | \$10,000            | 10,000                   |
| E- 911 Fund                | \$1,700,000         | \$1,700,000         | \$1,920,000              |
| Restricted Grant Fund      | \$496,620           | \$496,620           | 496,620                  |
| Hotel/Motel Fund           | \$0                 | \$0                 | 108,000.00               |
| TSPLOST                    | \$17,592,330        | \$17,592,330        | \$17,592,330             |
| <b>Capital Project</b>     | <b>\$3,691,508</b>  | <b>\$2,111,508</b>  | <b>5,385,073</b>         |
| <i>Solid Waste Fund</i>    | <i>\$9,000,000</i>  | <i>\$9,000,000</i>  | <i>225,000</i>           |
| Debt Service               | \$12,336,000        | \$12,336,000        | 12,296,000               |
| <b>Total Expenses</b>      | <b>\$97,571,895</b> | <b>\$97,571,895</b> | <b>92,897,960</b>        |
| <b>Net Surplus/Deficit</b> | <b>\$871,491</b>    | <b>\$871,491</b>    | <b>4,686,927</b>         |

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- Appropriation.** That the several items of revenues, expenditures, other financial resources, and sources of cash shown in the budget for each fund in the amounts shown within the Amended Final Fiscal Year 2019 Budget are hereby adopted, and that the several amounts shown in the budget for each fund as proposed expenditures or expenses and uses of cash are hereby appropriated to the departments named in each fund.

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- 2. **Legal Level of Control.** That the "legal level of control" as defined in O.C.G.A. § 36-81-2 is set at the department level, meaning that the City Manager in his/her capacity is authorized to move appropriations from one line item to another within a department, but under no circumstances may expenditures or expenses exceed the amount appropriated for a department without a further budget amendment approved by the City Council.
  
- 3. **Expiration of Appropriations.** That all appropriations shall lapse at the end of the fiscal year.

\*\*\*\*\*

**Section 2.** It is hereby declared to be the intention of the City Council that: (a) All sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the City Council to be fully valid, enforceable and constitutional.

(b) To the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. No section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Resolution.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the City Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance.

**Section 3.** All Ordinance and Resolutions in conflict herewith are hereby expressly repealed.

**Section 4.** The City Attorney, City Clerk and contracted City Codifier are authorized to make non-substantive formatting and renumbering edits to this ordinance for proofing, codification, and supplementation purposes. The final version of all ordinances shall be filed with the clerk.

**Section 5.** The effective date of this Ordinance shall be on the date as set forth under Sec. 3.21 of the City Charter unless provided otherwise by applicable local, state and/or federal law.

**THIS ORDINANCE** adopted this \_\_\_\_\_ day of \_\_\_\_\_ 2019. **CITY OF SOUTH FULTON, GEORGIA.**

107 "FIRST READING"

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112 \_\_\_\_\_  
WILLIAM "BILL" EDWARDS, MAYOR

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117 ATTEST:

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S. DIANE WHITE, CITY CLERK

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128 APPROVED AS TO FORM:

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EMILIA C. WALKER, CITY ATTORNEY

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150 The foregoing **ORDINANCE No. 2019-xxx** was adopted on \_\_\_\_\_  
151 was moved for approval by Councilmember \_\_\_\_\_ and seconded by

152 Councilmember \_\_\_\_\_, and being put to a vote, the result was  
153 as follows:

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155 **"FIRST READING"**

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William "Bill" Edwards, Mayor  
Mark Baker, Mayor Pro Tem  
Catherine Foster Rowell  
Carmalitha Lizandra Gumbs  
Helen Zenobia Willis  
Gertrude Naeema Gilyard  
Rosie Jackson  
khalid kamau

AYE

NAY

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**GOVERNMENT OF THE CITY OF SOUTH FULTON**

Office of the City Manager

WILLIAM "BILL" EDWARDS  
MAYOR



ODIE DONALD II  
CITY MANAGER

**MEMORANDUM**

**TO:** Council's Approval of Amended Resolution for Proclamations

**FROM:** Frank Milazi

**DATE:** May 14, 2019

**SUBJECT:** Council's Approval of Amended Resolution for Proclamations

**REFERENCE:**

---

**CONCLUSION:**

**BACKGROUND:**

**FISCAL IMPACT:**

**ATTACHMENTS:**

| Description                 | Type       | Upload Date |
|-----------------------------|------------|-------------|
| Amended Resolution 2017-023 | Cover Memo | 5/8/2019    |

**A RESOLUTION TO AMEND RESOLUTION 2017-023 STANDARDS FOR  
ISSUING PROCLAMATIONS AND LETTERS OF COMMENDATIONS**

**WHEREAS**, the City of South Fulton (“City”) is a municipal corporation duly organized and existing under the laws of the State of Georgia;

**WHEREAS**, from time to time, the City Council and Mayor will request that the City issue proclamations or letters of commendation regarding various matters occurring in the City; and

**WHEREAS**, the City Council seeks to establish some guidelines for the introduction or passage of such proclamations or letters.

**BE IT HEREBY RESOLVED** by the City Council of the City of South Fulton that:

It is the policy of the Office of Mayor to have consistent guidelines regarding Mayoral ceremonial documents. Ceremonial documents include letters and proclamations. A Mayoral Proclamation is an official announcement and/or public declaration issued from the Mayor’s Office. Proclamations are ceremonial and do not carry any legislative or legal value. The issuance of any proclamation or letter from the Mayor’s Office is at the complete discretion of the Mayor’s Office. Additional guidelines are as follows:

1. Letters of welcome will be issued for the following:
  - a. Conferences;
  - b. Seminars;
  - c. Family reunions held in the City of South Fulton;
  - d. Class reunions for schools and institutions that are in the City of South Fulton; and
  - e. International dignitaries.
  
2. Letters of congratulation or celebration will be issued for the following:
  - a. Professional celebrations;
  - b. Religious anniversaries and celebrations;
  - c. Significant birthday (75 and older);
  - d. Significant marriage anniversaries (50 and higher);
  - e. Sports achievement;
  - f. Retirements; and
  - g. Heroism.
  
3. A photograph of the Mayor will only be issued for souvenir publications upon request.



#### 4. Proclamations.

- a. Proclamations are ceremonial documents signed by the Mayor and issued for:
  - i. Positive issues of widespread community interest or concern;
  - ii. Major event occurring within the City or in conjunction with a City activity;
  - iii. Major accomplishments or milestone achievements that bring local, national or international acclaim to the City.
  - iv. City residents or business owners;
  - v. Persons who resided within the City for a substantial part of their life;
  - vi. Nationally or internationally known dignitaries residing or visiting the City; or
  - vii. Non-profit, educational entities, businesses or churches with connections to the City or member of the City Council.
- b. Proclamations will not be issued for:
  - i. Matters of political controversy, ideological or religious beliefs, or individual conviction;
  - ii. Events or organizations with no direct relationship to the City of South Fulton;
  - iii. Campaigns or events contrary to City policies; or
- c. The Mayor's Office reserves the right to modify or deny any recognition or proclamation request.
- d. An organization does not have exclusive rights to the day, week or month of their proclamation.
- e. A Certificate of Recognition or Congratulatory letter is an alternative where proclamation criteria are not met.

#### 5. Making Proclamation Requests.

- a. A proclamation may be requested by any City of South Fulton resident.
- b. Citizen requests shall be submitted on the City's website through a form to be provided by the City Clerk. The City Clerk shall forward all completed citizen submitted requests by email to the City Council. Proclamations submitted by the general public shall be sponsored by the respective council person, unless otherwise requested. The request shall be placed in que by the Clerk upon receipt of such notice of sponsorship.
- c. Requests should be made at least ten business days in advance of the date the document is needed. The exception to this rule is condolence requests which should be made as soon as possible after a person's passing.

- d. Requests should include:
  - i. The full name of the recipient;
  - ii. The fully formatted proclamation;
  - iii. Whether the proclamation is requested to be publicly presented at a City Council meeting or placed on a consent agenda; and
  - iv. The date that the proclamation is requested to be publicly presented or placed on a consent agenda.
  
- e. One Submission at a Time: City Council members shall submit ten days in advance only one proclamation request to the City Clerk at a time. A subsequent request shall not be considered unless the pending request is withdrawn or has been approved on a consent agenda or presented at a regular meeting.
  
- f. Priority. Proclamations shall be scheduled for public presentation in the order that they are fully submitted to the City Clerk. Once a complete submission is received, the City Clerk shall reply to requesting City Council member with the Regular Meeting date that the proclamation shall appear on the agenda.
  
- g. Respect for Time Limitations. The City Council respects the public's time with respect to the length of meetings and numerous items to be discussed. As such, and where appropriate, City Council members are encouraged to present proclamations at private scheduled functions or events honoring or held in conjunction with a proclamation recipient

THIS RESOLUTION adopted this \_\_\_\_\_ day of \_\_\_\_\_ 2019.

**CITY OF SOUTH FULTON, GEORGIA**

\_\_\_\_\_  
WILLIAM "BILL" EDWARDS, MAYOR

ATTEST:

\_\_\_\_\_  
S. DIANE WHITE, CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
EMILIA C. WALKER, CITY ATTORNEY



# CITY OF SOUTH FULTON PROCLAMATION APPLICATION

Return Completed Proclamation Application to:  
**The Office of City Clerk**  
**Mail:** 5440 Fulton Industrial Blvd., SW or **Email:** [diane.white@cityofsouthfultonga.gov](mailto:diane.white@cityofsouthfultonga.gov)  
 Atlanta, GA 30336 **Telephone:** 470-809-7712

**APPLICANT INFORMATION****DATE:** \_\_\_\_\_

|                        |            |
|------------------------|------------|
| ORGANIZATION NAME:     |            |
| APPLICANT NAME:        | DISTRICT:  |
| ADDRESS:               |            |
| TELEPHONE NUMBER:      | FACSIMILE: |
| EMAIL ADDRESS:         |            |
| CONTACT PERSON:        |            |
| CONTACT TELEPHONE:     | FACSIMILE: |
| CONTACT EMAIL ADDRESS: |            |

**All requests must be submitted at least fourteen (14) days prior to event and prior to a Council Meeting for presentation.**

**PRESENTATION INFORMATION (check one)**

Planned Event       Council Meeting       Schedule Pickup       Mail

**PLANNED EVENT INFORMATION****EVENT DATE:** \_\_\_\_\_

|                                                                     |                 |
|---------------------------------------------------------------------|-----------------|
| INVITEE(S) / PROCLAMATION PRESENTER:                                |                 |
| NAME OF VENUE/EVENT LOCATION:                                       |                 |
| EVENT ADDRESS:                                                      |                 |
| CONTACT PERSON AT EVENT:                                            |                 |
| EVENT START TIME:                                                   | EVENT END TIME: |
| ESTIMATED TIME PROCLAMATION IS TO BE PRESENTED:                     |                 |
| IS CITY REPRESENTATIVE TO ATTEND ENTIRE EVENT OR PRESENTATION ONLY: |                 |

**COUNCIL MEETING**

|                                                                                                                                                             |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------|
| REQUEST FOR PROCLAMATION PRESENTATION AT THE _____ (date) COUNCIL MEETING                                                                                   |
| Please provide a list of names and respective titles of the individuals who will be attending the proclamation presentation on behalf of your organization. |

**FACTS TO BE CONSIDERED FOR USE IN PROCLAMATION:**

*Please attach a brochure about your organization along with other official literature describing your organization and its primary focus*

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**The City of South Fulton reserves the right to use submitted facts as deemed appropriate and may request additional information when necessary. Supplemental information may be attached.**

**GOVERNMENT OF THE CITY OF SOUTH FULTON**

Office of the City Manager

WILLIAM "BILL" EDWARDS  
MAYOR



ODIE DONALD II  
CITY MANAGER

**MEMORANDUM**

**TO:** Council Approval to enter into Agreement with Sage Networks

**FROM:** Frank Milazi

**DATE:** May 14, 2019

**SUBJECT:** Council Approval to enter into Agreement with Sage Networks

**REFERENCE:**

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**CONCLUSION:**

**BACKGROUND:**

**FISCAL IMPACT:**

**ATTACHMENTS:**

| Description             | Type       | Upload Date |
|-------------------------|------------|-------------|
| Sage Networks Agreement | Cover Memo | 5/8/2019    |



**CITY OF SOUTH FULTON, GEORGIA  
CITY COUNCIL AGENDA ITEM**

**SUBJECT:** Recommendation to award Sages Networks the contract do develop the planning & permitting software on behalf of the City of South Fulton in an amount not to exceed \$200,000.00.

- |                                                    |                                            |                                        |
|----------------------------------------------------|--------------------------------------------|----------------------------------------|
| <input checked="" type="checkbox"/> RECOMMENDATION | <input type="checkbox"/> POLICY/DISCUSSION | <input type="checkbox"/> STATUS REPORT |
| <input type="checkbox"/> ORDINANCE                 | <input type="checkbox"/> RESOLUTION        | <input type="checkbox"/> OTHER         |

**Date Submitted:** 5/2/19

**Work Session:**

**Meeting:** 5/14/2019

**RECOMMENDED ACTION:** Council Approval

**BUDGET IMPACT:**

**ANNUAL:** \$112,000 - \$200,000

**CAPITAL:**

**FUNDING SOURCE:** Community Development Funding # 100 1535 52 1301

**COUNCIL ACTION REQUESTED ON:** May 14, 2019

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**PURPOSE:** Staff recommends approval of Sages Networks as the most responsive and responsible candidate in response to RFP 19-005 Planning & Permitting Software.

**HISTORY:** RFP 19-005 was issued on November 14, 2018. 5 perspective contractors submitted proposals. Proposals were evaluated by a 3-member evaluation team. The top two candidates were invited for an in-person presentation.

**FACTS AND ISSUES:** The lowest cost proposal was approximately \$108, 000 and the highest cost proposal was \$496,000. Sages Networks did not submit the lowest cost proposal. However, their proposal addressed all requirement outlined in the RFP. The lowest cost proposal was from ITD Plans, however, vendor’s proposal sufficiently address all the needs of the permitting functions. While not the lowest cost proposal, Sages Networks represented the best value to the City.

**OPTIONS:** Staff recommends that Sages Networks be selected as the most responsive and responsible candidate. Staff also recommends that council authorize Staff to engage Sages Networks as the contractor to develop and implement the Planning & Permitting software in behalf of the City in an amount not to exceed \$200,000.00.

**REQUESTED BY:** Anthony Kerr, Purchasing Manager on behalf of Shayla Reed, Director of Community Development.

**CONCURRENCE:** Staff items will not go before the Council without the Manager’s concurrence

04/15/2019

City of South Fulton

Updates to price proposal

**Discounts and Reductions in price after meeting on 4/11/2019** (*Table 3: One Time costs*)

1. Initial Setup has been discounted by 50% to \$7500.
2. Edmunds integration has been discounted by 40% to \$7500.
3. Payment Gateway integration has been reduced to \$3500 from \$11,500 by using Forte Payments systems gateway. Forte payments would update payments into City of South Fulton's BB&T bank account.
4. Professional Services has been reduced to \$6000 from \$18,000 as City will provide requirements and necessary workflow charts to Sages for implementation.
5. Functional support after go live has been reduced to \$1050 per month for 7 hours of support per month. This includes functional and programmer support to make small changes as needed after Go-Live.

**Updates on other terms that were discussed on 4/11/2019**

1. **SeeClickFix integration** via ESRI GIS does not help creating complaints in SagesGov. Hence our original line item of \$8500 for SeeClickFix integration directly from SagesGov has been added to *Table 3: One Time costs*.
2. **Fee collection:** Upon further discussions with our team, here is how fee payment is going to work with SagesGov for the City of South Fulton:
  - a. **Payment made Online:** Customers can pay fees online using their credit cards on Forte payment systems secure PCI compliant gateway. SagesGov would automatically be updated with payment information made online.
  - b. **Payment made at Cashier Window:** Customers who walk into City Hall to pay fees at the cashier could use check, cash or the point of sale device. In such cases the customer would have to take the receipt from the cashier to the permitting window where permit technicians would Mark Fee as Collected in SagesGov for the transaction.
  - c. **Payment made at Permit Tech Window (credit card):** Customers who walk into City Hall to pay fees can do so with Credit Card. Permit technicians can input credit card payment information directly into Forte payment systems secure PCI compliant gateway. SagesGov would automatically be updated with payment information made online.
3. **Data Migration:** It was agreed that data would not be migrated into SagesGov but a read only view of the data would be provided to the City via SagesGov. To provide an estimate for this effort, the City agreed to pay \$3000 (20 hours) to Sages. This amount of \$3000 would be credited to the City of South Fulton should the City select SagesGov.
4. **SagesGov subscription start:** We agreed that SagesGov monthly subscription would start 14 weeks from the kickoff meeting or subscription would start at Go-Live whichever is sooner. This is to cover the eventuality that there were delays caused by the City during setup and configuration due to any unforeseen event.

**04/11/2019**

**City of South Fulton**

**Meeting to discuss price proposal with selection committee**

**Background**

5. We demonstrated the SagesGov software solution to Mr. Bobby Smith and team at the City of South Fulton in April 2018. No discussions were held on requirements. We only talked about the number of users and GIS Integration.
6. Proposal sent to City of South Fulton in May 2018 based on the information gathered during April demonstration regarding number of users & GIS integration.
7. Proposal sent to City of South Fulton in May 2018, did not have many of the details that we gathered from the RFP such as Business License module, Edmunds integration, SeeClickFix integration, OpenEdge integration, Professional Services for requirements and workflow analysis, Functional support after go-live.
8. Note that SagesGov subscription amount (*Table 1 Monthly Subscription*) has remained the same from the proposal to the RFP response, this is based on the number of users which we captured in our first meeting with the City of South Fulton.
9. *Table 3: One Time costs* has changed in the RFP response as we had more information regarding the City of South Fulton's requirements. Specifically related to Edmunds integration, SeeClickFix integration, OpenEdge Integration and the Business License module.

**Recommendations:**

**Option 1 - Keep the same price proposal by using a Phased approach**

- Used a phased approach for implementation.
- Implement Electronic Plan Review, Permitting, Mobile Inspections in the first phase of the project.
- Implement Business License and Code Enforcement in the next phase of the project.
- You only pay for subscription for those users who are live with SagesGov saving on your monthly subscription.

**Option 2 - Reduce the price proposal by making changes to the implementation approach**

- Please see modified scope of work and reduced pricing on pages 4 and 5.



**Table 1: Monthly Subscription - SagesGov Cloud based Plan Review, Permitting,  
Mobile Inspections & Code Enforcement**

| Item | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Quantity | Unit Price     | Line Total        |
|------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|----------------|-------------------|
| 1    | <b>Upfront Software License</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 0        | \$0            | \$0               |
| 2    | <b>Cost of Hardware, Server Software, Database software, Storage and Hosting Costs</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 0        | \$0            | \$0               |
| 3    | <b>Costs of Rent, Power, Air Conditioning and other Data Center costs.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | 0        | \$0            | \$0               |
| 4    | <p><b>SagesGov Plan Reviewer, Permitting &amp; CO Subscription for the SagesGov cloud-based solution that includes the following modules:</b></p> <ul style="list-style-type: none"> <li>• Public Portal, Role based system, Online Submission of drawing files, supporting documents, Intake, Routing, Electronic Plan Review, integrated with Bluebeam Revu, Markup, Comparison, Overlay, Checklists, Pre-Defined Comments, Meetings, Notices, Emails &amp; Alerts, assign coordinators, Assign Reviewers, Manage Reviewer workloads, Permitting, Certification of Occupancy, Custom application and data forms, auto add Reviews, Permits and Certificates, permits and certificates. History, Search, User Dashboards, Standard Reports and Administration module.</li> <li>• Technical Support, Maintenance and two upgrades a year.</li> </ul> | 10 users | \$2400 / month | \$28,800 per year |

SagesGov Planning, Permitting, Zoning, Licensing, and  
Code Enforcement Software System

|   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |             |                   |                              |
|---|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------------|------------------------------|
| 5 | <p><b>SagesGov Inspections &amp; Code Enforcement Subscription for the SagesGov</b></p> <p><b>Cloud-based solution that includes the following modules:</b></p> <ul style="list-style-type: none"> <li>• Android and iPad Code Enforcement Application, Public Portal, Role based system, Add, Schedule, Approve, Disapprove, Transfer, Roll Inspections, Auto Sync results from field, work in online and offline mode from field.</li> <li>Online Submission of Complaints, Code Enforcement Issues, supporting documents, Photos, Intake, Routing, Checklists, Pre-Defined Code Comments, Meetings, Notices, Citations, Emails &amp; Alerts, assign coordinators, Manage Code Enforcement Officer workloads, auto add Code Enforcement Inspections. History, Search, User Dashboards, Standard Reports and Administration module.</li> <li>• Technical Support, Maintenance and two upgrades a year.</li> </ul> | 10<br>users | \$1440 /<br>month | \$17,280 per<br>year         |
|   | <b>Total</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |             |                   | <b>\$46,080 per<br/>year</b> |

**Table 2: What is included in the SagesGov monthly subscription?**

|                                                                                                                                  |
|----------------------------------------------------------------------------------------------------------------------------------|
| Enterprise-level cloud-based software hosted on the Microsoft Azure platform.                                                    |
| Cost of Technical support, monitoring, ensuring uptime and quick responses to issues.                                            |
| Cost to store Drawing files, Plan Review Reports, Permits, Inspection tickets, Certificates and other documents.                 |
| Cost of Hardware, Server Software, Database software and Hosting Costs.                                                          |
| Cost of Personnel to manage Servers, Network, Hardware, Storage and keep them up to date.                                        |
| Costs to handle software development, upgrades and patches to the SagesGov product every 6 months.                               |
| Cost of Personnel to Manage backup and disaster recovery.<br>Costs of Rent, Power, Air Conditioning and other data center costs. |

**Table 3: One Time – Initial Setup, Configuration, Integration, Bluebeam Revu,  
Professional Services & Training**

| Item | Description                                                                                                                                                                                                                     | Quantity                         | Unit Price       | Line Total                   | New Total |
|------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|------------------|------------------------------|-----------|
| 1    | <b>Service:</b> SagesGov Base Setup and Configuration, Disciplines, File Type, Users and Roles<br><i>50% Discount</i>                                                                                                           | 1                                | \$15000          | \$15000                      | \$7500    |
| 2    | <b>Service:</b> Setup Workflow processes, Application forms, Emails, Alerts and Notices for City of South Fulton, Checklists, Plan Review Reports                                                                               | 1                                | \$4500 / process | \$4500                       | \$4500    |
| 3    | <b>Service:</b> Integration with ESRI Arc GIS online for address validation (geocoding) and loading map in SagesGov maps tab using ESRI REST Web services.                                                                      | 1                                | \$8500           | \$8500                       | \$8500    |
| 4    | <b>Service:</b> Integration with Edmonds Finance Module.<br><i>40% Discount</i>                                                                                                                                                 | 1                                | \$12500          | \$12500                      | \$7500    |
| 5    | <b>Service:</b> Integration with SeeClickFix                                                                                                                                                                                    | 1                                | \$8500           | \$8500                       | \$8500    |
| 6    | <b>Service:</b> <del>Integration with Open Edge</del><br><i>Integration with Forte payment Gateway</i>                                                                                                                          | 1                                | \$11500          | \$11500                      | \$3500    |
| 7    | <b>Hands-on Training:</b> SagesGov & Bluebeam Revu Training 4 hours per session. [With a maximum of 6 users per session]                                                                                                        | 3 sessions                       | \$1000 / session | \$3000                       | \$3000    |
| 8    | <b>Professional Services</b> during requirements gathering, workflow analysis, translating requirements into technical specs, UAT support & go live.<br><i>City to provide requirements and necessary workflow flow charts.</i> | <del>120 hours</del><br>40 hours | \$150 / hour     | <del>\$18000</del><br>\$6000 | \$6000    |

SagesGov Planning, Permitting, Zoning, Licensing, and  
Code Enforcement Software System

|                             |                                                                                                 |                                                      |                                         |                          |         |
|-----------------------------|-------------------------------------------------------------------------------------------------|------------------------------------------------------|-----------------------------------------|--------------------------|---------|
| 9                           | <b>Functional Support after Go Live</b>                                                         | 20 hours<br>per month<br><br>7 hours<br>per<br>month | \$2000/<br>month<br><br>1050 /<br>month | \$24,000<br><br>\$12,600 | \$12600 |
| 10                          | <b>Product:</b> Bluebeam Revu 2018 Standard Edition and 1 <sup>st</sup> year annual maintenance | 10 seats                                             | \$449 / seat                            | \$4,490                  | \$4490  |
| <b>\$109,990 (one time)</b> |                                                                                                 |                                                      |                                         |                          |         |
| <b>\$66,090 (one time)</b>  |                                                                                                 |                                                      |                                         |                          |         |

**Table 4: Other Professional Services and Optional Modules**

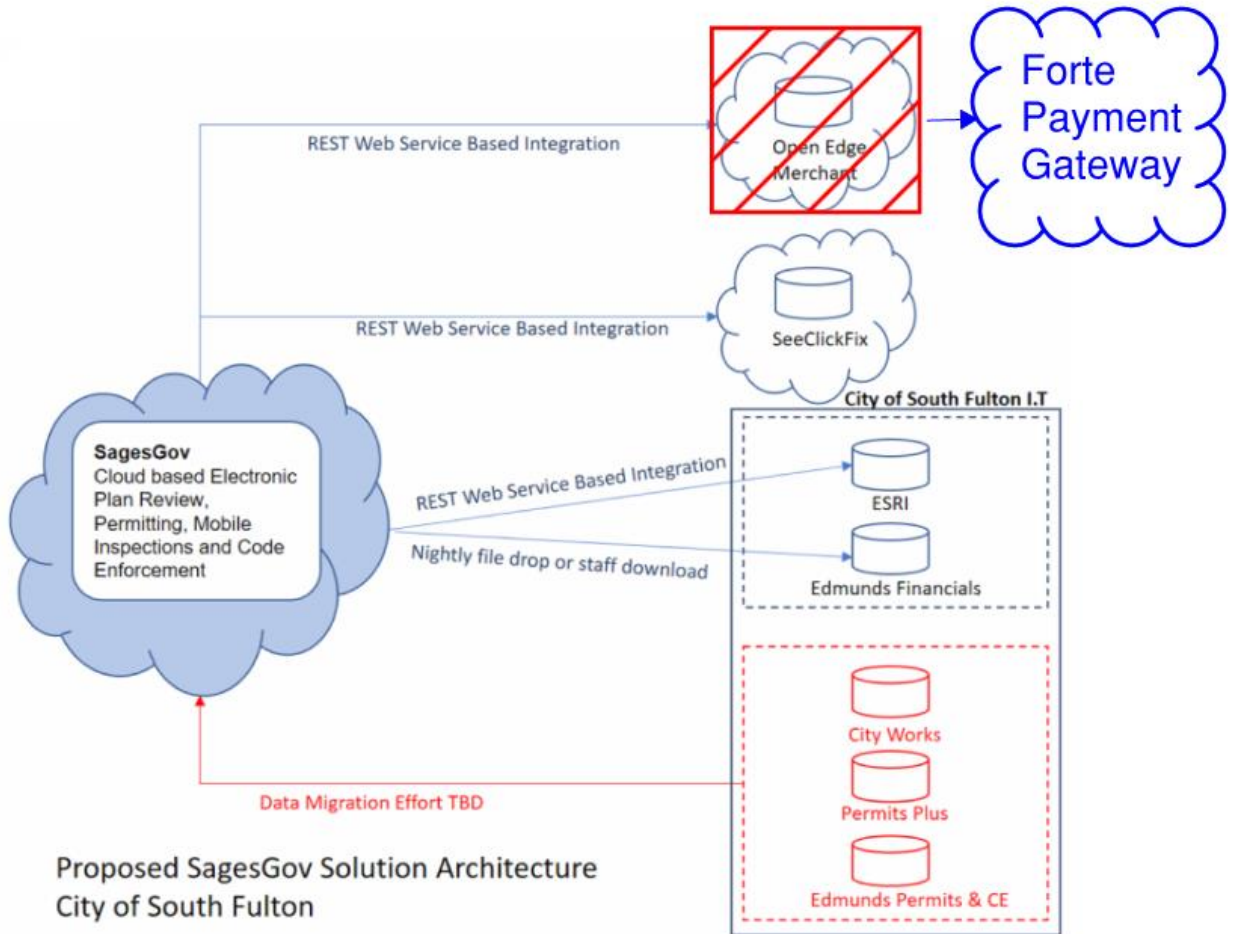
| Item | Description                                                                                                                                                                                                                                                                                                              | Quantity  | Unit Price           | Line Total   |
|------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|----------------------|--------------|
| 1    | <b>Bluebeam Revu Annual Maintenance:</b><br>Year 2 onwards                                                                                                                                                                                                                                                               | 10 seats  | \$99 / seat per year | \$990 / year |
| 2    | Professional Services for the following: <ul style="list-style-type: none"> <li>• Data Migration &amp; Custom Programming for City of South Fulton</li> <li>• Additional changes after Go Live</li> <li>• Integration with other City of South Fulton backend systems and databases Custom report development</li> </ul> | As Needed | \$150 / hour         | TBD          |
| 3    | <b>SagesGov Secure FTP module:</b> This SagesGov module will transfer all final approved drawing files from the SagesGov cloud to any secure FTP location on City of South Fulton's I.T network.                                                                                                                         | 1         | \$7500 / module      | \$7500       |

**For questions regarding the proposal please contact: Mr. Harish Krishna, President**

**Sages Networks Inc. Tel # 678-471-7392**

**[hkrishna@sagesnetworks.com](mailto:hkrishna@sagesnetworks.com) / [www.sagesnetworks.com](http://www.sagesnetworks.com)**

SagesGov Planning, Permitting, Zoning, Licensing, and Code Enforcement Software System



Evaluaton Tabulation: RFP 19-005 (Planning & Permitting Software)

|               | <b>Central Square</b> | <b>CityView</b> | <b>GovSense</b> | <b>IDT Plans</b> | <b>MFR Consultants</b> | <b>Rivi</b>  | <b>Sage</b> | <b>Scope It</b> |
|---------------|-----------------------|-----------------|-----------------|------------------|------------------------|--------------|-------------|-----------------|
| Evaluator 1   | 88.00                 | 75.00           | 74.00           | 90.00            | 65.00                  | <b>76.50</b> | 73.00       | 57.50           |
| Evaluator 2   | 60.00                 | 71.00           | 75.00           | 84.00            | 69.00                  | <b>69.00</b> | 76.50       | 57.00           |
| Evaluator 3   | 54.00                 | 54.00           | 63.00           | 92.00            | 61.00                  | <b>57.50</b> | 67.00       | 49.50           |
|               |                       |                 |                 |                  |                        |              |             |                 |
|               |                       |                 |                 |                  |                        |              |             |                 |
|               |                       |                 |                 |                  |                        |              |             |                 |
| Total Average | 67.33                 | 66.67           | 70.67           | 88.67            | 65.00                  | 67.67        | 72.17       | 54.67           |

**GOVERNMENT OF THE CITY OF SOUTH FULTON**

Office of the City Manager

WILLIAM "BILL" EDWARDS  
MAYOR



ODIE DONALD II  
CITY MANAGER

**MEMORANDUM**

**TO:** Council Approval to enter to contract with VAAS Professionals, LLC

**FROM:** Frank Milazi

**DATE:** May 14, 2019

**SUBJECT:** Council Approval to enter to contract with VAAS Professionals, LLC

**REFERENCE:**

---

**CONCLUSION:**

**BACKGROUND:**

**FISCAL IMPACT:**

**ATTACHMENTS:**

| Description                | Type       | Upload Date |
|----------------------------|------------|-------------|
| VAAS Professional Services | Cover Memo | 5/8/2019    |



**CITY OF SOUTH FULTON, GEORGIA  
CITY COUNCIL AGENDA ITEM**

**SUBJECT:** Recommendation to approve contract with VAAS Processionals, LLC to provide accounting services to Finance Department.

RECOMMENDATION       POLICY/DISCUSSION       STATUS REPORT  
 ORDINANCE               RESOLUTION               APPROVAL

**Date Submitted:** 5/7/19

**Work Session:**

**Meeting:** 5/14/2019

**RECOMMENDED ACTION:** Council Approval

**FUNDING SOURCE:** 100-1511-52-1200 (Professional Services: Finance)

**COUNCIL ACTION REQUESTED ON:** 5/14/2019

---

**PURPOSE:** The City of South Fulton is in need of Accounting support in the form of Internal Control and administrative support.

**HISTORY:** The City interviewed several accounting firms in sourcing these services. The top candidate VASS Professionals made a presentation to Council regarding services. The only outstanding items for council to consider was the price of said services. This issue has been resolved at a rate of \$3,550.00 per month as needed.

**FACTS AND ISSUES:** Throughout the year the City performs several accounting functions that requires specialized accounting expertise. These functions include annual audit preparation, internal audit, internal control, accounting consulting and mandatory filings. These needs are not always constant and can be spiritric at times.

**OPTIONS:** The City considered several accounting firms in additional to considering bringing on a CPA as a full-time employee. Based on the nature of the need, a full-time employee is not necessary. The City has elected to contract with an CPA firm to provided services as needed and bill city directly for said services. Staff recommends that the Council authorize the City to engage VAAS Professional to perform services outlined in attached Exhibit A.

**REQUESTED BY:** Anthony Kerr, Procurement Manager on behalf of Frank Milazi, CFO



**Exhibit A**

Proposal/ Scope of Work for Accounting Services

VAAS Professionals, LLC

# **PROPOSAL TO PROVIDE PROFESSIONAL SERVICES TO**

## **City of South Fulton Georgia**

**SUBMITTED BY**



**VAAS Professionals, LLC**  
*An Accounting, Tax, Audit and Consulting Firm*

# TABLE OF CONTENTS

Executive Summary

Understanding of Clients Needs

Service Requirements Response

Why VAAS, LLC

Pricing

Terms and Conditions

## **EXECUTIVE SUMMARY**

In order to focus on its core business, **City of South Fulton Georgia** is seeking to engage VAAS Professionals, LLC (referred to as VAAS, LLC) for the Internal Control, strategies and audit readiness.

VAAS, LLC has assembled a comprehensive solution to address all of your service requirements. We will work with you to select the appropriate service lines to meet your needs as you require them. In order to allow you to focus on your core business, VAAS, LLC will facilitate the coordination of efforts through Mr. Frank S Milazi.

VAAS, LLC is a local "full-service" professional service firm and we are able to meet your service requirements. Our clientele includes small to medium size companies in several different industries. We have specialists who are experienced in providing audit, tax and consulting services to federal, state and local municipalities. Our supplemental services include outsourcing of accounting needs as well as placement of key financial and accounting personnel into an organization.

In summary, VAAS, LLC is prepared to assist you in any way possible in exceeding your business goals. Our proven track record will prove invaluable for your efforts. We are excited to present to you in the pages that follow our solution to your service requirements.

### **Scope of Work**

The service provider must possess a good understanding of The City of South Fulton Georgia needs as well as their experience in the local government, its mission, values and operation.

We are sensitive to your desire to have an outside institution provide advice and guidance on local government. We always want to meet our client's need. In this instance, your need coincides with our wish to provide you with the strongest and most experienced team member's to perform the services for The City of South Fulton Georgia.

The task ahead for The City of South Fulton Georgia is delivering in the future. To prepare for this, you work diligently to develop successful relationships with other individuals, with firms and with "full-service" professional service firms. As part of this Agreement VAAS will provide the following services to City of South Fulton:

- Providing CPA's
- Internal Audit
- Financial statements preparation and reviews
- Financial Analysis and projections
- Identifying and resolving internal control issues
- Performing proper accounting functions and procedures
- Supplying a free-flow of communication between your team and our professionals

Relationships are important to VAAS. Our understanding of your current position and plans in terms of – what needs to happen to move The City of South Fulton Georgia forward – makes VAAS the right firm for you.

### **SERVICE REQUIREMENT RESPONSE**

Your organization will work closely with VAAS, LLC to identify the levels of operational and financial needs that are appropriate. VAAS, LLC professionals will work with you to identify your current processes, process inefficiencies, gaps in internal control, and opportunities for cost savings.

Central to the management advisement and compliance support, and operation of The City of South Fulton Georgia will be the preparation of a detailed "footprint" for how all transactions will be processed, and the related internal control environment under which processing activity will occur. Our team will provide initial insights upon which to base accounting and develop a strategic plan to resolve any outstanding issues, or other sources of concern to local government. VAAS

Professionals will make specific recommendations and assist in the implementation of a strategic plan that encompasses requirements, process design, asset/resources utilization and overall performance management and evaluation.

## **WHY VAAS?**

VAAS, LLC is committed to the success of the City of South Fulton Georgia. The demand for your service presents you with exciting growth and increase opportunities for the residents of the city. Meeting the City of South Fulton Georgia sophisticated service requirements will demand the highest level of commitment and attention. VAAS is committed to initiating a partnership to help you solve the financial and accounting issues that you will encounter in your quest for business excellence.

### **Quality Assurance**

From planning and transition through execution and communication, our services are enveloped in a culture of quality assurance. The VAAS quality assurance function is the responsibility of all professionals who are employed in the organization. In all cases, Steve Julal, Principal addresses problem areas, review reports and working papers. The Principal is also responsible for and directs our client service team.

## **PRICING**

VAAS has developed a monthly flat rate of Three Thousand Five Hundred and fifty dollars (\$3,550.00) for the city, this contains the number of hours for each of our staff: CPA's 4 hours, Accountant's 20 hours and Business Analyst 20 hours. The flat rate billing will apply in the months where the City utilize services from VAAS, if the City does not utilize VAAS in a calendar month the City will not be billed for that month.

## **TERMS AND CONDITIONS**

While specific terms are discussed for each function outlined, we have included VAAS, LLC General Business Terms as an example of our Firm's standards and expectations.

### **Terms**

1. Service: It is understood and agreed that VAAS LLC services may include advice and recommendations, but all decisions in connection with the implementation of such advice and recommendations shall be the responsibility of, and made by, the Client. In connection with its services hereunder, VAAS LLC shall be entitled to rely on all decisions and approvals of the Client.
2. Payment of Invoices: Properly submitted invoices upon which payment is not received within fifteen (15) days of the invoice date shall accrue a late charge of the lesser of (i) 1 1/2% per month or (ii) the highest rate allowable by law, in each case compounded monthly to the extent allowable by law. Without limiting its rights or remedies, VAAS shall have the right to halt or terminate entirely its services until payment is received on past due invoices. The Client will hold VAAS harmless for the discontinuance of and/or delay in providing recordkeeping services as a result of late or nonpayment of fees. No obligation will exist to refund any deposit or fees for which services have been rendered.
3. Term: Unless terminated sooner in accordance with its terms, this engagement shall terminate on the completion of VAAS's services hereunder. Either party may terminate this engagement at any time by giving written notice to the other party not less than 10 calendar days before the effective date of termination.
4. Ownership: VAAS has created, acquired or otherwise has rights in, and may, in connection with the performance of services hereunder, employ, provide, modify, create, acquire or otherwise obtain rights in, various concepts, ideas, methodologies, procedures, process, know-how, and techniques (including, without limitation, function, process, system and data models): templates; the generalized features of the structure, sequence and organization of

software, user interfaces and screen designs; general purpose consulting and software tools, utilities and routines; and logic, coherence and methods of operation of systems (collectively, the "VAAS Technology").

Ownership of Deliverables: Except as provided below, upon full final payment to VAAS Professionals LLC hereunder, the tangible items specified as deliverables or work product in the engagement letter to which these terms are attached (the "Deliverables"), shall become the property of the Client.

**GOVERNMENT OF THE CITY OF SOUTH FULTON**

Office of the City Manager

WILLIAM "BILL" EDWARDS  
MAYOR



ODIE DONALD II  
CITY MANAGER

**MEMORANDUM**

**TO:** Council's First Reading of Amending Parks Advisory Board Ordinance

**FROM:** Frank Milazi

**DATE:** May 14, 2019

**SUBJECT:** Council's First Reading of Amending Parks Advisory Board Ordinance

**REFERENCE:**

---

**CONCLUSION:**

**BACKGROUND:**

**FISCAL IMPACT:**

**ATTACHMENTS:**

| Description                             | Type       | Upload Date |
|-----------------------------------------|------------|-------------|
| Ordinance Amendment Park Advisory Board | Cover Memo | 5/8/2019    |

1  
2 **STATE OF GEORGIA**  
3 **COUNTY OF FULTON**  
4 **CITY OF SOUTH FULTON**

---

5  
6  
7 **AN ORDINANCE AMENDING TITLE 11, PARKS AND RECREATION, CHAPTER 3,**  
8 **PARKS AND RECREATION ADVISORY BOARD, OF THE CITY OF SOUTH FULTON**  
9 **CODE OF ORDINANCES AND FOR OTHER LAWFUL PURPOSES**

10  
11 **(Sponsored by Councilperson Willis)**

12  
13 **WHEREAS**, the City of South Fulton ("City") is a municipal corporation duly  
14 organized and existing under the laws of the State of Georgia;

15  
16 **WHEREAS**, the duly elected governing authority of the City, is the Mayor and  
17 Council thereof ("City Council");

18 **WHEREAS**, the City desires to amend its code of ordinances through this  
19 Ordinance;

20 **WHEREAS**, this Ordinance is in the best interests of the health and general  
21 welfare of the City, its residents and general public.

22  
23 **THE COUNCIL OF THE CITY OF SOUTH FULTON HEREBY ORDAINS** as  
24 follows:

25  
26 **Section 1.** The City of South Fulton Code of Ordinances, **Title 11, Parks and**  
27 **Recreation, Chapter 3, Parks and Recreation Advisory Board**, is hereby revised to  
28 read as follows:

29  
30 **TITLE 11. – PARKS AND RECREATION**

31 **CHAPTER 3. - PARKS AND RECREATION ADVISORY BOARD**

32 **Sec. 11-3001. – Role.**

33 A parks and recreation advisory board ("Advisory Board") is created and shall act in an  
34 advisory capacity in matters of policy and programming with respect to City parks  
35 property as follows:

- 36 (a) Provide recommendations through budget process re park priorities and funding  
37 needs;
- 38  
39 (b) Explore ways to improve and enhance parks and recreation programing. Parks  
40 and recreation programing under this paragraph shall not be deemed to include  
41 parks facility use agreements, special use permits and/or MOUs. Absent an



42 emergency, the Parks Director shall bring all parks and recreation programming  
43 proposals before the Advisory Board prior to bringing such items before the City  
44 Council. The Advisory Board shall offer a recommendation on any such  
45 programming proposals within 10 days of their meeting at which it was  
46 considered, or shall be deemed to have no comment; and  
47

48 (c) Offer annual reporting on parks master plan compliance and necessary changes.

49 Nothing in this chapter shall prevent the City Council from acting on a park related item  
50 and/or proposal that has not gone before the Advisory Board.

51 **Sec. 11-3002. - Qualifications.**

52 (a) All members appointed to the Advisory Board must reside in the City at the time of  
53 their appointment and throughout their term. Any member who relocates out of the  
54 city during their term, or otherwise ceases to reside in the City throughout his or her  
55 term, shall cause such person's position to be declared vacant and be filled in  
56 accordance with this chapter.

57  
58 (b) No member shall miss more than three consecutive regular board meetings during  
59 any 12-month period. Any member who does not adhere to such minimum  
60 attendance requirements shall cause such person's position to be automatically  
61 declared vacant and filled in accordance with this chapter.

62  
63 **Sec. 11-3003. - Composition and Appointment.**

64 The Advisory Board shall consist of up to three City Councilmembers and up to eight  
65 City residents, all subject to confirmation by the City Council. Each member of the City  
66 Council may nominate an appointee to serve. The parks and recreation Director shall  
67 serve as a non-voting, ex-officio member of the Advisory Board. The Chairperson and  
68 Vice-Chairperson shall be selected by the City Council from the members appointed.  
69 The Advisory Board shall appoint a Secretary from its members. No City Council  
70 member shall be appointed, or selected to serve as the Chairperson and/or Vice-  
71 Chairperson, absent their consent.

72  
73 **Sec. 11-3004. – Term and Removal.**

74 Non-City Council Advisory Board members shall serve a two year term, commencing  
75 from the date of their Appointment. City Councilmembers shall serve on the Advisory  
76 Board for the remainder of the term of office during which they are appointed, but may  
77 resign from the Advisory Board at any time for any reason. The City Council may  
78 remove any Advisory Board member at any time, with or without cause. Any Non-City  
79 Council Advisory Board member who fails to attend three consecutive regular meetings  
80 shall automatically stand removed. Should a vacancy be created, the city council  
81 member shall appoint a person to fill the remainder of the term of the vacant position,  
82 subject to confirmation by the City Council.

83 **Sec. 11-3005. - Meetings.**

84 (a) Time. The Advisory Board shall adopt a regular meeting schedule, and may hold  
85 special meetings, as they deem necessary in order to carry out their functions.  
86 Meetings may be cancelled or rescheduled by the Board as circumstances require.  
87 Special meetings may be called by the park Director, Chairperson and Vice  
88 Chairperson upon 48 hours written notice to all members. The regular meetings  
89 schedule and notice of any special and/or rescheduled meetings shall be promptly  
90 provided to the City Clerk, who shall notice the same in accordance with the Open  
91 Meetings Act.

92  
93 (b) Location. In addition to City property and/or the City Council Chambers, the Advisory  
94 Board may conduct its meetings at churches, parks, schools and libraries within the  
95 City, as such is available. The Advisory Board Chairperson, Vice-chairperson or  
96 Secretary shall confirm with the City Clerk the availability of City property.

97  
98 **Sec. 11-3006. - Input and Assistance.**

99  
100 The Advisory Board members may seek input from City residents and businesses.  
101 Members may interact directly with the City Manager, park's Director, City Attorney and  
102 City Clerk, and may request assistance from City staff through the City Manager and/or  
103 his designee.

104  
105 **Sec. 11-3007. - Quorum and Governance.**

106  
107 Five Advisory Board members shall constitute a quorum. The affirmative vote of a  
108 majority of members present at a meeting shall be required to approve decisions by the  
109 Advisory Board. The Advisory Board shall be governed procedurally by Robert's Rules  
110 of Order, as it is revised from time to time, and shall conduct its meetings in accordance  
111 with all applicable local and state laws, including the Georgia Open Meetings Act.

112  
113 \*\*\*\*\*

114 **Section 2.** It is hereby declared to be the intention of the City Council that: (a) All  
115 sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were,  
116 upon their enactment, believed by the City Council to be fully valid, enforceable and  
117 constitutional.

118 (b) To the greatest extent allowed by law, each and every section, paragraph,  
119 sentence, clause or phrase of this Ordinance is severable from every other section,  
120 paragraph, sentence, clause or phrase of this Ordinance. No section, paragraph,  
121 sentence, clause or phrase of this Ordinance is mutually dependent upon any other  
122 section, paragraph, sentence, clause or phrase of this Resolution.

123 (c) In the event that any phrase, clause, sentence, paragraph or section of this  
124 Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or  
125 otherwise unenforceable by the valid judgment or decree of any court of competent  
126 jurisdiction, it is the express intent of the City Council that such invalidity,  
127 unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not  
128 render invalid, unconstitutional or otherwise unenforceable any of the remaining  
129 phrases, clauses, sentences, paragraphs or sections of the Ordinance.

130 **Section 3.** All Ordinance and Resolutions in conflict herewith are hereby expressly  
131 repealed.

132 **Section 4.** The City Attorney, City Clerk and contracted City Codifier are authorized  
133 to make non-substantive formatting and renumbering edits to this ordinance for  
134 proofing, codification, and supplementation purposes. The final version of all  
135 ordinances shall be filed with the City Clerk.

136 **Section 5.** The effective date of this Ordinance shall be on the date as set forth  
137 under Sec. 3.21 of the City Charter unless provided otherwise by applicable local, state  
138 and/or federal law.

139  
140 THIS RESOLUTION adopted this \_\_\_\_\_ day of \_\_\_\_\_ 2019. **CITY OF**  
141 **SOUTH FULTON, GEORGIA**

142  
143  
144 \_\_\_\_\_  
145 WILLIAM "BILL" EDWARDS, MAYOR

146  
147 ATTEST:

148  
149  
150 \_\_\_\_\_  
151 S. DIANE WHITE, CITY CLERK

152  
153 APPROVED AS TO FORM:

154  
155 \_\_\_\_\_  
156 EMILIA C. WALKER, CITY ATTORNEY

157  
158  
159  
160  
161  
162  
163  
164  
165

166  
167 The foregoing Ordinance No. 2019-xxx was moved for approval by Councilmember  
168 \_\_\_\_\_. The motion was seconded by Councilmember  
169 \_\_\_\_\_, and being put to a vote, the result was as  
170 follows:  
171

|                                   | AYE   | NAY   |
|-----------------------------------|-------|-------|
| 172                               |       |       |
| 173                               |       |       |
| 174 William "Bill" Edwards, Mayor | _____ | _____ |
| 175 Mark Baker, Mayor Pro Tem     | _____ | _____ |
| 176 Catherine Foster Rowell       | _____ | _____ |
| 177 Carmalitha Lizandra Gumbs     | _____ | _____ |
| 178 Helen Zenobia Willis          | _____ | _____ |
| 179 Gertrude Naeema Gilyard       | _____ | _____ |
| 180 Rosie Jackson                 | _____ | _____ |
| 181 khalid kamau                  | _____ | _____ |

**GOVERNMENT OF THE CITY OF SOUTH FULTON**

Office of the City Manager

WILLIAM "BILL" EDWARDS  
MAYOR



ODIE DONALD II  
CITY MANAGER

**MEMORANDUM**

**TO:** Council Approval of IGA with GA DOT

**FROM:** Frank Milazi

**DATE:** May 14, 2019

**SUBJECT:** Council Approval of IGA with GA DOT

**REFERENCE:**

---

**CONCLUSION:**

**BACKGROUND:**

**FISCAL IMPACT:**

**ATTACHMENTS:**

| Description               | Type       | Upload Date |
|---------------------------|------------|-------------|
| IGA Agreement with GA DOT | Cover Memo | 5/8/2019    |



June 12, 2018

William Edwards, Mayor of the City of South Fulton  
Attn: Mark Massey, City Clerk  
City of South Fulton  
5440 Fulton Industrial Blvd. S.W.  
Atlanta, GA 30336

**SUBJECT: Facility Maintenance Agreement for Signature**

Project: N/A, Fulton County

PI No. 0012671

RR File #: TBD, Inv. #: 050370P, RR MP XXB-13.82 – Int # 3: Welcome All Rd.

City of South Fulton, Georgia

SR 6 @ 4 LOC; SR 14 @ 3 LOC & SR 14 ALT @ 1 LOC IN FULTON CO

Dear Mayor:

Attached is an undated maintenance agreement, in PDF format, between the City of South Fulton and the Department of Transportation. This project is proposing to upgrade traffic signal equipment at multiple locations in Fulton County, Georgia. Do not date the agreement; it will be dated by the Department upon execution on behalf of the Department.

The City of South Fulton is being asked to sign the facility maintenance agreement because the City needs to acknowledge that they will take over the maintenance of the traffic signal equipment located on CSX property after the project construction is completed. Please note that due to the passage of House Bill 87 in the 2011 Georgia General Assembly, it is now a requirement for you to complete the Immigration Compliance Affidavit included in the attached agreement. If the agreement meets with your approval, it will be appreciated if you will **print 3 copies and handle for execution as originals** on behalf of the City and return all counterparts to this office for further processing. In connection with the execution of the agreement, please be sure to have a witness to the signature.

After the agreement is executed by all parties, we will return an executed original of the each agreement.

You may contact Jill Franks or Marcela Coll if further information is needed at 404-631-1370/1372 or by mail addressed to Georgia Department of Transportation, Office of Utilities, 600 W. Peachtree St. NW, 10<sup>th</sup> Floor, Atlanta, Georgia 30308 or by e-mail at [jfranks@dot.ga.gov](mailto:jfranks@dot.ga.gov) or [mcoll@dot.ga.gov](mailto:mcoll@dot.ga.gov).

Sincerely,



Jill L. Franks, P.E.  
Utilities Railroad Liaison Manager

For: Patrick Allen  
State Utilities Administrator

PA:jlf

Attachments

cc: Kimberly Nesbitt, State Program Delivery Administrator  
Attn: Lindsay Atnip, Project Manager  
Vacant, District 7 Utilities Manager  
Paul DeNard, District 7 Traffic Engineer  
Katherine D'Ambrosio Shearin, State Signal Engineer  
Kevin Cowan, Utility Railroad Crossing Manager

**LOCAL GOVERNMENT**  
**FACILITY MAINTENANCE AGREEMENT**  
**PI 0012671, US 29/SR 14 @ Welcome All Road, Fulton County**

THIS FACILITY MAINTENANCE AGREEMENT, made and effective as of \_\_\_\_\_, by and between the GEORGIA DEPARTMENT OF TRANSPORTATION, a Department within the executive branch of government of the State of Georgia, hereinafter called "DEPARTMENT" and CITY OF SOUTH FULTON, GEORGIA, acting by and through its Mayor and City Council, hereinafter referred to as the "LOCAL GOVERNMENT".

WHEREAS, the DEPARTMENT and CSX TRANSPORTATION, INC. ("CSX") entered into a Facility Encroachment Agreement No. CSX833885, PI No. 0012671 dated April 7, 2017 ("CSX AGREEMENT"), attached hereto and incorporated herein as Exhibit A, to construct (unless previously constructed and designated as existing herein), use and maintain the below described facilities, hereinafter called "FACILITIES," over, under or across property owned or controlled by CSX, at the below described location(s):

1. Two (2) wireline crossings, solely for the transmission of electrical power only, through or on metal strand wire(s), located at or near Union City, Fulton County, Georgia, Atlanta Division, Atlanta Terminal Subdivision, Milepost XXB-14.06, Latitude N33:36:38.9484., Longitude W84:31:25.0140;
2. Two (2) miscellaneous encroachments – hand holes, located at or near Union City, Fulton County, Georgia, Atlanta Division, Atlanta Terminal Subdivision, Milepost XXB-14.06, Latitude N33:36:38.9484., Longitude W84:31:25.0140;
3. One (1) miscellaneous encroachment — pole located at or near Union City, Fulton County, Georgia, Atlanta Division, Atlanta Terminal Subdivision, Milepost XXB-14.06, Latitude N33:36:38.9484., Longitude W84:31:25.0140;
4. One (1) miscellaneous encroachment —pole located at or near Conyers, Rockdale County, Georgia, Atlanta Division, Georgia Subdivision, Milepost YYG-140.39, Latitude N33:39:59.3748., Longitude W84:01:06.2796.;

WHEREAS, after the completion of construction of the Facilities, LOCAL GOVERNMENT agrees to maintain the FACILITIES at its own costs and expense and subject to the terms and conditions of the CSX AGREEMENT.

NOW, THEREFORE, in consideration of the mutual covenants, conditions, terms and agreements herein contained, the parties hereto agree and covenant as follows:

1. The above "Whereas" clauses are hereby incorporated by reference as though fully set forth herein.
2. Upon notification from the DEPARTMENT to the LOCAL GOVERNMENT that construction of the FACILITIES has been completed and that the DEPARTMENT has received Final





this Agreement, and no custom or practice of either Party at variance with the terms and conditions of this Agreement, will constitute a waiver of either Party's right to demand exact and strict compliance by the other Party with the terms and conditions of this Agreement.

10. CONTINUITY. Each of the provisions of this Agreement will be binding upon and inure to the benefit and detriment of GDOT and the LOCAL GOVERNMENT and the successors and assigns of GDOT and the LOCAL GOVERNMENT.

11. PREAMBLE, RECITALS AND EXHIBITS. The Preamble, Recitals and Exhibits hereto are a part of this Agreement and are incorporated herein by reference.

12. SEVERABILITY. If any one or more of the provisions contained herein are for any reason held by any court of competent jurisdiction to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability will not affect any other provision hereof, and this Agreement will be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

13. GEORGIA AGREEMENT. This Agreement will be governed, construed under, performed and enforced in accordance with the laws of the State of Georgia. Any dispute arising from this contractual relationship shall be governed by the laws of the State of Georgia, and shall be decided solely and exclusively by the Superior Court of Fulton County, Georgia. LOCAL GOVERNMENT hereby consents to personal jurisdiction and venue in said court and waives any claim of inconvenient forum.

14. INTERPRETATION. Should any provision of this Agreement require judicial interpretation, it is agreed that the court interpreting or construing the same shall not apply a presumption that the terms hereof shall be more strictly construed against one Party by reason of the rule of construction that a document is to be construed more strictly against the Party who itself or through its agent prepared the same, it being agreed that the agents of all Parties have participated in the preparation hereof.

15. NO THIRD PARTY BENEFICIARIES. Nothing contained herein shall be construed as conferring upon or giving to any person, other than the Parties hereto, any rights or benefits under or by reason of this Agreement.

16. ENTIRE AGREEMENT. This Agreement supersedes all prior negotiations, discussion, statements and agreements between the Parties and constitutes the full, complete and entire agreement between the Parties with respect hereto; no member, officer, employee or agent of either Party has authority to make, or has made, any statement, agreement, representation or contemporaneous agreement, oral or written, in connection herewith, amending, supplementing, modifying, adding to, deleting from, or changing the terms and conditions of this Agreement. No modification of or amendment to this Agreement will be binding on either Party hereto unless such modification or amendment will be properly authorized, in writing, properly signed by both Parties and incorporated in and by reference made a part hereof.

(SIGNATURES ON NEXT PAGE)

**Georgia Department of Transportation**

By: \_\_\_\_\_ (Seal)  
Commissioner

\_\_\_\_\_  
Treasurer

**LOCAL GOVERNMENT, Georgia**

By: \_\_\_\_\_  
William "Bill" Edwards, Mayor City of South Fulton

**ATTEST:**

By: \_\_\_\_\_  
S. Diane White, City Clerk

**APPROVED AS TO FORM**

By: \_\_\_\_\_  
Emilia Walker, City Attorney



**GEORGIA SECURITY AND IMMIGRATION COMPLIANCE ACT AFFIDAVIT**

|                                                                   |                                                                                            |
|-------------------------------------------------------------------|--------------------------------------------------------------------------------------------|
| <b>Contractor's Name:</b>                                         | CITY OF SOUTH FULTON                                                                       |
| <b>Solicitation/Contract No./Call No. or Project Description:</b> | PINo. 00012671, Fulton County, Facility Maintenance for Intersections: # 3 Welcome All Rd. |

**CONTRACTOR AFFIDAVIT**

By executing this affidavit, the undersigned contractor verifies its compliance with O.C.G.A. §13-10-91, stating affirmatively that the individual, entity or corporation which is engaged in the physical performance of services on behalf of the Georgia Department of Transportation has registered with, is authorized to use and uses the federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicable provisions and deadlines established in O.C.G.A. §13-10-91.

Furthermore, the undersigned contractor will continue to use the federal work authorization program throughout the contract period and the undersigned contractor will contract for the physical performance of services in satisfaction of such contract only with subcontractors who present an affidavit to the contractor with the information required by O.C.G.A. §13-10-91(b). Contractor hereby attests that its federal work authorization user identification number and date of authorization are as follows:

\_\_\_\_\_  
Federal Work Authorization User Identification Number  
(EEV/E-Verify Company Identification Number)

\_\_\_\_\_  
Date of Authorization

\_\_\_\_\_  
Name of Contractor

**I hereby declare under penalty of perjury that the foregoing is true and correct**

\_\_\_\_\_  
Printed Name (of Authorized Officer or Agent of Contractor)

\_\_\_\_\_  
Title (of Authorized Officer or Agent of Contractor)

\_\_\_\_\_  
Signature (of Authorized Officer or Agent)

\_\_\_\_\_  
Date Signed

SUBSCRIBED AND SWORN BEFORE ME ON THIS THE

\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

[NOTARY SEAL]

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

**FACILITY ENCROACHMENT  
AGREEMENT PI No. 0012671  
Fulton County, Georgia**

THIS AGREEMENT, made and effective as of April 7, 2017, by and between CSX TRANSPORTATION, INC., a Virginia corporation, whose mailing address is 500 Water Street, Jacksonville, Florida 32202, hereinafter called "Licensor," and GEORGIA DEPARTMENT OF TRANSPORTATION, a Department within the executive branch of government of the State of Georgia, whose mailing address is 600 West Peachtree Street, Atlanta, Georgia 30308, hereinafter called "Licensee."

WITNESSEH:

WHEREAS, Licensee desires to construct (unless previously constructed and designated as existing herein), use and maintain the below described facility(ies), hereinafter called "Facilities," over, under or across property owned or controlled by Licensor, at the below described location(s):

1. Two (2) wireline crossings, solely for the transmission of electrical power only, through or on metal strand wire(s), located at or near Union City, Fulton County, Georgia, Atlanta Division, Atlanta Terminal Subdivision, Milepost XXB-14.06, Latitude N33:36:38.9484, Longitude W84:31:25.0140;
2. Two (2) miscellaneous encroachments – hand holes, located at or near Union City, Fulton County, Georgia, Atlanta Division, Atlanta Terminal Subdivision, Milepost XXB-14.06, Latitude N33:36:38.9484, Longitude W84:31:25.0140;
3. One (1) miscellaneous encroachment - pole, located at or near Union City, Fulton County, Georgia, Atlanta Division, Atlanta Terminal Subdivision, Milepost XXB-14.06, Latitude N33:36:38.9952, Longitude W84:31:24.5856;
4. One (1) miscellaneous encroachment - pole, located at or near Union City, Fulton County, Georgia, Atlanta Division, Atlanta Terminal Subdivision, Milepost XXB-14.08, Latitude N33:36:38.5992, Longitude W84:31:25.6152;

hereinafter, called the "Encroachment," as shown on print(s) labeled Exhibit "A," attached hereto and made a part hereof;

NOW, THEREFORE, in consideration of the mutual covenants, conditions, terms and agreements herein contained, the parties hereto agree and covenant as follows:

**1. LICENSE:**

1.1 Subject to Article 17, Licensor, insofar as it has the legal right, power and authority to do so, and its present title permits, and subject to:

(A) Licensor's present and future right to occupy, possess and use its property within the area of the Encroachment for any and all purposes;

(B) All encumbrances, conditions, covenants, easements, and limitations applicable to Licensor's title to or rights in the subject property; and

(C) Compliance by Licensee and its agent or contractor ("Licensee's Contractor") with the terms and conditions herein contained; does hereby license and permit Licensee to construct, maintain, repair, renew, operate, use, alter or change the Facilities at the Encroachment above for the term herein stated, and to remove same upon termination.

1.2 The term Facilities, as used herein, shall include only those structures and ancillary facilities devoted exclusively to the transmission usage above within the Encroachment, and as shown on attached Exhibit A.

1.3 No additional structures or other facilities shall be placed, allowed, or maintained by Licensee in, upon or on the Encroachment except upon prior separate written consent of Licensor.

1.4 The term "Contractor" shall mean Licensee's agent, contractor, developer, and/or designees performing any of the work related to the project as provided in this Agreement. With the exception of a maintenance contractor which is a local government, municipality, city or county, prior to any work described in this Agreement is performed by Contractor, Licensee shall require Contractor to execute and deliver to Licensor the Contractor Acceptance Form, attached hereto and made a part of this Agreement as Rider. Licensee agrees to incorporate the provisions of this Agreement into any subsequent contracts entered into between Licensee and any local government, municipality, city or county concerning the Encroachment.

## **2. ENCROACHMENT FEE; INSPECTION FEE; TERM:**

2.1 Licensee shall pay Licensor a one-time nonrefundable Encroachment Fee of TEN THOUSAND TWO HUNDRED AND 00/100 U.S. DOLLARS (\$10,200.00) and Application / Engineering Review Fee of ONE THOUSAND FOUR HUNDRED FIFTY AND 00/100 U.S. DOLLARS (\$1,450.00) upon execution of this Agreement. Licensee agrees that the Encroachment Fee applies only to the original Licensee under this Agreement. In the event of a successor (by merger, consolidation, reorganization and/or assignment) or if the original Licensee changes its name, then Licensee shall be subject to payment of Licensor's current administrative and document preparation fees for the cost incurred by Licensor in preparing and maintaining this Agreement on a current basis.

2.2 Inspection Fee. Licensor will do and perform any and all inspection work during the construction of the Facilities for an estimated amount as shown on the Outside Party Form related to this Agreement which shall be prepared in compliance with section 18.11 below.

2.3 However, Licensor shall not be responsible for any additional annual taxes and/or periodic assessments levied against Licensor or Licensor's property solely on account of said Facilities or Encroachment.

2.4 This Agreement shall terminate as herein provided, but shall also terminate upon: (a) Licensee's cessation of use of the Facilities or Encroachment for the purpose(s) above; (b) removal of the Facilities; (c) subsequent mutual consent; and/or (d) failure of Licensee to complete installation within five (5) years from the effective date of this Agreement.

2.5 In further consideration for the license or right hereby granted, Licensee hereby agrees that Licensor shall not be charged or assessed, directly or indirectly, with any part of the cost of the installation of said Facilities and appurtenances, and/or maintenance thereof, or for any public works project of which said Facilities is a part.

### **3. CONSTRUCTION, MAINTENANCE AND REPAIRS:**

3.1 Licensee shall construct, maintain, relocate, repair, renew, alter, and/or remove the Facilities, in a prudent, workmanlike manner, using quality materials and complying with any applicable standard(s) or regulation(s) of Licensor (CSXT Specifications), or Licensee's particular industry, National Electrical Safety Code, or any governmental or regulatory body having jurisdiction over the Encroachment.

3.2 Location and construction of Facilities shall be made strictly in accordance with design(s) and specifications furnished to and approved by Licensor prior to the execution of this Agreement and of material(s) and size(s) appropriate for the purpose(s) above recited.

3.3 All of Licensee's work, and exercise of rights hereunder, shall be undertaken at time(s) satisfactory to Licensor, and so as to eliminate or minimize any impact on or interference with the safe use and operation of Licensor's property and appurtenances thereto.

3.4 In the installation, maintenance, repair and/or removal of said Facilities, Licensee shall not use explosives of any type or perform or cause any blasting without the separate express written consent of Licensor. As a condition to such consent, a representative will be assigned by Licensor to monitor blasting, and Licensee shall reimburse Licensor for the entire cost and/or expense of furnishing said monitor.

3.5 Any repairs or maintenance to the Facilities, whether resulting from acts of Licensee, or natural or weather events, but not related to willful acts of the Licensor which are necessary to protect or facilitate Licensor's use of its property, shall be made by Licensee promptly, but in no event later than thirty (30) days after Licensee has notice as to the need for such repairs or maintenance.

3.6 Licensor, in order to protect or safeguard its property, rail operations, equipment and/or employees from damage or injury, which is not considered an emergency, may

request immediate repair or maintenance of the Facilities, and if the same is not performed, may make or contract to make such repairs or renewals, at the sole risk, cost and expense of Licensee where such repairs or maintenance is required as a result of the actions of the Licensee or as the result of the failure of Licensee to maintain or repair Licensee's Facilities.

3.7 Neither the failure of Licensor to object to any work done, material used, or method of construction or maintenance of said Encroachment, nor any approval given or supervision exercised by Licensor, shall be construed as an admission of liability or responsibility by Licensor, or as a waiver by Licensor of any of the obligations, liability and/or responsibility of Licensee under this Agreement.

3.8 All work on the Encroachment shall be conducted in accordance with Licensor's safety rules and regulations which will be provided to Licensee.

3.9 Licensee hereby agrees to reimburse Licensor any loss, cost or expense (including losses resulting from train delays and/or inability to meet train schedules) arising from any failure of Licensee to make repairs or conduct maintenance as required by Section 3.5 above or from improper or incomplete repairs or maintenance as required this Agreement to the Facilities or Encroachment.

#### **4. PERMITS, LICENSES:**

4.1 Before any work hereunder is performed, or before use of the Encroachment for the contracted purpose, Licensee, at its sole cost and expense, shall obtain all necessary permit(s) (including but not limited to zoning, building, construction, health, safety or environmental matters), letter(s) or certificate(s) of approval. Licensee expressly agrees and represents that it shall conform and limit its activities to the terms of such permit(s), approval(s) and authorization(s), and shall comply with all applicable ordinances, rules, regulations, requirements and laws of any governmental authority (State or Federal) having jurisdiction over Licensee's activities, including the location, contact, excavation and protection regulations of the Occupational Safety and Health Act (OSHA) (29 CFR 1926.651(b)), et al., and State "One Call" - "Call Before You Dig" requirements.

4.2 Licensee assumes sole responsibility for failure to obtain such permit(s) or approval(s), for any violations thereof, or for costs or expenses of compliance or remedy.

#### **5. MARKING AND SUPPORT:**

5.1 With respect to any subsurface installation or maintenance upon Licensor's property, Licensee, at its sole cost and expense, shall:

- (A) support track(s) and roadbed in a manner satisfactory to Licensor;
- (B) backfill with satisfactory material and thoroughly tamp all trenches to prevent settling of surface of land and roadbed of Licensor; and



(C) either remove any surplus earth or material from Licensor's property or cause said surplus earth or material to be placed and distributed at location(s) and in such manner Licensor may approve.

5.2 After construction or maintenance of the Facilities, Licensee shall:

(A) Restore any track(s), roadbed and other disturbed property

5.3 Licensee shall be solely responsible for any subsidence or failure of lateral or subjacent support in the Encroachment area caused by or as a result of the Facilities for a period of three (3) years after completion of installation.

## **6. TRACK CHANGES:**

6.1 In the event that rail operations and/or track maintenance result in changes in grade or alignment of, additions to, or relocation of track(s) or other facilities, or in the event future use of Licensor's rail corridor or property necessitate any change of location, height or depth in the Facilities or Encroachment, Licensee, at its sole cost and expense and within thirty (30) days or other period of time as mutually agreed upon by the Parties after notice in writing from Licensor, shall make changes in the Facilities or Encroachment to accommodate such track(s) or operations or shall terminate this Agreement in the event Licensee does not have funds to conduct such work and remove the Facilities pursuant to Section 14.

## **7. FACILITY CHANGES:**

7.1 Licensee shall periodically monitor and verify the depth or height of the Facilities or Encroachment in relation to the existing tracks and facilities, and shall relocate the Facilities or change the Encroachment, at Licensee's expense, should such relocation or change be necessary to comply with the minimum clearance requirements of Licensor, said minimum clearance requirements published on the CSX Real Property Utility Permitting webpage.

7.2 If Licensee undertakes to revise, renew, relocate or change in any manner whatsoever all or any part of the Facilities (including any change in voltage or gauge of wire or any change in circumference, diameter or radius of pipe or change in materials transmitted in and through said pipe), or is required by any public agency or court order to do so, plans therefor shall be submitted to Licensor for approval before such change. After approval, the terms and conditions of this Agreement shall apply thereto.

## **8. INTERFERENCE WITH RAIL FACILITIES:**

8.1 Although the Facilities/Encroachment herein permitted may not presently interfere with Licensor's railroad or facilities, in the event that the operation, existence or maintenance of said Facilities, in the sole judgment of Licensor, causes: (a) interference (including, but not limited to, physical or interference from an electromagnetic induction, or

interference from stray or other currents) with Licensor's power lines, communication, signal or other wires, train control system, or electrical or electronic apparatus; or (b) interference in any manner, with the operation, maintenance or use of the rail corridor, track(s), structures, pole line(s), devices, other property, or any appurtenances thereto; then and in either event, Licensee, upon receipt of written notice from Licensor of any such interference, and at Licensee's sole risk, cost and expense, shall promptly make such changes in its Facilities or installation, as may be required in the reasonable judgment of the Licensor to eliminate all such interference or may terminate this Agreement and remove the Facilities pursuant to Section 14. Upon Licensee's failure to remedy or remove, Licensor may do so or contract to do so. Nothing herein shall affect any and all remedies of the Licensor against the Licensee available under contract, law or equity.

8.2 Without assuming any duty hereunder to inspect the Facilities, Licensor hereby reserves the right to inspect same and to require Licensee to undertake repairs, maintenance or adjustments to the Facilities, which Licensee hereby agrees to make promptly, at Licensee's sole cost and expense.

## **9. RISK, LIABILITY, INDEMNITY:**

With respect to the relative risk and liabilities of the parties, it is hereby agreed that:

9.1 To the fullest extent permitted by Georgia law, Licensee's Contractor shall hereby agree to, defend, indemnify, and hold Licensor harmless from and against any and all liability, loss, claim, suit, damage, charge or expense which Licensor may suffer, sustain, incur or in any way be subjected to, on account of death of or injury to any person whomsoever (including officers, agents, employees or invitees of Licensor), and for damage to or loss of or destruction of any property whosoever, arising out of resulting from, or in any way connected with the construction, repair, maintenance, replacement, presence, existence, operations, use or removal of the Facilities or any structure in connection therewith, or restoration of premises of Licensor to good order or condition after removal, EXCEPT when proven to have been caused solely by the willful misconduct or gross negligence of Licensor. HOWEVER, to the fullest extent permitted by State law, during any period of actual construction, repair, maintenance, replacement or removal of the Facilities, wherein agents, equipment or personnel of Licensee are on the railroad rail corridor, Licensee's liability hereunder shall be absolute, irrespective of any joint, sole or contributory fault or negligence of Licensor.

9.2 Use of Licensor's rail corridor involves certain risks of loss or damage as a result of the rail operations. Notwithstanding Section 9.1, to the fullest extent permitted by Georgia law, Licensee expressly assumes all risk of loss and damage to Licensee's Property or the Facilities in, on, over or under the Encroachment, including loss of or any interference with use or service thereof, regardless of cause, including electrical field creation, fire or derailment resulting from rail operations. For this Section, the term "Licensee's Property" shall include property of third parties situated or placed upon Licensor's rail corridor by Licensee or by such third parties at request of or for benefit of Licensee.

9.3 To the fullest extent permitted by Georgia law, as above, Licensee assumes all responsibility for, and agrees to defend, indemnify and hold Licensor harmless from: (a) all claims, costs and expenses, including reasonable attorneys' fees, as a consequence of any sudden or nonsudden pollution of air, water, land and/or ground water on or off the Encroachment area, arising from or in connection with the use of this Encroachment or resulting from leaking, bursting, spilling, or any escape of the material transmitted in or through the Facilities; (b) any claim or liability arising under federal or state law dealing with either such sudden or nonsudden pollution of air, water, land and/or ground water arising therefrom or the remedy thereof; and (c) any subsidence or failure of lateral or subjacent support of the tracks arising from such Facilities leakage.

9.4 Notwithstanding Section 9.1, to the fullest extent permitted by Georgia law, Licensee also expressly assumes all risk of loss which in any way may result from Licensee's failure to maintain either required clearances for any overhead Facilities or the required depth and encasement for any underground Facilities, whether or not such loss(es) result(s) in whole or part from Licensor's contributory negligence or joint fault.

9.5 To the fullest extent permitted by Georgia law, obligations of Licensee hereunder to release, indemnify and hold Licensor harmless shall also extend to companies and other legal entities that control, are controlled by, subsidiaries of, or are affiliated with Licensor, as well as any railroad that operates over the rail corridor on which the Encroachment is located, and the officers, employees and agents of each.

9.6 To the fullest extent permitted by Georgia law, if a claim is made or action is brought against Licensor, and/or its operating lessee, for which Licensee may be responsible hereunder, in whole or in part, Licensee shall be notified to assume the handling or defense of such claim or action; but Licensor may participate in such handling or defense.

## 10. INSURANCE:

10.1 Prior to commencement of surveys, installation or occupation of premises pursuant to this Agreement, Licensee shall procure and shall maintain during the continuance of this Agreement, at its sole cost and expense, a policy of

(i) Statutory Worker's Compensation and Employers Liability Insurance with available limits of not less than ONE MILLION AND 00/100 U.S. DOLLARS (\$1,000,000.00);

(ii) Commercial General Liability coverage (inclusive of contractual liability) with available limits of not less than THREE MILLION AND 00/100 U.S. DOLLARS (\$3,000,000.00). Mail CGL certificate, along with agreement, to CSX Transportation, Inc., Speed Code J180, 500 Water Street, Jacksonville, FL 32202. On each successive year, send certificate to RenewalCOI@csx.com.

(iii) Business automobile liability insurance with available limits of not less than ONE MILLION AND 00/100 U.S. DOLLARS (\$1,000,000.00) combined single limit for bodily

injury and/or property damage per occurrence

10.2 If Licensee's Contractor's existing CGL policy (ies) do(es) not automatically cover Licensee's contractual liability during periods of survey, installation, maintenance and continued occupation, a specific endorsement adding such coverage shall be purchased by Licensee's Contractor. If said CGL policy is written on a "claims made" basis instead of a "per occurrence" basis, Licensee shall arrange for adequate time for reporting losses. Failure to do so shall be at Licensee's sole risk.

10.3 Licensor, or its designee, may at any time request evidence of insurance purchased by Licensee to comply with this Agreement. Failure of Licensee to comply with Licensor's request shall be considered a default by Licensee.

10.4 Securing such insurance shall not limit Licensee's liability under this Agreement, but shall be security therefor.

10.5 (A) In the event Licensee finds it necessary to perform construction or demolition operations within fifty feet (50') of any operated railroad track(s) or affecting any railroad bridge, trestle, tunnel, track(s), roadbed, overpass or underpass, Licensee shall: (a) notify Licensor; and (b) require Licensee's Contractor(s) performing such operations to procure and maintain during the period of construction or demolition operations, at no cost to Licensor, Railroad Protective Liability (RPL) Insurance, naming Licensor, and/or its designee, as Named Insured, written on the current ISO/RIMA Form (ISO Form No. CG 00 35 01 96) with limits of FIVE MILLION AND 00/100 U.S. DOLLARS (\$5,000,000.00) per occurrence for bodily injury and property damage, with at least TEN MILLION AND 00/100 U.S. DOLLARS (\$10,000,000.00) aggregate limit per annual policy period, with Pollution Exclusion Amendment (ISO CG 28 31 11 85) if an older ISO Form CG 00 35 is used. The original of such RPL policy shall be sent to and approved by Licensor prior to commencement of such construction or demolition. Licensor reserves the right to demand higher limits.

(B) At Licensor's option, in lieu of purchasing RPL insurance from an insurance company (but not CGL insurance), Licensee may pay Licensor, at Licensor's current rate at time of request, the cost of adding this Encroachment, or additional construction and/or demolition activities, to Licensor's Railroad Protective Liability (RPL) Policy for the period of actual construction. This coverage is offered at Licensor's discretion and may not be available under all circumstances.

10.6 Notwithstanding the provisions of Sections 10.1 and 10.2, Licensee or Licensee's maintenance contractor to the extent that such maintenance contractor is a local government, municipality, city or county, pursuant to State Statute(s), may self-insure or self-assume, in any amount(s), under a funded program of self-insurance, which fund will respond to liability of Licensee imposed by and in accordance with the procedures established by Georgia law.

**11. GRADE CROSSINGS; FLAGGING:**

11.1 Nothing herein contained shall be construed to permit Licensee or Licensee's Contractor to move any vehicles or equipment over the track(s), except at public road crossing(s), without separate prior written approval of Licensor.

11.2 If Licensor deems it advisable, during any construction, maintenance, repair, renewal, alteration, change or removal of said Facilities, to place watchmen, flagmen, inspectors or supervisors for protection of operations of Licensor or others on Licensor's rail corridor at the Encroachment, and to keep persons, equipment or materials away from the track(s), Licensor shall have the right to do so at the expense of Licensee, but Licensor shall not be liable for failure to do so.

11.3 Subject to Licensor's consent and to Licensor's Railroad Operating Rules and labor agreements, Licensee may provide flagmen, watchmen, inspectors or supervisors during all times of construction, repair, maintenance, replacement or removal, at Licensee's sole risk and expense; and in such event, Licensor shall not be liable for the failure or neglect of such watchmen, flagmen, inspectors or supervisors.

**12. LICENSOR'S COSTS:**

12.1 Any additional or alternative costs or expenses incurred by Licensor to accommodate Licensee's continued use of Licensor's property as a result of track changes or wire changes shall also be paid by Licensee.

12.2 Licensor's expense for wages ("force account" charges) and materials for any work performed at the expense of Licensee pursuant hereto shall be paid by Licensee within thirty (30) days after receipt of Licensor's bill therefor. Licensor may, at its discretion, request an advance deposit for estimated Licensor costs and expenses.

12.3 Such expense shall include, but not be limited to, cost of railroad labor and supervision under "force account" rules, plus current applicable overhead percentages, the actual cost of materials, and insurance, freight and handling charges on all material used. Equipment rentals shall be in accordance with Licensor's applicable fixed rate. Licensor may, at its discretion, require advance deposits for estimated costs of such expenses and costs.

**13. DEFAULT, BREACH, WAIVER:**

13.1 The proper and complete performance of each covenant of this Agreement shall be deemed of the essence thereof, and in the event Licensee fails or refuses to fully and completely perform any of said covenants or remedy any breach within thirty (30) days after receiving written notice from Licensor to do so (or within forty-eight (48) hours in the event of notice of a railroad emergency), Licensor shall have the option of immediately revoking this Agreement and the privileges and powers hereby conferred, regardless of encroachment fee(s) having been paid in advance for any annual or other period. Upon such revocation, Licensee

shall make removal in accordance with Article 14.

13.2 No waiver by Licensor of its rights as to any breach of covenant or condition herein contained shall be construed as a permanent waiver of such covenant or condition, or any subsequent breach thereof, unless such covenant or condition is permanently waived in writing by Licensor.

13.3 Neither the failure of Licensor to object to any work done, material used, or method of construction or maintenance of said Encroachment, nor any approval given or supervision exercised by Licensor, shall be construed as an admission of liability or responsibility by Licensor, or as a waiver by Licensor of any of the obligations, liability and/or responsibility of Licensee under this Agreement.

**14. TERMINATION, REMOVAL:**

14.1 All rights which Licensee may have hereunder shall cease upon the date of (a) termination, (b) revocation, or (c) subsequent agreement, or (d) Licensee's removal of the Facility from the Encroachment. However, neither termination nor revocation of this Agreement shall affect any claims and liabilities which have arisen or accrued hereunder, and which at the time of termination or revocation have not been satisfied; neither party, however, waiving any third party defenses or actions.

14.2 Within thirty (30) days after revocation or termination, Licensee, at its sole risk and expense, shall (a) remove the Facilities from the rail corridor of Licensor, unless the parties hereto agree otherwise, and (b) restore the rail corridor of Licensor in a manner satisfactory to Licensor.

**15. NOTICE:**

15.1 Licensee shall give Licensor at least thirty (30) days written notice before doing any work on Licensor's rail corridor, except that in cases of emergency shorter notice may be given. Licensee shall provide proper notification as follows:

a. For non-emergencies, Licensee shall submit online via the CSX Property Portal from Licensor's web site, via web link:  
[https://propertyportal.csx.com/pub\\_ps\\_res/ps\\_res/jsf/public/index.faces](https://propertyportal.csx.com/pub_ps_res/ps_res/jsf/public/index.faces)

b. For emergencies, Licensee shall complete all of the steps outlined in Section 15.1 a. above, and shall also include detailed information of the emergency. Licensee shall also call and report details of the emergency to Licensor's Rail Operations Emergency Telephone Number: 1-800-232-0144. In the event Licensor needs to contact Licensee concerning an emergency involving Licensee's Facility(ies), the emergency phone number for Licensee is: 404-217-9776.

15.2 All other notices and communications concerning this Agreement shall be

addressed to Licensee at the address above, and to Licensor at the address shown on Page 1, c/o CSXT Contract Management, J180; or at such other address as either party may designate in writing to the other.

15.3 Unless otherwise expressly stated herein, all such notices shall be in writing and sent via Certified or Registered Mail, Return Receipt Requested, or by courier, and shall be considered delivered upon: (a) actual receipt, or (b) date of refusal of such delivery.

**16. ASSIGNMENT:**

16.1 The rights herein conferred are the privileges of Licensee only, and Licensee shall obtain Licensor's prior written consent to any assignment of Licensee's interest herein; said consent shall not be unreasonably withheld.

16.2 Subject to Sections 2 and 16.1, this Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors or assigns.

16.3 Licensee shall give Licensor written notice of any legal succession (by merger, consolidation, reorganization, etc.) or other change of legal existence or status of Licensee, with a copy of all documents attesting to such change or legal succession, within thirty (30) days thereof.

16.4 Licensor expressly reserves the right to assign this Agreement, in whole or in part, to any grantee, lessee, or vendee of Licensor's underlying property interests in the Encroachment, upon written notice thereof to Licensee.

16.5 In the event of any unauthorized sale, transfer, assignment, sublicense or encumbrance of this Agreement, or any of the rights and privileges hereunder, Licensor, at its option, may revoke this Agreement by giving Licensee or any such assignee written notice of such revocation; and Licensee shall reimburse Licensor for any loss, cost or expense Licensor may incur as a result of Licensee's failure to obtain said consent.

**17. TITLE:**

17.1 Licensee understands that Licensor occupies, uses and possesses lands, rights-of-way and rail corridors under all forms and qualities of ownership rights or facts, from full fee simple absolute to bare occupation. Accordingly, nothing in this Agreement shall act as or be deemed to act as any warranty, guaranty or representation of the quality of Licensor's title for any particular Encroachment or segment of rail corridor occupied, used or enjoyed in any manner by Licensee under any rights created in this Agreement. It is expressly understood that Licensor does not warrant title to any rail corridor and Licensee will accept the grants and privileges contained herein, subject to all lawful outstanding existing liens, mortgages and superior rights in and to the rail corridor, and all leases, licenses and easements or other interests previously granted to others therein.

17.2 The term "license," as used herein, shall mean with regard to any portion of the rail corridor which is owned by Licensor in fee simple absolute, or where the applicable law of the State where the Encroachment is located otherwise permits Licensor to make such grants to Licensee, a "permission to use" the rail corridor, with dominion and control over such portion of the rail corridor remaining with Licensor, and no interest in or exclusive right to possess being otherwise granted to Licensee. With regard to any other portion of Rail corridor occupied, used or controlled by Licensor under any other facts or rights, Licensor merely waives its exclusive right to occupy the rail corridor and grants no other rights whatsoever under this Agreement, such waiver continuing only so long as Licensor continues its own occupation, use or control. Licensor does not warrant or guarantee that the license granted hereunder provides Licensee with all of the rights necessary to occupy any portion of the rail corridor. Licensee further acknowledges that it does not have the right to occupy any portion of the rail corridor held by Licensor in less than fee simple absolute without also receiving the consent of the owner(s) of the fee simple absolute estate. Further, Licensee shall not obtain, exercise or claim any interest in the Rail corridor that would impair Licensor's existing rights therein.

17.3 To the extent allowed under Georgia law, Licensee agrees to release and hold Licensor harmless from any claim against Licensor for damages on account of any deficiencies in title to the rail corridor in the event of failure or insufficiency of Licensor's title to any portion thereof arising from Licensee's use or occupancy thereof.

17.4 To the fullest extent permitted by State law, as above, Licensee agrees to fully and completely indemnify and defend all claims or litigation for slander of title, overburden of easement, or similar claims arising out of or based upon the Facilities placement, or the presence of the Facilities in, on or along any Encroachment(s), including claims for punitive or special damages.

17.5 Licensee shall not at any time own or claim any right, title or interest in or to Licensor's property occupied by the Encroachments, nor shall the exercise of this Agreement for any length of time give rise to any right, title or interest in Licensee to said property other than the license herein created.

17.6 Nothing in this Agreement shall be deemed to give, and Licensor hereby expressly waives, any claim of ownership in and to any part of the Facilities.

17.7 Licensee shall not create or permit any mortgage, pledge, security, interest, lien or encumbrances, including without limitation, tax liens and liens or encumbrances with respect to work performed or equipment furnished in connection with the construction, installation, repair, maintenance or operation of the Facilities in or on any portion of the Encroachment (collectively, "Liens or Encumbrances"), to be established or remain against the Encroachment or any portion thereof or any other Licensor property



17.8 In the event that any property of Licensor becomes subject to such Liens or Encumbrances, Licensee agrees to pay, discharge or remove the same promptly upon Licensee's receipt of notice that such Liens or Encumbrances have been filed or docketed against the Encroachment or any other property of Licensor; however, Licensee reserves the right to challenge, at its sole expense, the validity and/or enforceability of any such Liens or Encumbrances.

**18. GENERAL PROVISIONS:**

18.1 This Agreement, and the attached specifications, contains the entire understanding between the parties hereto.

18.2 Neither this Agreement, any provision hereof, nor any agreement or provision included herein by reference, shall operate or be construed as being for the benefit of any third person.

18.3 Except as otherwise provided herein, or in any Rider attached hereto, neither the form of this Agreement, nor any language herein, shall be interpreted or construed in favor of or against either party hereto as the sole drafter thereof.

18.4 This Agreement is executed under current interpretation of applicable Federal, and State statutes or law(s). However, each separate division (paragraph, clause, item, term, condition, covenant or agreement) herein shall have independent and severable status for the determination of legality, so that if any separate division is determined to be void or unenforceable for any reason, such determination shall have no effect upon the validity or enforceability of each other separate division, or any combination thereof.

18.5 This Agreement shall be construed and governed by the laws of the state in which the Facilities and Encroachment are located.

18.7 Licensee agrees to reimburse Licensor for all reasonable costs (including attorney's fees) incurred by Licensor for collecting any amount due under the Agreement.

18.8 The provisions of this License are considered confidential and may not be disclosed to a third party without the consent of the other party(s), except: (a) as required by statute, including but not limited to the Georgia Open Records Act, O.C.G.A. § 50-18-70 et seq., regulation or court order, (b) to a parent, affiliate or subsidiary company, (c) to an auditing firm or legal counsel that are agreeable to the confidentiality provisions, or (d) to Lessees of Licensor's land and/or track who are affected by the terms and conditions of this Agreement and will maintain the confidentiality of this Agreement.

18.9 Licensor shall refund to Licensee any overpayments collected.

18.10 Maintenance, repairs and any work directed by the Licensor to be completed by the Licensee pursuant to the terms of this Agreement are subject to the availability of such funds to the Licensee. Licensee will use its best efforts to obtain funding for such obligations. If the Licensee fails to obtain such funds, this Agreement shall terminate.

18.11 Nothing in this Agreement shall be deemed or construed as a waiver of Licensee's or Licensor's obligation to comply with applicable sections of Part 140, Subpart I, and Part 646, Subpart B, of Title 23, Highways, of the Code of Federal Regulations.

**19. CONTRACTOR'S ACCEPTANCE:**

19.1 Licensee shall observe and abide by, and shall require Licensee's Contractors to observe and abide by the terms, conditions and provisions set forth in this Agreement. Prior to any commencement of work under this Agreement by Licensee's Contractor, Licensee shall require Licensee's Contractor to execute and deliver to Licensor the Contractor Acceptance form attached hereto as a rider to acknowledge Licensee's Contractor's agreement to observe and abide by terms and conditions of the Agreement.

**20. RIDER(S):**

20.1 The following Rider(s) is/are herewith attached and included herein:

Contractor Acceptance

[Signature Page to follow]

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed in three counterparts, each to be considered as an original by their authorized representative to day and date herein above written.

**Witness for Licensor:**

**CSX TRANSPORTATION, INC.**

By: CSX Real Property, Inc., signing as agent on behalf of CSX Transportation, Inc.

*[Handwritten Signature]*

By: *Ray E. Butts*  
AS ITS DIRECTOR, REAL ESTATE SERVICES  
(CORPORATE SEAL)

I attest to the genuineness of the Corporate Seal, and I further attest that the above named officer is duly authorized to execute this document

ATTEST:

By: *Paul R. Hitchcock*

FEIN: 54-6000720

AS ITS PAUL R. HITCHCOCK  
CORPORATE SECRETARY

RECOMMENDED:

*[Handwritten Signature]*  
STATE UTILITIES ENGINEER

ACCEPTED:

**DEPARTMENT OF TRANSPORTATION**

By: *[Handwritten Signature]*  
COMMISSIONER

Signed, sealed, and delivered this 24th day of October, 2017, in the presence of:

(OFFICIAL SEAL OF THE DEPARTMENT)

I attest that the seal imprinted herein is the Official Seal of the Department

BY: *[Handwritten Signature]*  
TREASURER  
OFFICIAL CUSTODIAN OF THE SEAL



**COMMUNICATIONS CABLE OR FIBER OPTIC LINE PROTECTION RIDER**

This Rider is and shall be a part of Agreement No. CSX833885, and is incorporated therein.

1. No construction of any type pursuant or related in any way to this Agreement shall be commenced by Licensee, or by any agent, representative, contractor, subcontractor of Licensee, without Licensee first giving at least thirty (30) days written notice to the following Parallel Cable Occupier(s):

("Verizon") ATTN:  
Mr. Dean Boyers  
Verizon Business  
Wireline Network Ops & Eng  
400 International Pkwy, Room N/A  
Richardson, TX USA 75081  
Phone No. (469) 886-4238 (Work)  
or dean.boyers@verizon.com

**(NOTE: WRITTEN NOTICE TO VERIZON IS ALSO REQUIRED)**

2. The notice shall be accompanied by drawing(s) showing the general plan, elevation, details and methods of Licensee's proposed construction, and the location of Occupier(s)' cable or facilities in relation to Licensee's proposed construction.

3. Prior to any construction, Licensee must locate and identify, any existing cable, wire or fiber optic line (including any appurtenances thereto) of said cable occupier(s) traversing or located in, on, or immediately adjacent to the proposed Crossing, at Licensee's sole risk.

4. Any changes, alteration, relocation or protection of wire(s), cable(s) or facilities of such Occupier(s), required by said Occupier(s), shall be at Licensee's sole expense except as otherwise negotiated between Licensee and said Occupier(s).

5. Licensee shall be solely responsible and liable for any damage to (e.g., cutting, dislocating, etc.) said wire(s) or cable(s), and appurtenances thereto, resulting in any way from Licensee's exercise of rights or privileges under this Agreement.

6. To the fullest extent permitted by Georgia Law, Licensee shall defend, indemnify and hold Licensors harmless from any such damage claims and any relocation or protection costs of said Occupier(s).

## CONTRACTOR ACCEPTANCE

This Rider is and shall be a part of Agreement CSX836532, and is incorporated therein.

To and for the benefit of CSX Transportation, Inc., ("Railroad") and to induce Railroad to permit Contractor on or about the Railroad's property for the purposes of performing work in accordance with the agreement dated October 27, 2015, between Utility and Railroad, (the "Agreement"), Contractor hereby agrees to abide by and perform all applicable terms of the Agreement, including, but not limited to Sections 3, 9, 10, and 19 of the Agreement, and the Contractor Insurance Requirements listed below.

### CONTRACTOR INSURANCE REQUIREMENTS:

Railroad requires that the following insurance coverage be provided prior to any entry and/or work within Railroad's property and maintained by the Contractor until completion of the work. Railroad or its designee, may at any time request evidence of insurance purchased by Contractor to comply with the Agreement. Securing such insurance shall not limit Contractor's liability under the Agreement but shall be a security therefor.

- (i) Statutory Worker's Compensation and Employers Liability Insurance with available limits of not less than ONE MILLION AND 00/100 U.S. DOLLARS (\$1,000,000.00), which must contain a waiver of subrogation against Railroad and its Affiliates;
- (ii) Commercial General Liability coverage (inclusive of contractual liability) with available limits of not less than FIVE MILLION AND 00/100 U.S. DOLLARS (\$5,000,000.00), naming Railroad, and/or its designee, as additional insured and in combined single limits for bodily injury and property damage and covering the contractual liabilities assumed under the Agreement. The evidence of insurance coverage shall be endorsed to provide for thirty (30) days' notice to Railroad, or its designee, prior to cancellation or modification of any policy. If Contractor's existing CGL policy(ies) do(es) not automatically cover Contractor's contractual liability during periods of survey, installation, maintenance and continued occupation, a specific endorsement adding such coverage shall be purchased by Contractor. If said CGL policy is written on a "claims made" basis instead of a "per occurrence" basis, Contractor shall arrange for adequate time for reporting losses. Failure to do so shall be at Contractor's sole risk;
- (iii) Business automobile liability insurance with available limits of not less than ONE MILLION AND 00/100 U.S. DOLLARS (\$1,000,000.00) combined single limit for bodily injury and/or property damage per occurrence;
- (iv) Such other insurance as Railroad may reasonably require.

Utility may require its Contractor performing the work cover its requirement for Railroad Protective Liability ("RPL") Insurance coverage. In the event Contractor will be responsible for procuring and maintaining RPL the following shall apply:

Contractor shall procure and maintain during the period of construction or demolition operations, at no cost to Railroad, Railroad Protective Liability (RPL) Insurance, naming Railroad, and/or its designee, as Named Insured, written on the current ISO/RIMA Form (ISO Form No. CG 00 35 01 96) with limits of FIVE MILLION AND 00/100 U.S. DOLLARS (\$5,000,000.00) per occurrence for bodily injury and property damage, with at least TEN MILLION AND 00/100 U.S. DOLLARS (\$10,000,000.00) aggregate limit per annual policy period, with Pollution Exclusion Amendment (ISO CG 28 31 11 85) if an older ISO Form CG 00 35 is used. The original of such RPL policy shall be sent to and approved by Railroad prior to commencement of such construction or demolition. Railroad reserves the right to demand higher limits.

At Railroad's option, in lieu of purchasing RPL insurance from an insurance company (but not CGL insurance), Contractor may pay Railroad, at Railroad's current rate at time of request, the cost of adding this Encroachment, or additional construction and/or demolition activities, to Railroad's Railroad Protective Liability (RPL) Policy for the period of actual construction. This coverage is offered at Railroad's discretion and may not be available under all circumstances.

CONTRACTOR: RT HAYDIE & ASSOC. INC  
By: [Signature]  
Name: RT HAYDIE, III  
Title: PRESIDENT  
Date: 2/14/18



**GEORGIA SECURITY AND IMMIGRATION COMPLIANCE ACT AFFIDAVIT**

|                                                                   |                                                                                                                             |
|-------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------|
| <b>Contractor's Name:</b>                                         | CSX Transportation, Inc.                                                                                                    |
| <b>Solicitation/Contract No./Call No. or Project Description:</b> | PI 0012671, CSX833885/1006883, Roosevelt Hwy near Welcome All Rd, Union City, Fulton County, Property Services Encroachment |

**CONTRACTOR AFFIDAVIT**

By executing this affidavit, the undersigned contractor verifies its compliance with O.C.G.A. §13-10-91, stating affirmatively that the individual, entity or corporation which is engaged in the physical performance of services on behalf of the Georgia Department of Transportation has registered with, is authorized to use and uses the federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicable provisions and deadlines established in O.C.G.A. §13-10-91.

Furthermore, the undersigned contractor will continue to use the federal work authorization program throughout the contract period and the undersigned contractor will contract for the physical performance of services in satisfaction of such contract only with subcontractors who present an affidavit to the contractor with the information required by O.C.G.A. §13-10-91(b). Contractor hereby attests that its federal work authorization user identification number and date of authorization are as follows:

3316609  
Federal Work Authorization User Identification Number (EEV/E-Verify Company Identification Number)

6/18/2010  
Date of Authorization

CSXT  
Name of Contractor

**I hereby declare under penalty of perjury that the foregoing is true and correct**

TONY BELLAMY  
Printed Name (of Authorized Officer or Agent of Contractor)

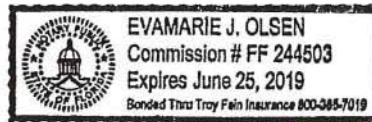
**Tony C. Bellamy**  
**Director Project Management - Public Projects**  
Title (of Authorized Officer or Agent of Contractor)

Tony C. Bellamy  
Signature (of Authorized Officer or Agent)

4/20/17  
Date Signed

SUBSCRIBED AND SWORN BEFORE ME ON THIS THE

20<sup>th</sup> DAY OF April, 2017  
Evamarie J. Olsen  
Notary Public



[NOTARY SEAL]

My Commission Expires: 6/25/2019

# DEPARTMENT OF TRANSPORTATION STATE OF GEORGIA

## PLAN OF PROPOSED TRAFFIC SIGNAL UPGRADES, SR 6 @ 4 LOC US 29/ SR 14 @ 3 LOC, US 29 ALT / SR 14 ALT @ 1 LOC

FEDERAL AID PROJECT

FULTON COUNTY  
 FEDERAL ROUTE • US 29, US 29 ALT  
 STATE ROUTE • SR 6, SR 14, SR 14 ALT  
 P.I. NO. 002671

**NOTE 1:** ALL REFERENCES IN THIS DOCUMENT WHICH INCLUDES ALL PAPER WRITINGS, DRAWINGS, AND SPECIFICATIONS SHALL BE TO THE ORIGINAL DRAWINGS AND SPECIFICATIONS WITH THIS DOCUMENT TO STATE HIGHWAY DEPARTMENT OF GEORGIA, STATE HIGHWAY DEPARTMENT, GEORGIA STATE HIGHWAY DEPARTMENT, "HIGHWAY DEPARTMENT," OR "DEPARTMENT" WHEN THE CONTEXT THEREOF MEANS THE STATE HIGHWAY DEPARTMENT OF GEORGIA AND SHALL BE DEEMED TO MEAN THE DEPARTMENT OF TRANSPORTATION.



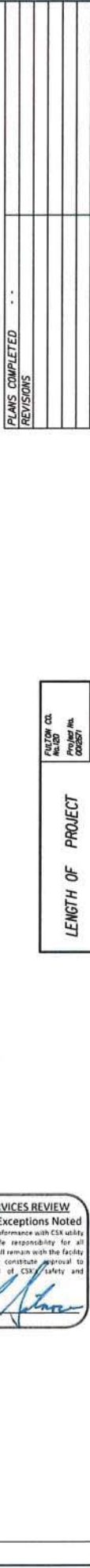
**DESIGN DATA:**  
 TRAFFIC ADT.: N/A  
 TRAFFIC ADT.: N/A  
 TRAFFIC D.H.V.: N/A  
 DIRECTIONAL DIST.: N/A  
 % TRUCKS: N/A  
 24 HR TRUCKS %: N/A  
 SPEED DESIGN: VARIES

**LOCATION & DESIGN APPROVAL DATE:**  
 FUNCTIONAL CLASS: VARIES  
 THIS PROJECT IS 100% IN FULTON COUNTY AND IS 50% IN CONG. DIST. NO. 13 AND 50% IN CONG. DIST. NO. 13  
 PROJECT DESIGNATION: EXEMPT DESIGNED IN ENGLISH UNITS.

THIS PROJECT HAS BEEN PREPARED USING THE HORIZONTAL GEORGIA COORDINATE SYSTEM OF 1984 (NAD 83) WITH WEST ZONE AND THE NORTH AMERICAN VERTICAL DATUM (NAVD) OF 1988.

**CSX PROPERTY SERVICES REVIEW**  
 No Exceptions  Exceptions Noted  
 This review is for the general conformance with CSX utility design specifications only. Sole responsibility for all aspects of the overall design shall remain with the facility owner. This review does not constitute approval to proceed without meeting all of CSX safety and contractual requirements.  
 BY: *Anthony C. Johnson*

CONGRESSIONAL DISTRICT 13:  
 CONGRESSIONAL DISTRICT 5:



| LENGTH OF PROJECT        | FULTON CO. PROJECT NO. 002671 | MILES |
|--------------------------|-------------------------------|-------|
| NET LENGTH OF ROADWAY    |                               | 100   |
| NET LENGTH OF BRIDGES    |                               | 00    |
| NET LENGTH OF PROJECT    |                               | 100   |
| NET LENGTH OF PROVISIONS |                               | 100   |
| GROSS LENGTH OF PROJECT  |                               | 100   |

THE DATA TOGETHER WITH ALL OTHER INFORMATION SHOWN ON THESE PLANS OR IN ANY OTHER DRAWINGS OR SPECIFICATIONS OR IN ANY OTHER MANNER ARE BASED UPON THE INFORMATION PROVIDED TO THE ENGINEER AND THE ENGINEER HAS NOT CONDUCTED A FIELD SURVEY TO VERIFY THE INFORMATION. THE ENGINEER HAS NOT CONDUCTED A FIELD SURVEY TO VERIFY THE INFORMATION. THE ENGINEER HAS NOT CONDUCTED A FIELD SURVEY TO VERIFY THE INFORMATION. THE ENGINEER HAS NOT CONDUCTED A FIELD SURVEY TO VERIFY THE INFORMATION.

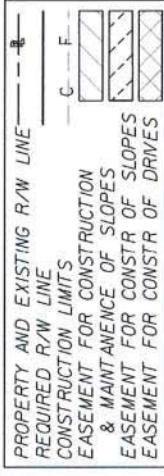


EXISTING UTILITIES

- EX. OH ELECTRIC
- EX POWER POLE
- EX TRANSFORMER
- EX.UG ELECTRIC
- EX GAS LINE
- EX GAS METER
- EX GAS VALVE
- EX WATER LINE
- EX FIRE HYDRANT
- EX WATER METER
- EX WATER VALVE
- EX SANITARY SEWER
- EX SS MANHOLE
- EX TELEPHONE MH
- EX OH TELEPHONE
- EX TELEPHONE POLE
- EX UG TELEPHONE
- EX OH CABLE TV
- EX UG CABLE TV
- EX STORM DRAIN
- EX CATCH BASIN
- EX DROP INLET
- EX SD MANHOLE

EXISTING SIGNAL

- CONTROLLER CABINET
- STRAIN POLE
- TIMBER POLE
- DOWN GUY
- MAST ARM
- STREET LIGHT
- 3 SECTION HEAD
- 5 SECTION HEAD
- OVERHEAD SIGN
- PEDESTAL POLE
- PED SIGNAL HEAD
- CURB CUT RAMP
- PULLBOX, TP 1
- PULLBOX, TP 2
- PULLBOX, TP 4
- PULLBOX, TP 5
- 6x6 PULSE LOOP
- 6x18 CALL LOOP
- 6x40 PRESENCE LOOP (DIPOLE)
- 6x40 PRESENCE LOOP (QUADRUPOLE)
- CONDUIT
- RAILROAD CONTROLLER
- SIGN POST
- SPAN WIRE BOX



PROPOSED SIGNAL

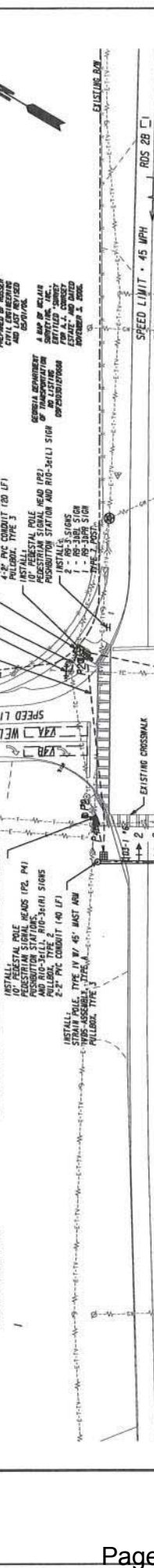
- CONTROLLER CABINET
- STRAIN POLE
- TIMBER POLE
- DOWN GUY
- MAST ARM
- LUMINAIRE ARM FOR VIDEO DETECTION
- STREET LIGHT
- 3 SECTION HEAD
- 3 SECTION HEAD W/ BACKPLATE
- 4 SECTION HEAD W/ BACKPLATE
- 5 SECTION HEAD
- 5 SECTION HEAD W/ BACKPLATE
- OVERHEAD SIGN
- PEDESTAL POLE
- PED SIGNAL HEAD
- CURB CUT RAMP
- PULLBOX, TP 1
- PULLBOX, TP 2
- PULLBOX, TP 3
- PULLBOX, TP 4
- PULLBOX, TP 5
- VIDEO DETECTION ZONE (SIZE VARIES)
- 6x6 PULSE LOOP
- 6x18 CALL LOOP
- 6x40 PRESENCE LOOP (DIPOLE)
- 6x40 PRESENCE LOOP (QUADRUPOLE)
- CONDUIT
- RAILROAD CONTROLLER
- SIGN POST
- VIDEO DETECTION CAMERA
- RADAR DETECTION SYSTEM
- WIRELESS MAGNETOMETER

|                |                                                                                                          |                                                             |
|----------------|----------------------------------------------------------------------------------------------------------|-------------------------------------------------------------|
|                | 3340 Peachtree Rd. NE<br>Suite 2400, Tower Place 100<br>Atlanta, GA 30326-1087<br>Office: (404) 237-2115 | STATE OF GEORGIA<br>DEPARTMENT OF TRANSPORTATION<br>OFFICE: |
| 27-001         |                                                                                                          | SIGNAL PLANS<br>LEGEND                                      |
| REVISION DATES |                                                                                                          |                                                             |

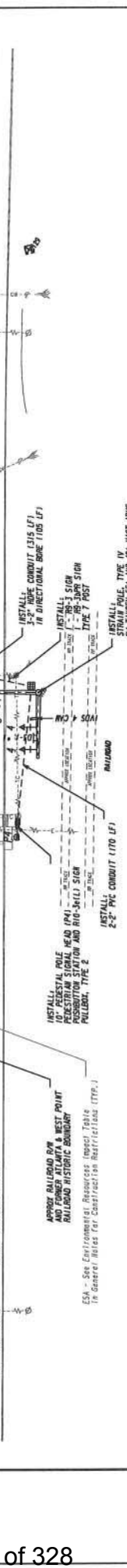
LED SIGNAL HEADS W/ RETRO-REFLECTIVE BACKPLATES



REGULATORY SIGNS



PHASING DIAGRAM



OVERHEAD STREET NAME SIGNS  
 Welcome All Rd →  
 ← Welcome All Rd  
 29 Roosevelt Hwy  
 D3-1 (\*#1) D3-1 (\*#5) D3-1 (\*#6)

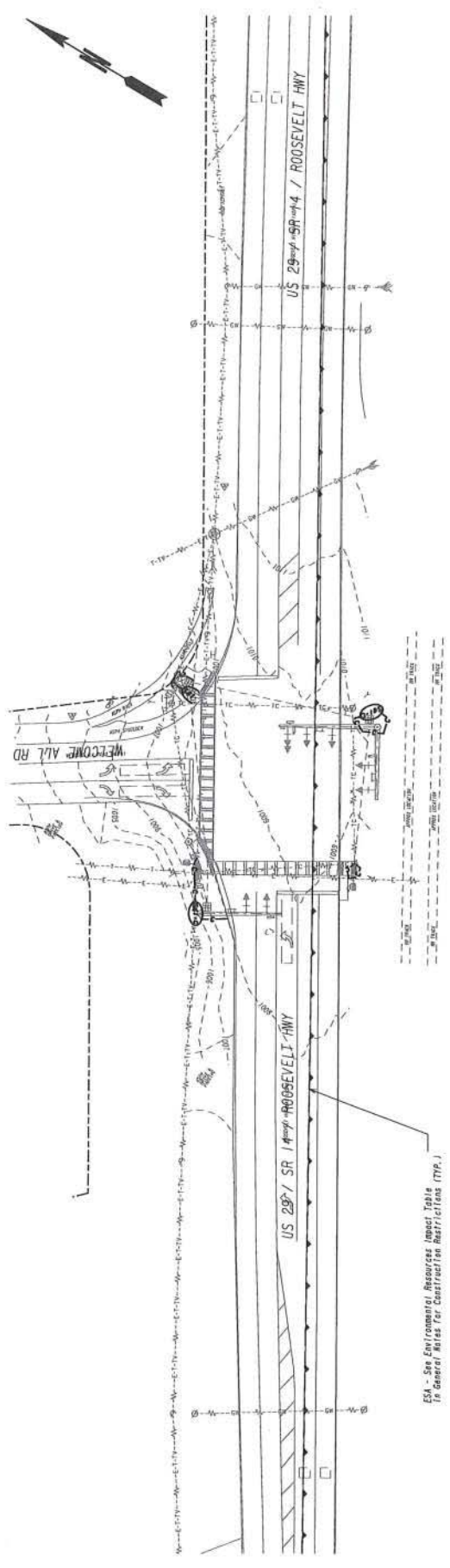
SCALE IN FEET  
 0 30 60 120

3340 Peachtree Rd, NE  
 Suite 2400, Tower Place 100  
 Atlanta, GA 30326-1087  
 Office: (404) 237-2115

STATE OF GEORGIA  
 DEPARTMENT OF TRANSPORTATION  
 OFFICE:  
 SIGNAL PLANS  
 US 29 / SR 14 INSTALLATION \*3  
 @ WELCOME ALL RD  
 DRAWING NO. 27-010


CSX PROPERTY SERVICES REVIEW  
 No Exceptions  Exceptions Noted  
 This review is for the general conformance with CSX utility design specifications only. Sole responsibility for all aspects of the overall design shall remain with the facility owner. This review does not constitute approval to proceed without meeting all of CSX safety and contractual requirements.  
 By: *Anthony C. [Signature]*





ESA - See Environmental Resources Report Table  
 in General Notes For Construction Restrictions (TYP.)

**CSX PROPERTY SERVICES REVIEW**  
 No Exceptions  Exceptions Noted  
 This review is for the general conformance with CSX utility design specifications only. Sole responsibility for all aspects of the overall design shall remain with the facility owner. This review does not constitute approval to proceed without meeting all of CSX safety and contractual requirements.  
 BY: *Matthew C. Jones*

|                                                                                                  |                                                                                   |                   |                                                                                                                                                                                                |                                        |                              |
|--------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|------------------------------|
| STATE OF GEORGIA<br>DEPARTMENT OF TRANSPORTATION<br>OFFICE:<br>US 29 / SR 14<br>@ WELCOME ALL RD | REVISION DATES                                                                    | SCALE IN FEET<br> |  3340 Peachtree Rd. NE<br>Suite 2400, Tower Place 100<br>Atlanta, GA 30326-1087<br>Office: (404) 237-2115 | SILT FENCE TYPE C<br>-C-C-C-C-C-C-C-C- | DRAWING NO.<br><b>54-003</b> |
|                                                                                                  | PROJECT NUMBER: 001871<br>STATE: GA<br>SHEET NO.: 03/25/2017<br>TOTAL SHEETS: 108 |                   |                                                                                                                                                                                                |                                        |                              |

**GOVERNMENT OF THE CITY OF SOUTH FULTON**

Office of the City Manager

WILLIAM "BILL" EDWARDS  
MAYOR



ODIE DONALD II  
CITY MANAGER

**MEMORANDUM**

**TO:** Council Approval of Resolution Naming Voting Delegate and Alternate

**FROM:** Frank Milazi

**DATE:** May 14, 2019

**SUBJECT:** Council Approval of Resolution Naming Voting Delegate and Alternate

**REFERENCE:**

---

**CONCLUSION:**

The annual GMA Conference will be held June 21 - 26, 2019 in Savannah, GA. The annual business meeting will be held on Monday, June 24, 2019 at 8:30am.

The Parade of Flags ceremony will be held on Sunday, June 23, 2019 at 3:30pm.

**BACKGROUND:**

**FISCAL IMPACT:**

**ATTACHMENTS:**

| Description                     | Type       | Upload Date |
|---------------------------------|------------|-------------|
| Resolution GMA Voting Delegates | Cover Memo | 5/9/2019    |

1 **STATE OF GEORGIA**  
2 **COUNTY OF FULTON**  
3 **CITY OF SOUTH FULTON**

\_\_\_\_\_

4  
5  
6  
7  
8 **A RESOLUTION OF THE CITY OF SOUTH FULTON NAMING A VOTING DELEGATE**  
9 **AND ALTERNATE FOR THE 2019 ANNUAL GMA CONVENTION**

10  
11  
12 **BE IT FURTHER RESOLVED**, by the Mayor and City Council the governing  
13 authority of the City of South, that \_\_\_\_\_ is hereby  
14 appointed to serve as the City's Voting Delegate during the 2019 Annual Convention of  
15 the Georgia Municipal Association, with authority to cast all votes to which this City is  
16 entitled and that \_\_\_\_\_ is appointed as the Alternate Voting  
17 Delegate.

18 **RESOLUTION** adopted this \_\_\_\_\_ day of \_\_\_\_\_ 2019.

19  
20 **CITY OF SOUTH FULTON**

21  
22  
23  
24 \_\_\_\_\_  
25 William "Bill" Edwards, Mayor

26  
27  
28 APPROVED AS TO FORM:

29  
30  
31 \_\_\_\_\_  
32 Emilia C. Walker, City Attorney

33  
34  
35 ATTEST:

36  
37  
38 \_\_\_\_\_  
39 S. Diane White, City Clerk

# VOTING DELEGATE FORM

**Annual Membership Business Meeting  
2019 GMA Annual Convention**

**Monday, June 24, 2019 – 8:30 am  
Savannah International Trade and Convention Center  
Chatham Ballroom  
Savannah, Georgia**

City: \_\_\_\_\_

Voting Delegate: \_\_\_\_\_ Title: \_\_\_\_\_

Proxy \_\_\_\_\_ Title \_\_\_\_\_

*(Each member city may designate in writing an elected official from any other member city to vote as their proxy at the membership business meeting. Often, cities designate the GMA President or one of the Vice Presidents as their proxy for the membership business meeting.)*

**Please return by May 31 to:**

Georgia Municipal Association  
P.O. Box 105377  
Atlanta, Georgia 30348  
Attention: Janice Eidson

or scan and email to [jeidson@gmanet.com](mailto:jeidson@gmanet.com)

## Parade of Flags

Our opening General Session at the Annual Convention will again feature the "Parade of Flags". If your city would like to participate and show off your city flag, please fill out the form below and return to Janice Eidson by May 31 so that we may include your city in the list of participating cities in the Convention Program. If your city is participating you will need to bring your city flag, a flagpole and a flag stand. You will also need to appoint someone to be your flag bearer for the ceremony. All participants will need to be at the Savannah International Trade and Convention Center with their flag on Sunday afternoon, June 23 at 3:00 pm, which is 30 minutes before the General Session is scheduled to begin. We will keep the flags posted for all to view throughout the convention, but please don't forget to get your flag before you leave Savannah.

We are also including contact information for those cities that want to participate but do not yet have a flag. These companies are GMA Friends of Georgia's Cities or advertisers and will be happy to assist you.

Margot Morris-Dawkins  
Atlanta Advertising Novelty Co.  
14 Lenox Pointe, NE  
Atlanta, GA 30324  
404-264-1600

Greg Fulwood  
Universal Concepts  
P.O. Box 56  
Cumming, GA 30028  
800-522-0718

## Parade of Flags Registration

Name of City: \_\_\_\_\_

Contact person: \_\_\_\_\_

Phone number: \_\_\_\_\_ Email: \_\_\_\_\_

Address: \_\_\_\_\_

---

Return to: Janice Eidson  
Georgia Municipal Association  
PO Box 105377  
Atlanta, GA 30348

or scan and email to [jeidson@gmanet.com](mailto:jeidson@gmanet.com)



**GOVERNMENT OF THE CITY OF SOUTH FULTON**

Office of the City Manager

WILLIAM "BILL" EDWARDS  
MAYOR



ODIE DONALD II  
CITY MANAGER

**MEMORANDUM**

**TO:** Council Approval of Amending Resolution 2019-012 Zoning Moratorium

**FROM:** Frank Milazi

**DATE:** May 14, 2019

**SUBJECT:** Council Approval of Amending Resolution 2019-012 Zoning Moratorium

**REFERENCE:**

---

**CONCLUSION:**

Zoning Moratorium for Districts 3, 5 and 6 would like to extend the moratorium for an additional Sixty (60) days.

**BACKGROUND:**

**FISCAL IMPACT:**

**ATTACHMENTS:**

| Description                  | Type       | Upload Date |
|------------------------------|------------|-------------|
| Resolution Zoning Moratorium | Cover Memo | 5/9/2019    |

1 **STATE OF GEORGIA**  
2 **COUNTY OF FULTON**  
3 **CITY OF SOUTH FULTON**

---

4  
5  
6 **A RESOLUTION BY THE CITY OF SOUTH FULTON, GEORGIA, SETTING FORTH A**  
7 **ZONING AND DEVELOPMENT MORATORIUM PERTAINING TO CITY DISTRICTS**  
8 **THREE THROUGH SIX AND FOR OTHER LAWFUL PURPOSES.**

9  
10 **(Sponsored by Councilperson Willis)**

11  
12 **WHEREAS**, the City of South Fulton (“City”) is a municipal corporation duly  
13 organized and existing under the laws of the State of Georgia;

14  
15 **WHEREAS**, the duly elected governing authority of the City, is the Mayor and  
16 Council thereof (“City Council”);

17 **WHEREAS**, the City has been vested with the power and authority to regulate the  
18 practice, conduct or use of property for the purposes of maintaining health, morals, safety,  
19 security, peace and the general welfare of the City;

20  
21 **WHEREAS**, Georgia cities are authorized to impose moratoria on zoning  
22 decisions, permits and other development approvals. *See City of Roswell et al v. Outdoor*  
23 *Systems, Inc.*, 274 Ga. 130 (2001); *Lawson v. Macon*, 214 Ga. 278 (1958); *Taylor v.*  
24 *Shetzen*, 212 Ga. 101;

25  
26 **WHEREAS**, the City has found that the interests of the public necessitate the  
27 enactment of a moratorium for health, safety, morals and general welfare purposes by  
28 means which are reasonable and not unduly oppressive;

29  
30 **WHEREAS**, the City Council, as a part of planning, zoning and growth  
31 management, is in process of assessing the City’s comprehensive land use plan  
32 (“Comprehensive Plan”) and zoning regulations (“Zoning Code”), and studying the type  
33 of development which could be anticipated within the City;

34  
35 **WHEREAS**, the City Council deems it important to develop a Comprehensive Plan  
36 and Zoning Code which enhances safe, healthy and positive development and therefore  
37 consider this moratorium a proper exercise of its police powers;

38  
39 **WHEREAS**, the City Council has a strong interest in growth management so as to  
40 promote the traditional police power goals of health, safety, morals, aesthetics and the  
41 general welfare of the community; in particular, the lessening of congestion on City  
42 streets, security of the public from crime and other dangers, promotion of health and  
43 general welfare of its citizens, protection of the aesthetic qualities of the City including

44 access to air and light, and facilitation of the adequate provision of transportation and  
45 other public requirements;

46  
47 **WHEREAS**, the City Council finds that the concept of "public welfare" is broad and  
48 inclusive; that the values it represents are spiritual as well as physical, aesthetic as well  
49 as monetary; and that it is within the power of the City "to determine that a community  
50 should be beautiful as well as healthy, spacious as well as clean, well balanced as well  
51 as carefully patrolled," *Berman v. Parker*, 348 U.S. 26 (1954); *Kelo v. City of New London*,  
52 545 U.S. 469 (2005);

53  
54 **WHEREAS**, the City Council finds that "general welfare" includes the valid public  
55 objectives of aesthetics, conservation of the value of existing lands and buildings within  
56 the City, making the most appropriate use of resources, preserving neighborhood  
57 characteristics, enhancing and protecting the economic well-being of the community,  
58 facilitating adequate provision of public services, and the preservation of the resources of  
59 the City;

60  
61 **WHEREAS**, the City Council considers it paramount that land use regulations  
62 continue in the most orderly and predictable fashion with the least amount of disturbance  
63 to landowners and to the citizens of the City;

64  
65 **WHEREAS**, this moratorium is enacted as a limited measure to preserve the status  
66 quo pending the City's review of its Comprehensive Plan and Zoning Code;

67  
68 **WHEREAS**, additionally the current Comprehensive Plan includes goals to protect  
69 natural resources, and the agricultural and rural character of District Four, however, the  
70 protection requires enhancement to the physical appearance and development design  
71 controls while maintaining the agricultural area as agricultural only and protecting  
72 environmentally sensitive lands;

73  
74 **WHEREAS**, as such, District Four desires to review the Cedar Grove Agricultural  
75 overlay to ensure that is it up to date given residential development within the past ten  
76 years, changing residential demands and the infrastructure needs of the district. The  
77 review will occur during the review of the zoning code and map;

78  
79 **WHEREAS**, the City desires to impose a six (6) month moratorium as set forth  
80 herein to allow the Planning Commission, City staff and an appointed citizen's committee  
81 time to study these matters in conjunction with a consultant who will, finalize their  
82 recommendations, and propose revisions to better achieve the goals of the City for its  
83 own Comprehensive Plan designed by it before additional development occurs that may  
84 be contrary to the goals in its zoning code, map and Comprehensive Plan;

85



126 staff, boards and commissions ("City staff") of applications and/or petitions for  
127 any group home, halfway house, boarding house, transitional house and/or  
128 rooming house within Districts Three, Four, Five and Six for 60 days from the  
129 date of adoption of this Resolution.

130  
131 (b) **District Four.** In addition, there is hereby imposed a moratorium on the  
132 acceptance and/or processing by City staff of applications, petitions and/or  
133 requests for approval and construction of development in CUP zoned land in  
134 City District Four which is adjacent to land zoned as agricultural, from the date  
135 of the adoption of this Resolution through September 30, 2019. This paragraph  
136 does not apply to pending and/or approved building permit applications  
137 accepted for review by the City prior to the effective date of this Resolution.

138  
139 (c) This moratorium shall have no effect upon approvals or permits previously  
140 issued or as to development plans previously approved by the City.

141  
142 (d) The provisions of this Resolution shall not affect the issuance of permits or site  
143 plan reviews that have received preliminary or final approval by the City on or  
144 before the effective date of this Resolution.

145  
146 (e) As of the effective date of this Resolution, any action taken by any City  
147 employee, representative or agent which is contrary to this Resolution will be  
148 deemed in error, null and void and of no effect whatsoever and shall constitute  
149 no assurance whatsoever of any right to engage in any act, and any action in  
150 reliance on any such action shall be unreasonable.

151 **Section 3.**

152 **VESTED RIGHTS**

153 The following procedures shall be put in place immediately. Under *Cannon v.*  
154 *Clayton County*, 255 Ga. 63 (1985); *Meeks v. City of Buford*, 275 Ga. 585 (2002); *City of*  
155 *Duluth v. Riverbroke Props.*, 233 Ga. App. 46 (1998), the Supreme Court stated, "Where  
156 a landowner makes a substantial change in position by expenditures and reliance on the  
157 probability of the issuance of a building permit, based upon an existing zoning resolution  
158 and the assurances of zoning officials, he acquires vested rights and is entitled to have  
159 the permit issued despite a change in the zoning resolution which would otherwise  
160 preclude the issuance of a permit." Pursuant to this case, the City recognizes that,  
161 unknown to the City, de facto vesting may have occurred. The following procedures are  
162 established to provide exemptions from the moratorium where vesting has occurred:  
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164 A written application, including verified supporting data, documents and facts, may  
165 be made requesting a review by the Mayor and Council at a scheduled meeting of any  
166 facts or circumstances which the applicant feels substantiates a claim for vesting and the  
167 grant of an exemption.

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170 **Section 4.** It is hereby declared to be the intention of the Mayor and Council that: (a)  
171 All sections, paragraphs, sentences, clauses and phrases of this Resolution are or were,  
172 upon their enactment, believed by the City Council to be fully valid, enforceable and  
173 constitutional.

174 (b) To the greatest extent allowed by law, each and every section, paragraph, sentence,  
175 clause or phrase of this Resolution is severable from every other section, paragraph,  
176 sentence, clause or phrase of this Resolution. No section, paragraph, sentence, clause  
177 or phrase of this Resolution is mutually dependent upon any other section, paragraph,  
178 sentence, clause or phrase of this Resolution.

179 (c) In the event that any phrase, clause, sentence, paragraph or section of this Resolution  
180 shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise  
181 unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is  
182 the express intent of the City Council that such invalidity, unconstitutionality or  
183 unenforceability shall, to the greatest extent allowed by law, not render invalid,  
184 unconstitutional or otherwise unenforceable any of the remaining phrases, clauses,  
185 sentences, paragraphs or sections of the Resolution.

186 **Section 5.** All prior City zoning moratoriums are hereby concluded and replaced by  
187 this moratorium. In addition, all Resolutions and parts of Resolutions in conflict herewith  
188 are hereby expressly repealed.

189 **Section 6.** The city attorney and city clerk are authorized to make non-substantive  
190 editing and renumbering revisions to this Resolution for proofing, codification, and  
191 supplementation purposes. The final version of all ordinances shall be filed with the city  
192 clerk.

193 **Section 7.** The effective date of this Resolution shall be March 19, 2019, the date of  
194 adoption, unless provided otherwise by the City Charter or state and/or federal law.

195  
196 **Section 8. Instruction to City Clerk:** The City Clerk is hereby directed to circulate  
197 a copy of this Resolution to the Director of the City Department of Community and  
198 Regulatory Affairs and contracted Zoning Consultants promptly following its adoption.  
199 THIS RESOLUTION adopted this \_\_\_\_\_ day of \_\_\_\_\_ 2019.

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202 **CITY OF SOUTH FULTON, GEORGIA**

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WILLIAM "BILL" EDWARDS, MAYOR

ATTEST:

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S. DIANE WHITE, CITY CLERK

APPROVED AS TO FORM:

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EMILIA C. WALKER, CITY ATTORNEY

222 The foregoing RESOLUTION No. 2019-\_\_\_\_\_, adopted on \_\_\_\_\_  
223 was offered by Councilmember \_\_\_\_\_, who moved its approval. The motion  
224 was seconded by Councilmember \_\_\_\_\_, and being put to a vote, the result  
225 was as follows:

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William "Bill" Edwards, Mayor  
Mark Baker, Mayor Pro Tem  
Catherine Foster Rowell  
Carmalitha Lizandra Gumbs  
Helen Zenobia Willis  
Gertrude Naeema Gilyard  
Rosie Jackson  
khalid kamau

|  | AYE   | NAY   |
|--|-------|-------|
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