



City of South Fulton, Georgia

5440 Fulton Industrial Blvd.
South Fulton, GA 30336
Phone: 470-552-4311
cityofsouthfultonga.gov

Agenda

City Council Work Session

The Honorable khalid kamau, Mayor
The Honorable Catherine F. Rowell, District 1
The Honorable Carmalitha Gumbs, District 2
The Honorable Helen Z. Willis, District 3
The Honorable Jaceey Sebastian, District 4
The Honorable Keosha B. Bell, District 5
The Honorable Natasha Williams-Brown, District 6
The Honorable Linda B. Pritchett, District 7

Tuesday, August 27, 2024

4:00 PM

**Southwest Arts Center, 915
New Hope Rd. SW, South
Fulton, GA 30331**

SOUTH FULTON CITY COUNCIL MISSION STATEMENT:

To provide exceptional customer service that sustains a safe, inclusive, innovative, and an economically vibrant city.

Live-stream:	Public Meeting Portal (CivicClerk): https://southfultonga.civicclerk.com
Public Comment:	https://www.cityofsouthfultonga.gov/3074/Public-Comment-at-Council-Meetings

I. Meeting Called to Order - Mayor khalid

II. Roll Call - Corey Adams, City Clerk

III. Presentations

- A. Wellspring Living Project - Presented by Christian Murphy, CEO (Sponsored by Councilmember Helen Willis)
- B. 2024 - 2025 Employee Benefits Renewal - Presented by Patricia Redfern, Director, Human Resources Department
- C. Discussion: City of South Fulton Boards and Commissions - Presented by Corey Adams, City Clerk and Carmen Davis, Assistant City Manager

IV. Adjournment of Meeting



Wellspring Living Tree Recompense Request

August 20, 2024

Kimley»Horn

Expect More. Experience Better.



Wellspring Living



The Problem

Human Trafficking is estimated to be a **\$150 billion industry worldwide.**

Traffickers don't target people. **Traffickers target vulnerabilities:**

Past Trauma or Abuse | Housing Instability | Substance Use | Mental Health | Poverty

In order to address and prevent trafficking, we must serve survivors with a comprehensive system of support that addresses their **wide range of vulnerabilities.**

83%

of survivors are brought into trafficking by a partner, close friend or family member¹

64%

of victims are experiencing homelessness when recruited into a trafficking situation

62%

of survivors struggled with alcohol, illicit or prescription drug use in their past¹

75%

of trafficking survivors describe access to mental healthcare or behavioral health services as a top need¹

72%

of survivors experienced food insecurity during their childhood¹

35%

of children who are victimized by sexual exploitation are boys² ITS NOT JUST GIRLS.



1 Source: Polaris Project, 2022, 2 Source: Polaris Project, 2021

Transforming the lives of those at risk or victimized by sexual exploitation



Our Approach

Wellspring Living serves survivors and those at risk (ages 12+) through a comprehensive, trauma-informed, survivor-centered approach that covers **THE FULL SPECTRUM OF NEEDS.**

OUR PILLARS



Housing

A stable foundation for focused recovery.

Housing creates a path toward independence and family reunification.



Healing

A critical step to trauma recovery.

If true healing does not occur, survivors will likely return to the life.



Education

Opens doors to financial empowerment.

Survivors with a GED or diploma are more likely to achieve living wage employment.

Our Approach

Founded on these **three pillars**, Wellspring Living serves women & children who have survived trafficking and/or faced associated vulnerabilities that could lead to trafficking (past trauma, homelessness, criminal records, etc)

OUR PROGRAMS

RESIDENTIAL PROGRAMS

WOMEN’S RESIDENTIAL PROGRAM (Est 2001)

GIRLS RESIDENTIAL PROGRAM (Est 2008)

RECEIVING HOPE CENTER (Est. 2020)
90 day critical care facility serving **youth of all genders** and the **first** facility of its type in Georgia

POST PROGRAM SERVICES

POST-PROGRAM CASE MANAGEMENT

Follow-up services w/ access to housing support vouchers, & therapy, at no cost

THE BRIDGE APARTMENTS (Est 2021)
Transitional housing for past participants & their children

COMMUNITY-BASED PROGRAMS

THE TRAINING INSTITUTE (Est. 2010)
Training, mentorship and advocacy tools to individuals and organizations across the USA

WOMEN’S ACADEMY (Est. 2014)
GED and career training for women



Since 2001, Wellspring Living has **directly supported over 2,400** domestic sex trafficking survivors and those at risk on their path to **self-sufficiency** through our proven, industry-leading approach.



Transforming the lives of those at risk or victimized by sexual exploitation



Expanded Impact

Yet, there are still many unmet needs, particularly related to *long term housing, advocate education and career development.*



The Welcome Home Campaign will create a new 8 acre campus in Atlanta, Georgia, providing community, therapy and most importantly a safe space for survivors to call home on their journey to wholeness.



The 8 acre campus will house the Youth Residential Program, Education & Activities Building and 18 tiny homes for program graduates and their children. It will also serve as a home for the Wellspring Living Women’s Academy and provide wraparound services such as therapy, utility & housing assistance, a food pantry and clothing boutique for graduates.

Multi-Generational Impact



Youth of All Genders



Education



Therapy



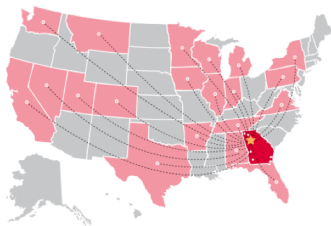
Stable Housing



Career preparation & life-skills classes



National Model



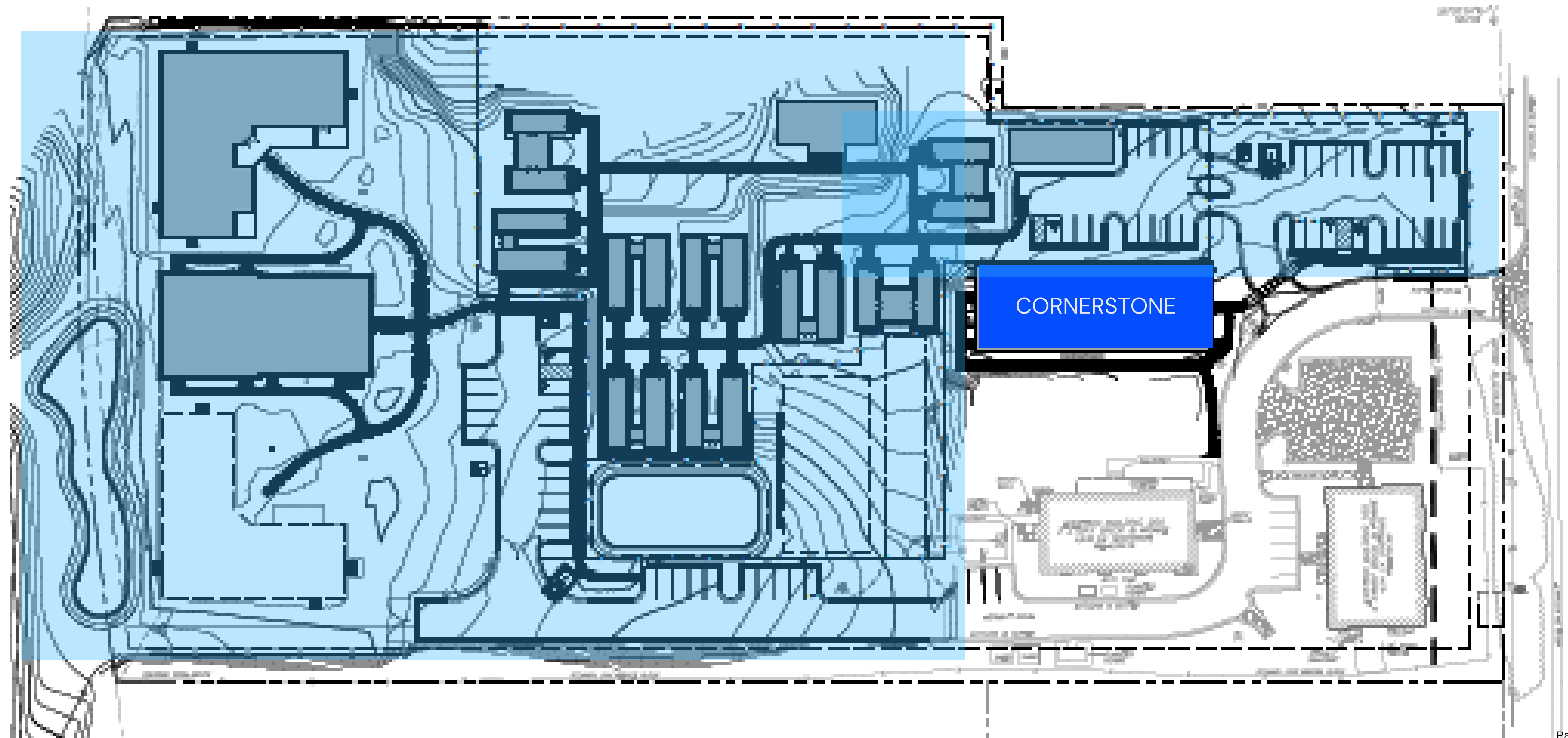
The expanded campus will also serve as home for the Wellspring Living Institute and act as a **national model** for anti-trafficking organizations across the country.



Transforming the lives of those at risk or victimized by sexual exploitation

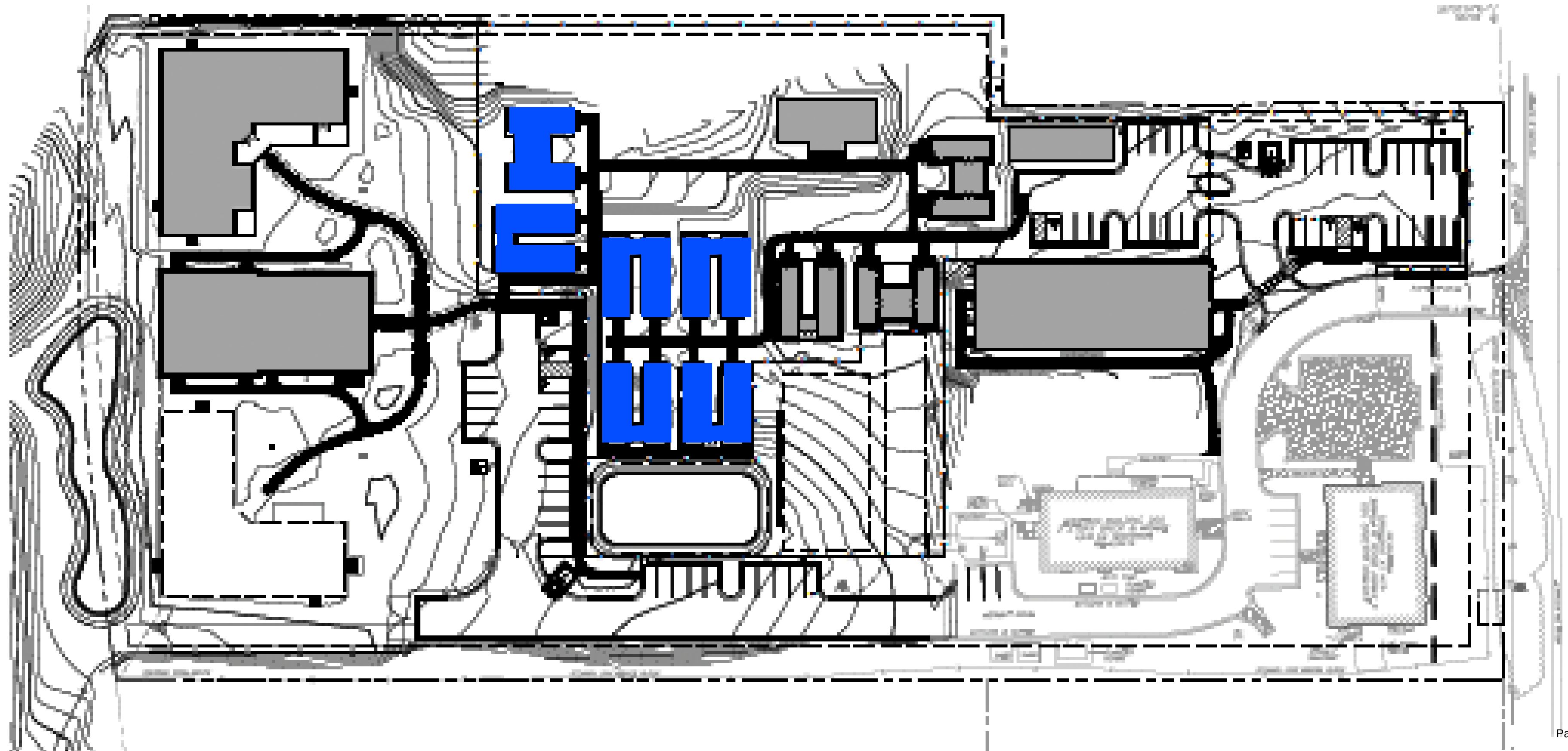


Phase I – Sitework and Cornerstone Building



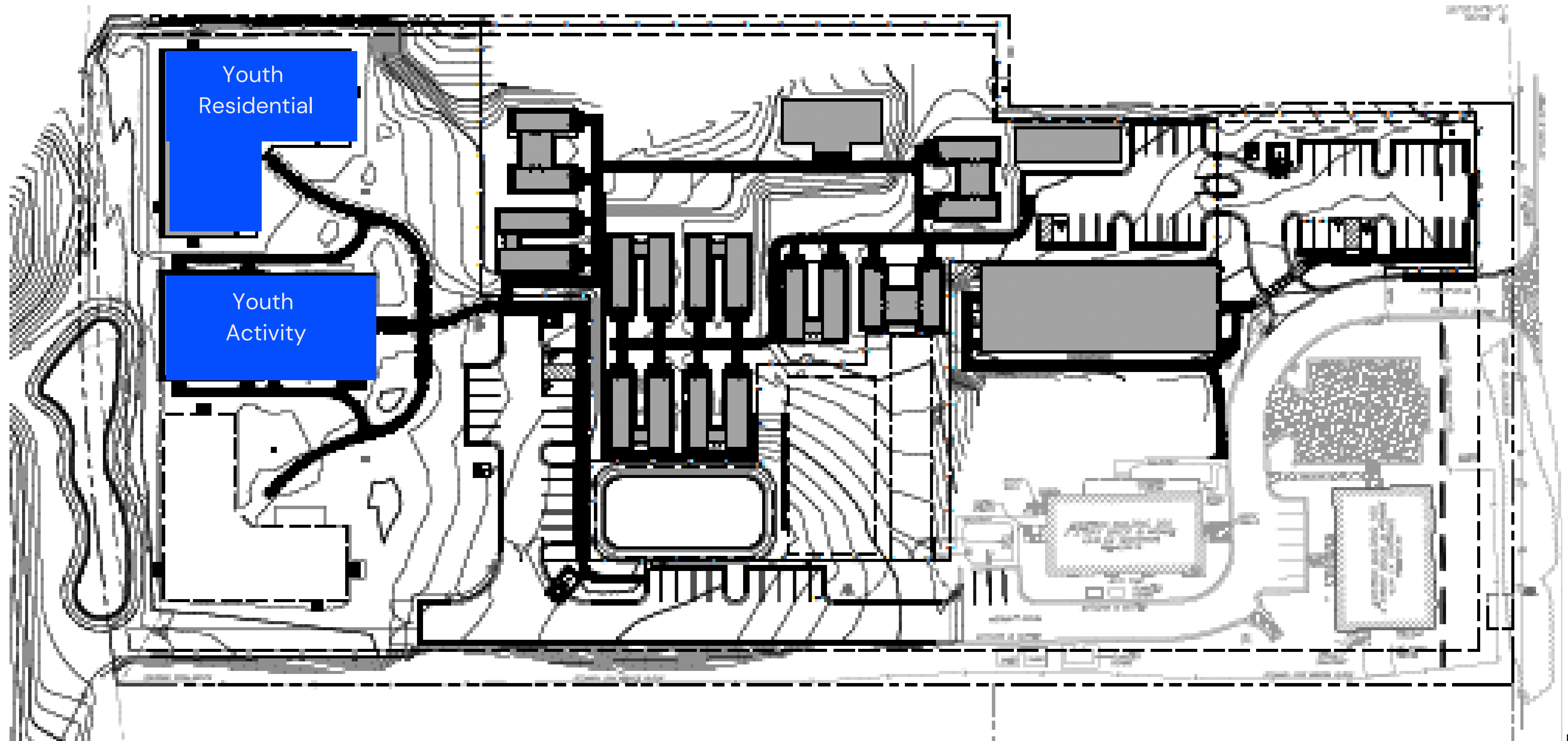
Phase II – Six Tiny Home Pods

Target Start Date – 02/01/2025



Phase III – Youth Buildings

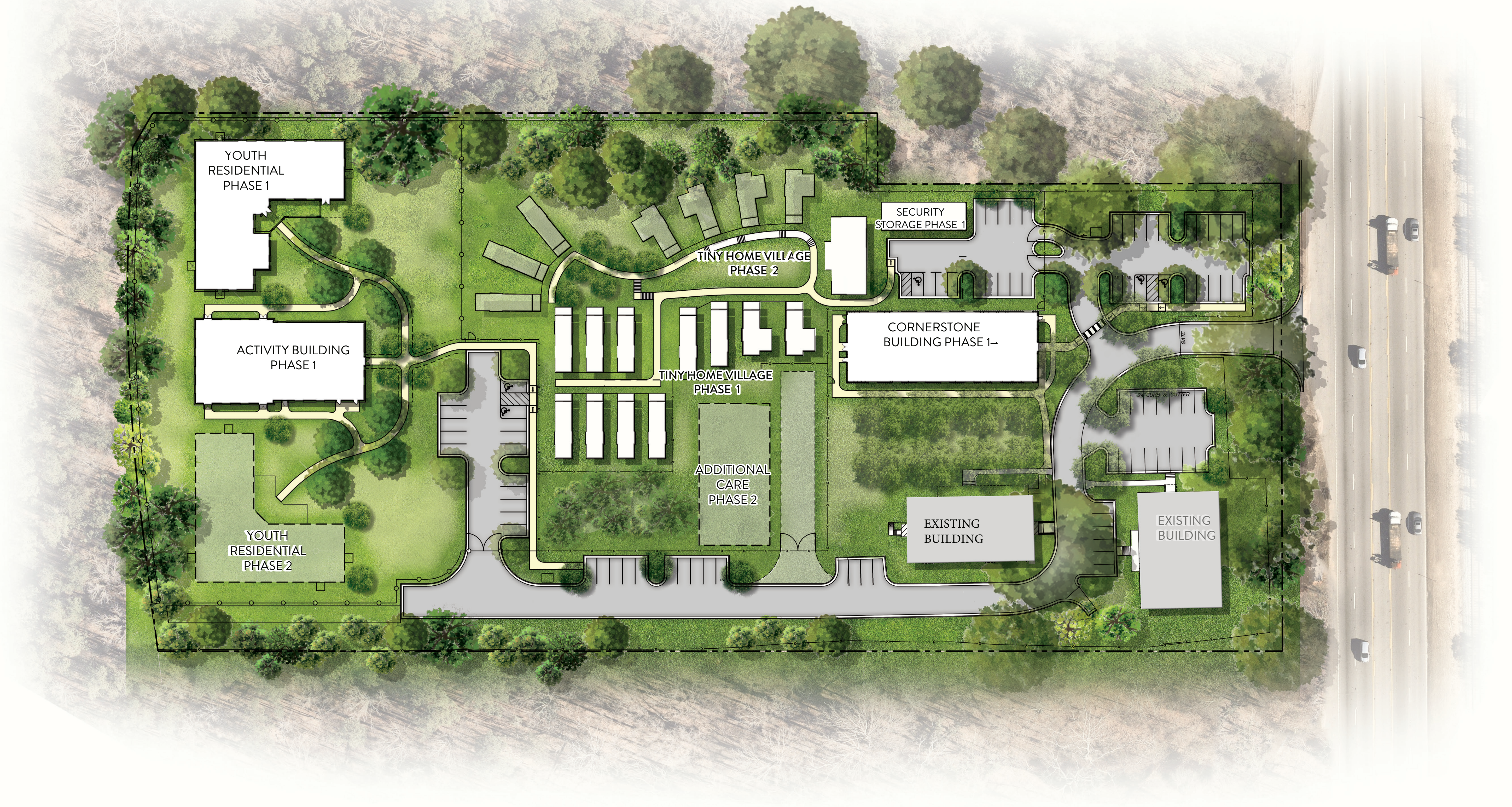
Target Start Date – 08/15/2025



Our Request

As we expand our property in South Fulton to serve more women and children, it is our hope to preserve as many trees as possible across the property. We kindly request that the City of South Fulton waive the tree recompense fee for our project.

- We completed a tree study in 2023
- Specimen tree removal was carefully and thoughtfully included in the design. Wellspring values existing tree canopy and attempted to save as many specimen trees as possible without compromising the budget and program.
- As many trees as possible were planted on site without interfering with site security which is extremely critical for Wellspring residents.
- By being exempt from tree recompense payments, Wellspring can allocate more resources towards its program, ultimately improving the lives of those in need.



The Wellspring Living Welcome Home Campaign is a \$25.3M project that will help us nearly double the amount of people served on an annual basis.



THANK YOU



Employee Benefits 2025

Human Resources

Overview

- Remaining with Cigna
- City absorbing medical and dental cost increases
- Adding a fourth, lower deductible plan option
- Adding city-paid Long-Term Disability
- Increasing Future Focus on Wellness

Cigna \$500: 2024

\$2,500 Out of Pocket Max

Tier	EE Monthly	City Monthly	City Share
Employee Only	\$176.37	\$544.75	75.50%
Employee + Spouse	\$370.37	\$1,143.97	75.50%
Employee + Child(ren)	\$335.09	\$1,035.03	75.50%
Family	\$529.09	\$1,634.26	75.50%

Cigna \$500: 2025

\$2,500 Out of Pocket Max

Tier	EE Monthly	City Monthly	City Share
Employee Only	\$176.37	\$581.58	76.70%
Employee + Spouse	\$370.37	\$1,221.35	76.70%
Employee + Child(ren)	\$335.09	\$1,105.05	76.70%
Family	\$529.09	\$1,744.80	76.70%

City share increases from 75.5% to 76.7% to maintain same out of pocket for employees

Cigna \$1500: 2024

\$2,500 Out of Pocket Max

Tier	EE Monthly	City Monthly	City Share
Employee Only	\$140.64	\$549.56	79.60%
Employee + Spouse	\$295.34	\$1,154.08	79.60%
Employee + Child(ren)	\$267.21	\$1,044.17	79.60%
Family	\$421.92	\$1,648.69	79.60%

Cigna \$1500: 2025

\$2,500 Out of Pocket Max

Tier	EE Monthly	City Monthly	City Share
Employee Only	\$140.64	\$595.34	80.90%
Employee + Spouse	\$295.34	\$1,250.22	80.90%
Employee + Child(ren)	\$267.21	\$1,131.15	80.90%
Family	\$421.92	\$1,786.02	80.90%

City share increases from 79.6% to 80.9% to maintain same out of pocket for employees

Cigna \$2500: 2025

\$3,500 Out of Pocket Max

Tier	EE Monthly	City Monthly	City Share
Employee Only	\$121.52	\$541.26	81.70%
Employee + Spouse	\$255.19	\$1,136.63	81.70%
Employee + Child(ren)	\$230.89	\$1,028.36	81.70%
Family	\$364.56	\$1,623.75	81.70%

Cigna \$2500: 2025

\$3,500 Out of Pocket Max

Tier	EE Monthly	City Monthly	City Share
Employee Only	\$121.52	\$589.19	82.90%
Employee + Spouse	\$255.19	\$1,237.32	82.90%
Employee + Child(ren)	\$230.89	\$1,119.48	82.90%
Family	\$364.56	\$1,767.60	82.90%

City share increases from 81.7% to 82.9% to maintain same out of pocket for employees

New in 2025

Adding a 4th Plan

\$0 Deductible

\$500 Out of Pocket Max

Tier	EE Monthly	City Monthly	City Share
Employee Only	\$253.12	\$590.61	70%
Employee + Spouse	\$531.54	\$1,240.26	70%
Employee + Child(ren)	\$480.92	\$1,122.16	70%
Family	\$759.35	\$1,771.82	70%

Rate Increase of 2.85% = total of \$9,396 for the year

Current Rates

Dental

Dental			
Tier	Employee Monthly Cost	COSF Monthly Cost	Total Monthly Premium
Employee Only	\$8.46	\$21.74	\$30.20
Employee+Spouse	\$19.19	\$49.33	\$68.52
Employee+Child(ren)	\$19.19	\$49.34	\$68.53
Family	\$29.93	\$76.96	\$106.89

Renewal

Dental			
Tier	Employee Monthly Cost	COSF Monthly Cost	Total Monthly Premium
Employee Only	\$8.46	\$22.60	\$31.06
Employee+Spouse	\$19.19	\$51.29	\$70.48
Employee+Child(ren)	\$19.19	\$51.30	\$70.49
Family	\$29.93	\$80.00	\$109.93

Additional Plans

No changes in coverage or price to:

- Vision
- Employee Life, City pays for \$100,000 of coverage for all FT employees
- Short Term Disability, City pays for all FT employees
- City continuing to contribute \$500 into FSA for employees who select \$2,500 deductible plan

New Request in 2025

- **Long Term Disability, paid for by City for all FT employees**
- **Current rate for Voluntary LTD is \$0.9129 per \$100, and we have a 28% participation rate.**
- **Group rate is \$0.365/\$100 and cost to cover all FT employees is \$158,825 annually**
- **This is an extremely affordable group benefit that is a huge impact on quality of life for injured employees**

In Summary

Keeping the same options for employees, AND

Adding a \$0 deductible option

Adding Long-Term Disability coverage for all
Full-Time employees: \$158,825

Absorbing increases:

Medical: \$403,976

Dental: \$9,396

Total Annual Increase = \$572,197

Future Wellness Focus

Looking ahead to 2026 Benefits Plan Year:

Tobacco User Surcharge – Employees will be asked to sign an affidavit stating are/are not tobacco user.

- During 2025, we will provide resources and education on tobacco cessation programs
- In 2026, there will be an additional per pay period deduction for tobacco users
- Specifics to come later

Wellness Discounts

- During 2025, we will offer onsite biometric screenings and discuss the importance of preventative exams
- Employees who receive their annual wellness exams in 2025 will receive incentives in 2026
- Specifics to come later

Questions?

CITY OF SOUTH FULTON
BOARDS, COMMITTEES, AND
COMMISSIONS ANNUAL REPORT

AUGUST 21, 2024



GOVERNMENT OF THE CITY OF SOUTH FULTON

Office of the City Clerk



August 21, 2024

Greetings Honorable Mayor and City Councilmembers:

Provided is a compilation of the boards and commissions created by the City of South Fulton City Council. I have provided classification of the boards or commissions in the following categories: Active, Inactive, Abolished/Sunsetted and New/Proposed. Additionally, I have compiled pertinent information regarding the legally constituted boards (Active and Inactive) detailing meeting dates, locations, last meeting held and the managing city department. Following this chart, you will find each legally constituted board with current appointees and attendance data, if known.

The City Clerk's office will continue to provide quarterly reports listing each councilmember's appointees and any vacancies. Pursuant to your request, I have asked all managing departments to notify me of any vacancies and to continue to provide the minutes of all meetings as the City Charter dictates.

With the full implementation of the Civic Clerk agenda management system in the Fall 2024, we will activate the Boards and Commissions module that will allow for the seamless and efficient appointment and management of the City's boards and commissions. Per Council directive, we are also rolling out a training video for Roberts Rules of Order for all board and commission appointees.

To view the City's boards and commissions on the City website, click here:
<https://www.cityofsouthfultonga.gov/2230/Boards-Commissions>

The following boards and commissions are listed in this booklet:

- Board of Code Enforcement (p. 5)
- City of South Fulton Convention and Visitors Bureau (p. 6)
- Development Authority (p. 8)
- Downtown Development Authority (p. 9)
- Environmental Committee (p. 10)
- Board of Ethics (p. 11)
- Historic and Cultural Landmarks Commission (p. 12)
- Old National District Main Street Advisory Board (p. 13)
- Parks and Recreation Advisory Board (p. 14)
- Planning Commission (p. 16)
- Public Arts Commission (p. 17)
- Red Oak Main Street Advisory Board (p. 20)
- South Fulton Urban Redevelopment Agency (p. 21)
- Zoning Board of Appeals (p. 22)

If there is any assistance that I or my office can provide, please do not hesitate to contact us. Additionally, if there are any concerns or suggestions for the improvement of my office, I welcome your input.

In Service,
Corey E. Adams, Sr., City Clerk

ACTIVE BOARDS/COMMISSIONS (9)

	Last Meeting Held
Board of Code Enforcement	August 20, 2024 Virtually
Convention and Visitors Bureau (CVB)	August 19, 2024 Virtually
Development Authority	August 7, 2024 (Committee Meeting) In Person
Downtown Development Authority	August 20, 2024 In Person
Old National District Advisory Board	August 21, 2024 In Person
Planning Commission	August 21, 2024 In Person
Public Arts Commission	April 18, 2024 Virtually
Red Oak Mainstreet Advisory Board	August 14, 2024 In Person
Zoning Board of Appeals	August 22, 2024 In Person

INACTIVE BOARDS/COMMISSIONS (5)

	Last Meeting Held
South Fulton Urban Redevelopment Agency	Feb. 14, 2023 In Person
Environmental Committee	March 2, 2023 Virtually
Ethics Panel	March 9, 2023 In Person
Historic and Cultural Landmarks Commission	March 22, 2023 In Person
Parks and Recreation Advisory Board	April 27, 2023 Virtually

ABOLISHED AND/OR SUNSETTED BOARDS/COMMISSIONS (9)

	Date Abolished or Sunsetted
South Fulton Business and Community Council	July 28, 2020 (ORD2020-019)
City Anniversary Task Force	July 28, 2020 (ORD2020-019)
Community Renaming Task Force	July 28, 2020 (ORD2020-019)
City Finance Committee	July 28, 2020 (ORD2020-019)
Older Americans Board	July 28, 2020 (ORD2020-019)
Census Task Force	December 31, 2020
City Charter Commission	Nov. 1, 2022
Street Renaming Committee	February 2023 (RES2022-018)
Public Buildings Naming/Renaming Committee	February 2023 (RES2022-017)

NEW OR PROPOSED BOARDS/COMMISSIONS (4)

Public Facilities Authority
Veterans Advisory Committee
Homeowners Associations Task Force or Advisory Committee
Police Use of Force Advisory Board

City Boards/Commissions/Committee Meetings 2024

Board/Committee Name	Activating Ordinance/ Resolution	Meeting Date	Last Meeting Held	Managing Department	Current Physical Meeting Location	Compensation
Board of Code Enforcement	ORD2024-026 (State Statute)	1 st and 3 rd Tuesday Meetings held Virtual	August 20, 2024 Virtual	Code Enf.	None	\$50
Convention and Visitors Bureau (CVB)	RES2022-059	3 rd Monday Meetings held Virtual	August 19, 2024 Virtual	Econ Dev.	Econ. Dev. Office	\$0
Development Authority	RES2019-018 (State Statute)	1 st Tuesday	August 7, 2024 -Comm. Meeting In Person	Econ Dev.	Econ. Dev. Office	\$0
Downtown Development Authority	RES2020-034 (State Statute)	3 rd Tuesday	August 20, 2024 In Person	Econ Dev.	Econ. Dev. Office	\$0
Environmental Committee	RES2023-022	Meet Every Other Month Virtual	March 2, 2023 Virtual	CDRA	None	\$0
Ethics Panel	ORD2022-027 (City Charter)	Meet as needed	March 9, 2023 In Person	City Clerk	None	\$50
Historic and Cultural Landmarks Commission	RES2020-044 (State Statute)	Meet Every Other Month	March 22, 2023 In Person	CDRA	None	\$0
Old National District Main Street Advisory Board	RES2021-047	3 rd Wed.	August 21, 2024 In Person	Econ Dev.	Econ. Dev. Office	\$0
Parks and Recreation Advisory Board	ORD2019-010	4 th Thursday	April 27, 2023 Virtual	Parks	Welcome All Park	\$0

Planning Commission	ORD2020-027 (State Statute)	3 rd Wed.	August 21, 2024 In Person	CDRA	Burdette Park	\$50
Public Arts Commission	ORD2018-033	3 rd Thursday	April 18, 2024 Virtual	Cultural Affairs	SW Arts Center	\$0
Red Oak Main Street Advisory Board	RES2021-046	2nd Wed.	August 14, 2024 In Person	Econ Dev.	Econ. Dev. Office	\$0
South Fulton Urban Redevelopment Agency	RES2019-029 (State Statute)	Meet as needed	Feb. 14, 2023 In Person	City Clerk	None	\$0
Zoning Board of Appeals	ORD2017-011 (State Statute)	4th Thursday	August 22, 2024 In Person	CDRA	Burdette Park	\$50



City of South Fulton Board of Code Enforcement

Jurisdiction. The code enforcement board shall have non-exclusive jurisdiction to decide matters and alleged violations of all applicable codes and ordinances set forth in O.C.G.A. § 36-74-21 (2), with the exception of state minimum standard codes provided in O.C.G.A. § 8-2-25 other than the International Property Maintenance Code or International Building Code, and ordinances and resolutions enacted pursuant to O.C.G.A. § 8-2-25 other than those regarding the International Property Maintenance Code or International Building Code."

Creation. There is hereby established a code enforcement board which shall consist of seven members, residents of the city, who shall be appointed by the city council as follows:

- (1) One member shall be nominated by each member of the city council; and
- (2) One alternate member shall be nominated by the mayor; and
- (3) Each member shall be approved by a vote of the majority of the city council.

Terms. The code enforcement board members shall serve a term of three years. A code enforcement board member shall serve until his or her replacement is appointed by the city council in a manner consistent with this chapter. The code enforcement board members shall serve no more than two terms, either consecutive or non-consecutive.

Member	Appointed by	Appointed/Term Expires	2024 Absences (16 Meetings To Date)
N/A	Mayor khalid (at-large)		
Ms. Jacquelyn Showell	Councilmember Rowell (D1)	8/13/2024-12/31/2027	0
Mr. Sam Bowen	Councilmember Gumbs (D2)	8/13/2024-12/31/2025	3
Mr. Joe Thomas	Councilmember Willis (D3)	8/13/2024-12/31/2027	0
Mr. Ron D. Coleman	Councilmember Sebastian (D4)	8/13/2024-12/31/2025	0
Ms. Glenda Brewer	Councilmember Bell (D5)	8/13/2024-12/31/2027	2
Ms. Joyce Armster	Councilmember Williams -Brown(D6)	8/13/2024-12/31/2025	4
Mr. De'Andre Pickett	Councilmember Pritchett (D7)	8/13/2024-12/31/2027	0

STATE OF GEORGIA
COUNTY OF FULTON
CITY OF SOUTH FULTON

ORD2024-026

AN ORDINANCE TO AMEND CHAPTER 4 "BOARD OF CODE ENFORCEMENT" OF TITLE 3 "BUILDING REGULATIONS" OF THE CITY OF SOUTH FULTON CODE OF ORDINANCES; AND FOR OTHER LAWFUL PURPOSES.

WHEREAS, pursuant to City Charter Section 3.10 (b), the City Council is authorized to adopt ordinances and amendments it deems necessary, expedient, or helpful for the health, welfare, safety, comfort and well-being of the inhabitants of the City; and

WHEREAS, pursuant to City Charter Section 3.10 (c), the City Council is authorized to establish, abolish, merge, or consolidate offices, positions of employment, departments, and agencies of the City as it shall deem necessary for the proper administration of the affairs of the government of the City; and

WHEREAS, the Mayor and City Council of the City of South Fulton finds that this Ordinance is in the best interest of the public health, safety, and welfare.

THE CITY COUNCIL OF THE CITY OF SOUTH FULTON HEREBY ORDAINS as follows:

Section 1. The Code of Ordinances, City of South Fulton, Georgia, Section 3-4001, Title 3 Building Regulations, Chapter 4 Board of Code Enforcement, shall be amended in its entirety to read as follows:

"Sec. 3-4001. Board of code enforcement established.

(a) *Creation.* There is hereby established a code enforcement board which shall consist of eight seven members, residents of the city, who shall be appointed by the city council as follows:

- (1) One member shall be nominated by each member of the city council ~~and the mayor~~; and
- (2) One alternate member shall be nominated by the mayor; and
- (3) Each member shall be approved by a vote of the majority of the city council.

(b) *Terms.* The code enforcement board members shall serve a term of three years. A code enforcement board member shall serve until his or her replacement is appointed by the city council in a manner consistent with this chapter. The code enforcement board members shall serve no more than two terms, either consecutive or non-consecutive.

(c) *Chair and vice-chairperson.* The code enforcement board shall elect one of its members to serve as chairperson and another to serve as vice-chairperson. The chairperson and vice-chairperson of the code enforcement board shall serve a term of one year or until reelected or a successor is elected. The duty of the chair shall be to conduct the meetings in accordance with the procedures set forth herein and any other rules or regulations established by the code enforcement board. The vice-chairperson shall conduct the meetings in the chair's absence. The vice-chairperson may be appointed chair if the chair is removed from office, or due to a physical or mental disability, cannot perform the duties of chair.

(d) *Qualifications.*

- (1) Members of the code enforcement board shall hold no other city office or city-compensated position during such member's term.
- (2) All code enforcement board members shall be residents of the city.
- (3) No person shall preside at a meeting of the code enforcement board as a member of the code enforcement board until they have been certified as having completed a training session of eight hours.

(e) *Removal.*

- (1) Except as provided in subsection (d)(2) of this section, code enforcement board members serve at the pleasure of the city council and may be removed upon motion of the nominating commissioner and affirmative vote of a majority of the city council.
 - (2) Code enforcement board members shall automatically be removed from the code enforcement board if the member fails to attend two of three successive meetings without cause and without prior approval of the chairperson. The code enforcement board secretary shall notify the city clerk of any code enforcement board member who does not attend a meeting. If a code enforcement board member is removed for failure to attend meetings as set forth in this paragraph, the removal is automatic and does not require a vote of the city council.
- (f) *Compensation.* The city council shall, by resolution, determine the amount of compensation, if any, to be paid to the members of the code enforcement board. In the absence of such resolution, no compensation shall be provided to the members of the code enforcement board.
- (g) *Jurisdiction.* The code enforcement board shall have non-exclusive jurisdiction to decide matters and alleged violations of all applicable codes and ordinances set forth in O.C.G.A. § 36-74-21(2), with the exception of state minimum standard codes provided in O.C.G.A. § 8-2-25 other than the International Property Maintenance Code or International Building Code, and ordinances and resolutions enacted pursuant to O.C.G.A. § 8-2-25 other than those regarding the International Property Maintenance Code or International Building Code."

Section 2. The Code of Ordinances, City of South Fulton, Georgia, Section 3-4002, Title 3 Building Regulations, Chapter 4 Board of Code Enforcement, shall be amended in its entirety to read as follows:

"Sec. 3-4002. Officers and rules.

- (a) The presence of four or more members shall constitute a quorum. The decisions of the code enforcement board shall be by motion approved by a majority of those members present and voting, except that at least four members must vote in order for an action of the code enforcement board to be official. The city attorney or his/her designee shall represent and be counsel to the code enforcement board; provided, however, in the case of a conflict between the city council and the code enforcement board, the city attorney shall represent the city council.
- (b) The code enforcement board shall adopt and publish policies, procedures and rules in keeping with the provisions of this chapter and submit the rules to the city council for approval. If the city council does not approve of the policies within three consecutive meetings of receiving such notice by the city clerk, the rules shall be deemed adopted. Such policies, procedures and rules shall be available in the office of the city clerk."

Section 3. The Code of Ordinances, City of South Fulton, Georgia, Section 3-4012, Title 3 Building Regulations, Chapter 4 Board of Code Enforcement, shall be amended to read as follows:

“Sec. 3-4012. Appeal and transfer.

An aggrieved party, including the city, may appeal a final administrative order of the code enforcement board to the Superior Court of Fulton County ~~by writ of certiorari.~~”

Section 4. The initial appointments for the Board of Code Enforcement shall be as follows:

District 1 Appointee: Ms. Jacquelyn Showell, appointed for four years (term to expire December 31, 2027).

District 2 Appointee: Mr. Sam Bowen, appointed for two years (term to expire December 31, 2025).

District 3 Appointee: Mr. Joe Thomas, appointed for four years (term to expire December 31, 2027).

District 4 Appointee: Mr. Ron Coleman, appointed for two years (term to expire December 31, 2025).

District 5 Appointee: Ms. Glenda Brewer, appointed for four years (term to expire December 31, 2027).

District 6 Appointee: Ms. Joyce Armster, appointed for two years (term to expire December 31, 2025).

District 7 Appointee: Mr. De'Andre S. Pickett, appointed for four years (term to expire December 31, 2027).

Upon the expiration of the initial terms specified above, all terms shall be for three years.

Section 5. Amendments are shown with **bold underline** to denote text to be added or strikethrough to denote text to be deleted. Where new sections or paragraphs are added that change the numbering of existing sections or paragraphs, all references throughout the Ordinance will be updated accordingly.

Section 6. It is hereby declared to be the intention of the Mayor and 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, 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 Ordinance.

(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 7. All Ordinances and parts of Ordinances in conflict herewith are hereby expressly repealed.

Section 8. 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 9. The effective date of this Ordinance shall be the date of adoption unless provided otherwise by the City Charter or state and federal law.

[signatures and voting tabulations appear on the following page]

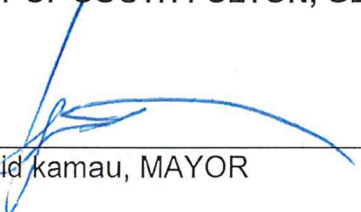
The foregoing ORDINANCE No. 2024-026, adopted on August 13, 2024, was offered by Councilmember Rowell, who moved its approval. The motion was seconded by Councilmember Gumbs, and being put to a vote, the result was as follows:

	AYE	NAY
khalid kamau, Mayor	<u> </u>	<u> </u>
Carmalitha Gumbs	<u> X </u>	<u> </u>
Catherine Foster Rowell	<u> X </u>	<u> </u>
Helen Zenobia Willis	<u> X </u>	<u> </u>
Jaceey Sebastian , Mayor Pro Tem	<u> X </u>	<u> </u>
Keosha B. Bell	<u> X </u>	<u> </u>
Natasha Williams-Brown	<u> X </u>	<u> </u>
Linda Becquer Pritchett	<u> X </u>	<u> </u>

First Reading: July 23, 2024
Second Reading: August 13, 2024

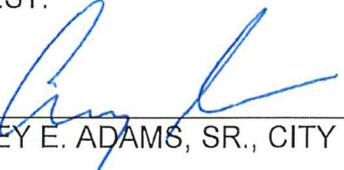
THIS ORDINANCE was adopted this 13th day of August 2024.

CITY OF SOUTH FULTON, GEORGIA



khalid kamau, MAYOR

ATTEST:

 8/16/24

COREY E. ADAMS, SR., CITY CLERK

APPROVED AS TO FORM:

 8/19/24

VINCENT D. HYMAN, CITY ATTORNEY





City of South Fulton Convention and Visitors Bureau

Purpose. The intent of the CVB shall be the attraction of overnight tourists, visitors and individuals; to solicit groups, conventions, meetings, trade shows, exhibits, sports tournaments, expositions and special events to convene and take place in the City of South Fulton through advertising, sales contracts, publications and distribution of descriptive material and such other means as may be necessary or expedient to attract such tourists, visitors, individuals, groups, conventions, meetings, trade shows, exhibits, expositions, sports tournaments and special events to the City of South Fulton.

Board of Directors. The CVB will be governed by a Board of Directors consisting of Twelve (12) members. Appointment of Directors shall be in accordance with these Bylaws. The members of the Board of Directors shall be appointed by the City of South Fulton Council as follows:

Five (5) board members shall be selected from and represent the entertainment, sports, marketing or attractions in the City of South Fulton or for the benefit of the City. Each such appointee must hold at least the position of Manager, Vice President, or President as determined by the City Council in its discretion.

Three (3) board members shall be selected from and represent the lodging industry in the City. The City Council shall accept nominations from the hotel/motel industry and/or individual hotel or motel owners/operators prior to appointment of these Directors. Each such appointee must hold the position of Manager, General Manager or higher, as determined by the City Council in its discretion.

Three (3) board member shall be selected from among the restaurant/retail industry. Each such appointee must hold the position of Manager, General Manager or higher, as determined by the City Council in its discretion. The City Council shall accept nominations from the restaurant/retail industry prior to appointment of these directors.

One (1) board members shall be selected from the South Fulton Chamber of Commerce. Appointee must hold at least the position of President, CEO or Board Member as determined by the City Council in its discretion.

One (1) ex-officio board member (non-voting) shall be selected from and represent the City of South Fulton Economic Development department. The appointee must be the Director, or his designee as determined by the City Council in its discretion.

Terms. Each Director shall serve for a term of four (4) years staggered terms.

City of South Fulton Convention and Visitors Bureau

Member	Appointed by	Appointed/Term Expires	2024 Absences (7 Meetings To Date)
Ms. Fredericka Jones	City Council	10/25/2022	0
Ms. Y. Dyan Matthews	City Council	10/25/2022	1
Mr. Quinton Evans	City Council	10/25/2022	2
Ms. Carole Sykes	City Council	10/25/2022	2
Ms. Deondra Askew	City Council	10/25/2022	1
Mr. Dante D'Andrea	City Council	10/25/2022	2
Ms. Shelia Mants	City Council	10/25/2022	0
Mr. Richard Thweartt	City Council	10/25/2022	0
Mr. Sam Kennedy	City Council	10/25/2022	2

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

RES2022-059

4
5
6 A RESOLUTION BY THE CITY OF SOUTH FULTON, GEORGIA, TO PROMOTE
7 TOURISM AND DEVELOPMENT; TO SUPPORT THE SOUTH FULTON
8 CONVENTION AND VISITORS BUREAU; TO APPROVE ADOPTION OF THE FIRST AMENDED
9 BYLAWS; AND FOR OTHER LAWFUL PURPOSES
10

11
12 (Sponsored by Councilwoman Willis)

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

20 WHEREAS, pursuant to state law, O.C.G.A. § 48-13-50 et seq., the City is
21 authorized to adopt clearly reasonable ordinances, resolutions, or regulations relating to
22 its property, affairs, and local government for which no provision has been made by
23 general law and which are not inconsistent with the Constitution or any charter provision
24 applicable thereto;
25

26 WHEREAS, Pursuant City Resolution 2019-047 the City Council and the City
27 incorporated and empowered the South Fulton Convention and Visitors Bureau ("CVB");
28

29 WHEREAS, the City wishes to adopt certain proposed amendments to the bylaws for the
30 CVB;
31

32 WHEREAS, the existing Bylaws, under Article XII, Section 2, require that the City Council
33 approve any proposed amendments to the same;

34 WHEREAS, the City Council finds this Resolution to be in the best interest of the
35 City, its residents and the general public.
36

37 NOW, THEREFORE, THE MAYOR AND CITY COUNCIL OF SOUTH FULTON,
38 GEORGIA, HEREBY RESOLVES:
39

40 a. Bylaws. The bylaws which shall govern the CVB are hereby adopted as attached hereto.

The foregoing RESOLUTION No. 2022-059, was adopted on October 25, 2022 was offered by Councilmember Willis, who moved its approval. The motion was seconded by Councilmember Rowell, and being put to a vote, the result was as follows:

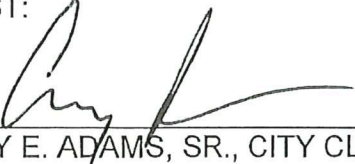
	AYE	NAY
khalid kamau, Mayor	_____	_____
Carmalitha Gumbs	_____X_____	_____
Catherine Foster Rowell	_____X_____	_____
Helen Zenobia Willis	_____X_____	_____
Jaceey Sebastian	_____X_____	_____
Corey Reeves, Mayor Pro Tem	_____X_____	_____
Natasha Williams	_____X_____	_____
VACANT	_____	_____

THIS RESOLUTION adopted this 25th day of October 2022.

CITY OF SOUTH FULTON, GEORGIA

khalid kamau, MAYOR

ATTEST:

 11/3/22

COREY E. ADAMS, SR., CITY CLERK

APPROVED AS TO FORM:

 10/27/22

VINCENT D. HYMAN, CITY ATTORNEY





MAYOR'S SIGNATURE PAGE

Every ordinance, resolution, or other action adopted by the city council shall be presented to the mayor for signature within two business days following the adoption of such ordinance, resolution, or other action by the city council. The mayor shall have the right to veto any ordinance, resolution, or other action adopted by the city council, in accordance with the procedures set forth in this section. The mayor, within five business days following receipt of an ordinance, resolution, or other action adopted by the city council, shall return it to the city clerk with or without the mayor's approval or with the mayor's veto. If an ordinance, resolution, or other action adopted by the city council has been approved by the mayor or if it is returned to the city clerk neither approved nor disapproved, it shall become law upon its return to the city clerk. However, if the mayor fails to return an ordinance, resolution, or other action adopted by the city council to the city clerk within five business days of receipt, it shall become law at 12:00 Midnight on the fifth business day after receipt. If an ordinance, resolution, or other action adopted by the city council is vetoed by the mayor, the mayor shall submit to city council, through the city clerk, the reason for the mayor's veto. The city clerk shall record upon the ordinance, resolution, or other action adopted by the city council the date of its delivery to and its receipt from the mayor. An ordinance, resolution, or other action adopted by the city council vetoed by the mayor shall automatically be on the agenda at the next regular meeting of the city council for reconsideration. Votes to override mayoral vetoes shall only occur at regular scheduled meetings of the city council and cannot occur at a special meeting or emergency meeting. If the minimum number of councilmembers necessary to vote to override the veto are not present, the action may be continued until the next meeting at which such minimum number of councilmembers are present. The city council may override a veto by the mayor and adopt any ordinance, resolution, or other action adopted by the city council that has been vetoed by the mayor by the affirmative votes of at least five councilmembers, not including the mayor.

The mayor acknowledges receipt of the noted Item listed below:

Date of Adoption: October 25, 2022 Item Number: RES2022-059

Subject: A RESOLUTION BY THE CITY OF SOUTH FULTON, GEORGIA, TO PROMOTE TOURISM AND DEVELOPMENT; TO SUPPORT THE SOUTH FULTON CONVENTION AND VISITORS BUREAU; TO APPROVE ADOPTION OF THE FIRST AMENDED BYLAWS; AND FOR OTHER LAWFUL PURPOSES

Date Received by Mayor: October 27, 2022

☐

APPROVED

☐

DISAPPROVED

Mayor's Signature: _____
khalid kamau

Date to City Clerk' Office: _____

* Mayor did not sign. *AK* 11/3/22

CITY OF SOUTH FULTON CONVENTION & VISITORS BUREAU, INC.



First Amended Bylaws

Approved October 25, 2022

ARTICLE I — GENERAL

Section 1 — Organization Name

The name of the corporation shall be the City of South Fulton Convention and Visitors Bureau, Inc., hereafter referred to as CVB.

Section 2 - Purpose

The intent of the CVB shall be the attraction of overnight tourists, visitors and individuals; to solicit groups, conventions, meetings, trade shows, exhibits, sports tournaments, expositions and special events to convene and take place in the City of South Fulton through advertising, sales contracts, publications and distribution of descriptive material and such other means as may be necessary or expedient to attract such tourists, visitors, individuals, groups, conventions, meetings, trade shows, exhibits, expositions, sports tournaments and special events to the City of South Fulton.

ARTICLE II - DIRECTORS

Section 1 - Responsibilities

The affairs of the CVB shall be under the management of a Board of Directors and such officers, agents, employees or committees as the Board may elect, employ or appoint.

Section 2— Board of Directors

The CVB will be governed by a Board of Directors consisting of Twelve (12) members. Appointment of Directors shall be in accordance with these Bylaws. The members of the Board of Directors shall be appointed by the City of South Fulton Council as follows:

Five (5) board members shall be selected from and represent the entertainment, sports, marketing or attractions in the City of South Fulton or for the benefit of the City. Each such appointee must hold at least the position of Manager, Vice President, or President as determined by the City Council in its discretion.

Three (3) board members shall be selected from and represent the lodging industry in the City. The City Council shall accept nominations from the hotel/motel industry and/or individual hotel or motel owners/operators prior to appointment of these Directors. Each such appointee must hold the position of Manager, General Manager or higher, as determined by the City Council in its discretion.

Three (3) board member shall be selected from among the restaurant/retail industry. Each such appointee must hold the position of Manager, General Manager or higher, as determined by the City Council in its discretion. The City Council shall accept nominations from the restaurant/retail industry prior to appointment of these directors.

One (1) board members shall be selected from the South Fulton Chamber of Commerce. Appointee must hold at least the position of President, CEO or Board Member as determined by the City Council in its discretion.

One (1) ex-officio board member (non-voting) shall be selected from and represent the City of South Fulton Economic Development department. The appointee must be the Director, or his designee as determined by the City Council in its discretion.

Section 3 — Tenure

Each Director shall serve for a term of four (4) years staggered terms.

Section 4 — Vacancies

Should any office become vacant, by reason of death, resignation, removal, disqualification or otherwise, the Directors may, at any meeting, recommend a successor or successors, subject to approval by City Council.

Section 5 — Powers

The Board of Directors shall be responsible for establishing operating policies for the CVB and for evaluating the progress of the CVB in the attainment of its goals. The Board of Directors shall have full and complete power to transact all business and manage the affairs of the CVB, to hire and fire individuals engaged by the Board to assist the CVB in its operations, to elect officers, to authorize the sale, conveyance, transfer, assignment, trade, exchange, lease, mortgage, otherwise encumber or pledge any property, real or personal, of the CVB.

Section 6 — Compensation

No assets of the CVB shall be used for the benefit of or be paid to any person who is a member,

director, officer, or other private person, except that reasonable reimbursement may be allowed for services rendered in furtherance of the goals of the CVB.

Section 7 — Records

All financial records and minutes of meetings of the Board of Directors, along with other valuable papers of the CVB, shall become permanent records of the CVB and shall always be kept securely in the offices of the CVB. Copies of these records may be made for any member of the Board of Directors or City Council at any time upon proper request.

Section 8 — Conflicts of Interest

Members of the Board of Directors and Executive Committee shall not participate in a vote or decision on a contract involving a business entity or real property in which the Director or his or her immediate family, (spouse, parent, parent-in-law, brother, brother-in-law, sister, sister-in-law, child, son-in-law or daughter-in-law or other persons living in the same residential dwelling unit of the Director) is a director, officer, employee or has a substantial interest if it is reasonably foreseeable that such action would confer an economic benefit on the business entity. Any such conflict of interest shall be disclosed by the Director and recorded in the minutes of the meeting where that action is taken.

ARTICLE III — OFFICERS

Section 1 - Elections

Officers of the Board shall be elected annually by the CVB Board at its regular December meeting, and shall hold office until the following Annual Meeting. Vacancies may be filled, or new offices created and filled at any meeting of the CVB Board.

Section 2 — Term of Office

Officers shall be elected for one (1) year at the December regular meeting of the Board of Directors. Term of office will begin at the annual meeting of the Board in January of each year. CVB officers may be elected to consecutive terms, not to exceed 3 consecutive terms per seat.

Section 3 — Removal

Any officer elected or appointed by the CVB Board may be removed by the CVB Board whenever, in its judgment, the best interests of the CVB Board will be served.

Section 4 — Vacancies

A vacancy in any office because of death, resignation, removal, disqualification or otherwise may be filled by the CVB Board of Directors by appointment for the balance of such officer's term.

Section 5 — Officers & Duties

The duties of the officers shall include but not be limited to:

President: Preside at general CVB meetings and at all meetings of the Board of

Directors. Represent the CVB at any meeting, convention, or other gathering where the interests of the CVB are at issue, or when so directed by the Board of Directors.

Vice President: Perform all duties of the President in his/her absence. In the event of death, resignation or retirement of the President, assume the duties of the president as President Pro Temp for the remainder of the current term and supervise the appointment of a new Vice President. Represent the Board at the request of the President.

Secretary: Oversee the record keeping of the CVB's meetings and activities. Gather and distribute approved meeting minutes to CVB membership. Represent the Board at the request of the President.

Treasurer: Provide a full and accurate account of receipts and disbursements of the CVB that are kept in books belonging to the CVB. Sign all checks and drafts that are properly drawn on CVB funds. All checks require two signatures. Ensure all monies are deposited in the name of the CVB, in such depositories or safety vaults that may be designated by the Board of Directors. Represent the Board at the request of the President. Ensure that an annual audit is performed.

ARTICLE IV — MANAGEMENT

Section 1 — Administrative Support

The City of South Fulton City Managers Office shall provide administrative support for the CVB, if, and only to the extent, requested by the CVB Board.

Section 2— Executive Director

If the Board chooses to appoint an Executive Director, the Executive Director of the CVB shall be any individual that is appointed by the CVB Board and may be compensated in an amount to be set by vote of the Board of Directors. The Executive Director may be removed from their position by the Board. The duties of the Executive Directors shall be set by the Board.

Section 3 — Tourism Manager

If the Board chooses to appoint a Tourism Manager, the Tourism Manager shall work directly to support the efforts of the CVB. The Tourism Manager shall be any individual appointed by the Board of Directors and may be compensated in an amount to be set by the Board of Directors. The Tourism manager may be removed from their position by the Board. The duties of the Tourism Manager shall be set by the Board.

Section 4 – Other Employees & Independent Contractors

The Board of Directors are authorized to hire and compensate, and fire or remove, from time to time, any other individual(s) in roles that they deem appropriate and necessary for the proper operation of the CVB. Such additional individuals may be hired and/or removed from their position by a vote of the Board.

ARTICLE V — MEETINGS

Section 1 — Regular Meetings

Regular meetings of the CVB Board shall be held at a location and time as agreed to by the CVB Board members. All meetings shall be subject to Robert's Rules of Order and the Georgia's Open Meetings Act.

Section 2 — Special Meetings

Special meetings of the CVB Board may be called by the Executive Director or the CVB Board President. Notice thereof shall be provided pursuant to Georgia's Open Meetings Act

Section 3 — Annual Meeting

The Annual Meeting shall be held each January for the purpose of providing annual reports of the CVB and installation of newly elected officers.

Section 4 — Notice of Meetings

Notice of the time, place and matters to be considered and action taken for each meeting of the Board of Directors shall be posted as required by State law.

Section 5 - Quorum and Action

A majority of the duly appointed members of the Board of Directors shall constitute a quorum for the transaction of business. The affirmative vote of a majority (greater than 50%) of the Board present in person at a meeting at which a quorum is present shall be the act of the Board of Directors. In the event that a quorum is not present at any meeting, the Directors present may adjourn the meeting without further notice until a quorum can be properly assembled.

Section 6 — Attendance

Pursuant to three (3) consecutive absences or four (4) absences within a twelve-month period by any Director, the President of the Board of Directors shall call an Executive Committee meeting to review the attendance records of the Director. If, upon review, the Executive Committee determines there is insufficient circumstance to justify the absences of the Director it may recommend removal and replacement of the Director to the full Board of Directors. Upon majority vote of a quorum of the Board such a recommendation will be sent to the City Council for consideration and appropriate action. Telephonic or virtual attendance may be constituted as attendance upon prior approval by the President. Directors may not have two consecutive telephonic or virtual attendances or a total of three telephonic or virtual attendances annually.

Section 7 — Minutes

Written minutes shall be kept for each CVB meeting.

ARTICLE VI — COMMITTEES

Section 1 — Committees

Committees may be appointed by the President to advise and assist the CVB Board on issues or projects of the CVB. The President shall appoint a Committee Chairperson and members of the committee. The Committee Chairperson shall call meetings on an as-needed basis.

Section 2 — Executive Committee

Annually, the Board of Directors shall designate an Executive Committee. Each member of the Executive Committee shall be a member of the Board of Directors. The Executive Committee shall include the President, Vice President, Secretary, Treasurer and one (1) other Board member, as determined by the Board of Directors.

The Executive Committee may only act in the absence of a quorum of the Board at a duly called and noticed Board meeting and then only on items contained on the published agenda. Any action taken by the Executive Committee shall be placed on the next regular agenda for ratification by the full Board or a quorum thereof.

The Executive Committee shall have and exercise all of the authority of the Board of Directors in carrying out and handling the business and affairs of the CVB except where action of the entire Board of Directors is otherwise specified by these Bylaws or applicable law. The Executive Committee shall be subject to the control and direction of the Board of Directors.

ARTICLE VII- MEMBERS

The CVB shall initially have one (1) class of members, consisting of the officers and members of the Board of Directors selected pursuant to Article II. Members shall have voting rights only in their capacities as members of the Board of Directors. The CVB reserves the right to create additional classes of members and to provide for the terms, rights and privileges thereof by amendment of these Bylaws.

ARTICLE VIII — ACCOUNTING AND BUDGET

Section 1 — Fiscal Year

The fiscal year of the CVB shall be January 1ST — December 31ST of each calendar year.

Section 2 — Accounting

The CVB will maintain separate accounts. All checks will require two signatures of authorized CVB personnel to include the President, Vice — President, Secretary and/or Treasurer.

Section 3 — Audit

The CVB will conduct an annual audit by a Certified Public Accounting firm.

ARTICLE IX — REPORTING

Section 1 — Meeting Reports

Meeting reports will be made to the City Council - approved meeting minutes and CVB board-approved marketing reports will be sent to the City Council on a monthly basis.

Section 2 — Budget

The CVB shall submit to the City each year an annual budget based on anticipated revenues and expenses, copies of audited financial statements, and other statements as may from time to time be requested.

Section 3 - Workplan

At least annually, the CVB shall present its work plan detailing results or metrics from the previous year and its work plan for the coming year. Included in this report will be measurements covering, but not limited to the following areas: Hotel/Motel Tax receipts; visitor counts at welcome center locations; annual advertising expenditures; ratio of advertising dollars spent to documented leads; number of tour groups and associated statistics; number of conventions and meetings and associated statistics.

ARTICLE X — DISSOLUTION

Section 1- Procedure

The Board of Directors shall adopt a resolution recommending that the CVB be dissolved. Upon adoption of the resolution by the Board of Directors and approval thereof by the City Council, notice of dissolution shall be mailed to each known creditor and/or claimant against the CVB.

Section 2 - Distribution of Assets

The assets of the CVB shall be applied as follows: (1) all liabilities and obligations of the CVB shall be paid, satisfied and discharged; (2) assets held by the CVB upon condition requiring return, transfer or conveyance, which condition occurs by reason of the dissolution, shall be returned, transferred or conveyed in accordance with such requirements; (3) the remaining assets, if any, shall be distributed to the City, and all financial records and other documents and information held by the CVB shall be transferred to the City.

ARTICLE XI — INDEMNIFICATION

Section 1— Indemnification

The CVB shall indemnify each and every member of the Board of Directors, and authorized agents, against any and all liability or expense, including attorney's fees, incurred by any Director or agent by reason of any actions or omissions within the course and scope of the official duties that may arise out of the functions and activities of the CVB.

ARTICLE XII — AMENDMENTS TO BY-LAWS

Section 1 — Amendments

These Bylaws may be altered, amended or repealed by a majority vote of the quorum of the Board

of Directors of the CVB at any annual, regular or special meeting of the Directors. At least ten (10) days' notice of the meeting at which the proposed changes are to be considered shall be given to each Director by written notice.

Section 2— Council Approval

Such amendments to the By-Laws shall take effect upon approval by the City of South Fulton Council.



South Fulton Development Authority

Jurisdiction. The Development Authority may issue revenue bonds for any project that serves the essential public purpose of development of trade, commerce, industry and employment opportunities within the City of South Fulton.

Creation and Terms. The Authority Board shall consist of not less than seven directors and not more than nine directors appointed to staggered terms subject to confirmation by the City Council. All members shall be residents of the City of South Fulton and shall serve staggered terms with Positions 1-4 serving initial 2-year terms (and 4-year terms after initial appointment expires) and Positions 5-9 serving 4-year terms.

Member	Appointed by	Appointed/Term Expires	2024 Absences (Meetings To Date)
Mr. John Delaigle	Position 1 Councilmember Rowell (D1)	4/25/2023-1/25/2026	
Ms. Dana Tucker Davis	Position 2 Councilmember Gumbs (D2)	4/25/2023-1/25/2026	
Ms. Kimberly Mays	Position 3 Councilmember Willis (D3)	8/13/2023-3/22/2026	
Mr. James Reese, Jr.	Position 4 Councilmember Sebastian (D4)	5/23/2023-2/22/2026	
Ms. Stacey Williams	Position 5 Councilmember Bell (D5)	4/25/2023-4/25/2027	
Ms. Phyllis Minter	Position 6 Councilmember Williams -Brown (D6)	4/25/2023-4/25/2027	
Ms. September Cooper	Position 7 Councilmember Pritchett (D7)	4/25/2023-4/25/2027	
Mr. Nathan Lewis	Position 8 Mayor khalid (at-large)	2/27/2024-2/27/2028	
Ms. Mercedes Miller	Position 9 City Council	4/25/2023-4/25/2027	

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

RES-2019-018

4
5
6 AN AMENDMENT TO THE RESOLUTION ACTIVATING THE CITY OF SOUTH
7 FULTON DEVELOPMENT AUTHORITY TO APPOINT A BOARD OF DIRECTORS,
8 AND TO PROVIDE FOR FILING WITH THE GEORGIA SECRETARY OF STATE AND
9 THE GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS PURSUANT TO
10 O.C.G.A 36-62-1, ET SEQ.

11
12 (Sponsored by Mayor Pro Tem Mark Baker)

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, pursuant to O.C.G.A 36-62-1, et seq. (the "Development Authorities
20 Law"), a development authority is created in and for each county and municipal
21 corporations in the Stat of Georgia for nonprofit and public purposes;

22
23 WHEREAS pursuant to the Development Authorities Law a development authority
24 may issue revenue bonds for any project that serves the essential public purpose of
25 development of trade, commerce, industry and employment opportunities;

26
27 WHEREAS, the City of South Fulton (the "City") desires to create a development
28 authority for the City pursuant to the Development Authorities Law;

29
30 WHEREAS, the Development Authorities Law provides that before a development
31 authority may transact any business or exercise any powers in the City, it must be
32 activated by proper resolution of the City Council of the City of South Fulton (the "City
33 Council") declaring the need for an authority to function in the City;

34
35 WHEREAS, the Development Authorities Law further provides that a development
36 authority shall consist of a board of directors of not less than seven and not more than
37 nine directors to be appointed by resolution of the City Council; and

38
39 WHEREAS, the Development Authorities Law further provides that a copy of the
40 activating resolution of the City Council shall be filed with the Georgia Secretary of State
41 and the Georgia Department of Community Affairs.

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43 NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL as
44 follows:

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90 unconstitutional or otherwise unenforceable any of the remaining phrases, clauses,
91 sentences, paragraphs or sections of the Resolution.

92 **Section 3.** All Resolutions and parts of Resolutions in conflict herewith are hereby
93 expressly repealed.

94 **Section 4.** The effective date of this Resolution shall be the date of adoption unless
95 provided otherwise by the City Charter or state and/or federal law.

96 **Section 5. Instruction to City Clerk:** The City Clerk is hereby directed to circulate a
97 copy of this Resolution to the Economic Development Director following its adoption.

The foregoing **RESOLUTION No. 2019-018**, adopted on April 23, 2019 was offered by Councilmember Baker, who moved its approval. The motion was seconded by Councilmember Willis, and being put to a vote, the result was as follows:

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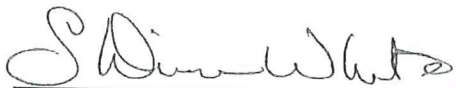
William "Bill" Edwards, Mayor
Mark Baker, Mayor Pro Tem
Catherine Foster Rowell
Carmalitha Lizandra Gumbs
Helen Zenobia Willis
Gertrude Naeema Gilyard
Rosie Jackson
khalid kamau

AYE	NAY
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99 THIS RESOLUTION adopted this 23 day of April 2019. CITY OF SOUTH FULTON,
100 GEORGIA
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107 WILLIAM "BILL" EDWARDS, MAYOR
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113 ATTEST:

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115 _____
116 S. DIANE WHITE, CITY CLERK
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122 APPROVED AS TO FORM:

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124 _____
125 EMILIA C. WALKER, CITY ATTORNEY
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South Fulton Downtown Development Authority

Jurisdiction. The Downtown Development Authority may issue revenue bonds for the purpose of revitalizing and redeveloping the central business district of the City of South Fulton by promoting for the public good and general welfare, trade, commerce, industry and employment opportunities.

Creation and Terms. The Authority Board Members shall serve for the term of the position effective September 22, 2020. After the expiration of their initial terms, the terms of reappointed directors shall be four years. The term of a member of the Board of Directors who is also a member of the City Council shall end when such director is no longer a member of the City Council.

Members must be a taxpaying citizen of the City of South Fulton, an owner or operator of a business located within the downtown development area, and shall be a taxpayer residing in Fulton County, Georgia, one member may be a member of the City Council of the City of South Fulton and not less than four members shall be, or represent, a party who has an economic interest in the development and revitalization of the downtown development area.

Member	Appointed by	Appointed/Term Expires	2024 Absences (Meetings To Date)
VACANT	Position 1 - City Council		
Mr. John Perlman	Position 2 - City Council	2/27/2024-2/27/2028	
Mr. Darris Rollins	Position 3 - City Council	5/14/2024-9/22/2024	
Mr. Thant Coleman	Position 4 - City Council	2/27/2024-9/22/2024	
Ms. Joyce Scales	Position 5 - City Council	9/22/2020-9/22/2026	
Rev. Hodari S Williams	Position 6 - City Council	9/22/2020-9/22/2026	
Mr. Donald Winbush	Position 7 - City Council	9/22/2020-9/22/2026	

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

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RES2020-034

A RESOLUTION ACTIVATING THE DOWNTOWN DEVELOPMENT AUTHORITY ("DDA") FOR THE CITY OF SOUTH FULTON; DECLARING THE NEED FOR A DDA TO FUNCTION IN THE CITY PURSUANT TO THE PROVISIONS OF THE DOWNTOWN DEVELOPMENT AUTHORITIES LAW, O.C.G.A. § 36-42-1 ET SEQ.; ESTABLISHING THE GEOGRAPHICAL BOUNDARIES OF THE DDA; MAKING INITIAL APPOINTMENTS OF DIRECTORS OF THE DDA; PROVIDING FOR THE FILING OF A CERTIFIED COPY OF THIS RESOLUTION WITH THE SECRETARY OF STATE AND THE GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS; AUTHORIZING THE CITY CLERK TO ATTEST SIGNATURES AND AFFIX THE OFFICIAL SEAL OF THE CITY, AS NECESSARY AND FOR OTHER PURPOSES

(Sponsored by Councilwoman Gumbs, Rowell, Willis, Reeves)

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 Downtown Development Authorities Law, O.C.G.A. § 36-42-1 *et seq.* ("DDA Law") creates in and for each municipal corporation in Georgia a downtown development authority for the purpose of revitalizing and redeveloping the central business district of such municipal corporation, promoting for the public good and general welfare, trade, commerce, industry and employment opportunities, and promoting the general welfare of the State of Georgia;

WHEREAS, the City Council finds that revitalization and redevelopment of the central business district of the City by financing projects under the DDA Law will develop and promote, for the public good and general welfare, trade, commerce, industry and employment opportunities and promote the general welfare of Georgia;

WHEREAS, it has been determined by the City Council that it is in the public interest and is vital to the public welfare of the people of the City and of the people of Georgia to revitalize and redevelop the central business district of the City;

WHEREAS the City Council wishes through this Resolution to formalize its commitment to the success of the City's downtown development authority;

WHEREAS the City Council finds that redevelopment of the central business district, shall improve the commercial tax base for the entire City;

49 **WHEREAS**, the City Council, after thorough investigation, has determined
50 that it is desirable and necessary that the City's downtown development authority be
51 activated immediately, pursuant to the DDA Law, in order to fulfill the needs expressed
52 herein; and
53

54 **WHEREAS**, this Resolution is in the best interests of the health and
55 general welfare of the City, its residents and general public.
56

57 **THEREFORE, THE CITY COUNCIL OF THE CITY OF SOUTH FULTON**
58 **HEREBY RESOLVES** as follows:
59

60 **Section 1.**
61

62 **A. Declaration of Need.** The City Council hereby resolves that there is determined and
63 declared to be a present and future need for a downtown development authority, as
64 described and defined in the DDA Law, to function in the City.
65

66 **B. Activation.** The City Council further resolves that the City's downtown development
67 authority is hereby activated, pursuant to the DDA Law, which public body corporate and
68 politic shall be known as the "South Fulton Downtown Development Authority."
69

70 **C. Board of Directors.**
71

72 1. *Qualifications.* The inaugural members of the Board of Directors of the South
73 Fulton Downtown Development Authority shall consist of persons with a combination of
74 the following qualifications:
75

76 i. A taxpayer residing in the City;
77

78 ii. An owner or operator of a business located within the downtown
79 development area and who shall be a taxpayer residing in Fulton County,
80 Georgia;
81

82 iii. One (1) director may be a member of the City Council of the City of South
83 Fulton, and not less than four (4) directors shall be, or represent, a party who
84 has an economic interest in the redevelopment and revitalization of the
85 downtown development area (as such area is defined in this resolution).

2. *Appointment.* The inaugural members of the South Fulton Downtown Development Authority and their respective terms are set forth below:

<u>Name</u>	<u>Term of Office</u>
Ronald St. James – St. James Live (Butner Road/Camp Creek) 3220 Butner Rd #240, Atlanta, GA 30331	134 135 136 137 Two years
John Pearlman –Adams & Co. Real Estate, Inc. (Sandtown/Camp Creek) Suite 290, 5784 Lake Forrest Drive Sandy Springs, GA 30328	138 139 140 141 142 Two years
Andre White – Wayfield Grocery (Red Oak Historic District) 3435 Roosevelt Hwy, Atlanta, GA 30349	143 144 145 146 147 Four years
Kisha Cameron – Subway (Sandtown/Camp Creek) 5819 Campbellton Rd SW Suite 201, Atlanta, GA 30331	148 149 150 151 152 Four years
Joyce Scales – Kroger (Old National Highway) 6055 Old National Highway College Park, GA 30349	153 154 155 156 157 Six years
Hodari S. Williams - New Life Presbyterian Church (Old National Highway) 6600 Old National Highway Atlanta, GA 30349	158 159 160 161 162 Six years
Donald Winbush – Winbush Editorial Services (Old National Highway) 2280 Wexford Drive South Fulton 30349	 Six years

163 3. *Inaugural and Subsequent Appointments.* The inaugural members of the Board of
164 Directors shall serve for the term of office set forth above from the effective date of
165 this Resolution. After the expiration of their initial terms, the terms of reappointed
166 directors shall be four (4) years. The term of a member of the Board of Directors who
167 is also a member of the City Council shall end when such director is no longer
168 a member of the City Council.

169
170 **D. Duties, Responsibilities, and Powers.** The Board of Directors herein named shall
171 organize itself, carry out its duties and responsibilities, and exercise its powers and
172 prerogatives in accordance with the terms and provisions of the DDA Law.

173
174 **E. Downtown Development Authority.** The "downtown development area" shall be that
175 geographical area described in Exhibits A, attached hereto and made a part hereof by
176 reference, which area, in the judgment of the City Council, constitutes the "central business
177 district" of the City as contemplated by the DDA Law.

178
179 **F. Funding.** The City Council desires to fund operations of the South Fulton Development
180 Authority, as annual budgeting allows. As such, the City Manager is hereby instructed to
181 allocate One Hundred Fifty-Thousand Dollars (\$150,000) from the department of Economic
182 Development's budget as a separate line item within the proposed FY2021 Budget, and for
183 every budget year until FY2026, with such funds, upon approval of the annual budget, to be
184 kept in a special account restricted for lawful use by the South Fulton Downtown
185 Development Authority.

186
187 **G. Secretary of State and Department of Community Affairs.** The City Council further
188 resolves that the City Manager shall cause to be furnished promptly to the Georgia
189 Secretary of State and Department of Community Affairs, copies of this Resolution in
190 compliance with the DDA Law.

191
192 **H. Previous Authorities.** The City Council further resolves that the actions taken by the City
193 Council as herein specified are not intended in any way to affect any public corporation,
194 industrial development, downtown development, or payroll authority previously created by
195 legislative act or constitutional amendment including, without limitation, its existence,
196 purpose, organization, powers or function.

197
198 **I. Documents.** The City Clerk is authorized to execute, attest to, and seal any
199 documents which may be necessary to effectuate this Resolution, subject to approval as to
200 form by the City Attorney.

201
202 **J. Administrative Support.** The City of South Fulton Department of Economic
203 Development shall provide all administrative support for the South Fulton Development
204 Authority.

205
206 **K. Executive Director.** The Executive Director of the South Fulton Downtown Development
207 Authority shall be the Economic Development Director or designated staff member housed
208 in the Economic Development Department of the City of South Fulton.

209
210 *****

210 **Section 2.** It is hereby declared to be the intention of the City Council that: (a) All sections,
211 paragraphs, sentences, clauses and phrases of this Resolution are or were, upon their
212 enactment, believed by the City Council to be fully valid, enforceable and constitutional.

213 (b) To the greatest extent allowed by law, each and every section, paragraph, sentence, clause
214 or phrase of this Resolution is severable from every other section, paragraph, sentence, clause
215 or phrase of this Resolution. No section, paragraph, sentence, clause or phrase of this Resolution
216 is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this
217 Resolution.

218 (c) In the event that any phrase, clause, sentence, paragraph or section of this Resolution shall,
219 for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by
220 the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the
221 City Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent
222 allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the
223 remaining phrases, clauses, sentences, paragraphs or sections of the Resolution.

224 **Section 3.** The City Attorney and City Clerk are authorized to make non-substantive
225 editing and renumbering revisions to this Resolution for proofing, codification, and
226 supplementation purposes. The final version of all resolutions shall be filed with the City Clerk.

227 **Section 4.** The effective date of this Resolution shall be one week from the date of
228 adoption, unless provided otherwise by the City Charter or state and/or federal law.
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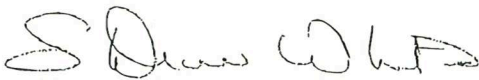
232 THIS RESOLUTION adopted this 22nd day of September 2020.
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234 **CITY OF SOUTH FULTON, GEORGIA**
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239 WILLIAM "BILL" EDWARDS, MAYOR
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242 ATTEST:
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246 S. DIANE WHITE, CITY CLERK
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248 APPROVED AS TO FORM:
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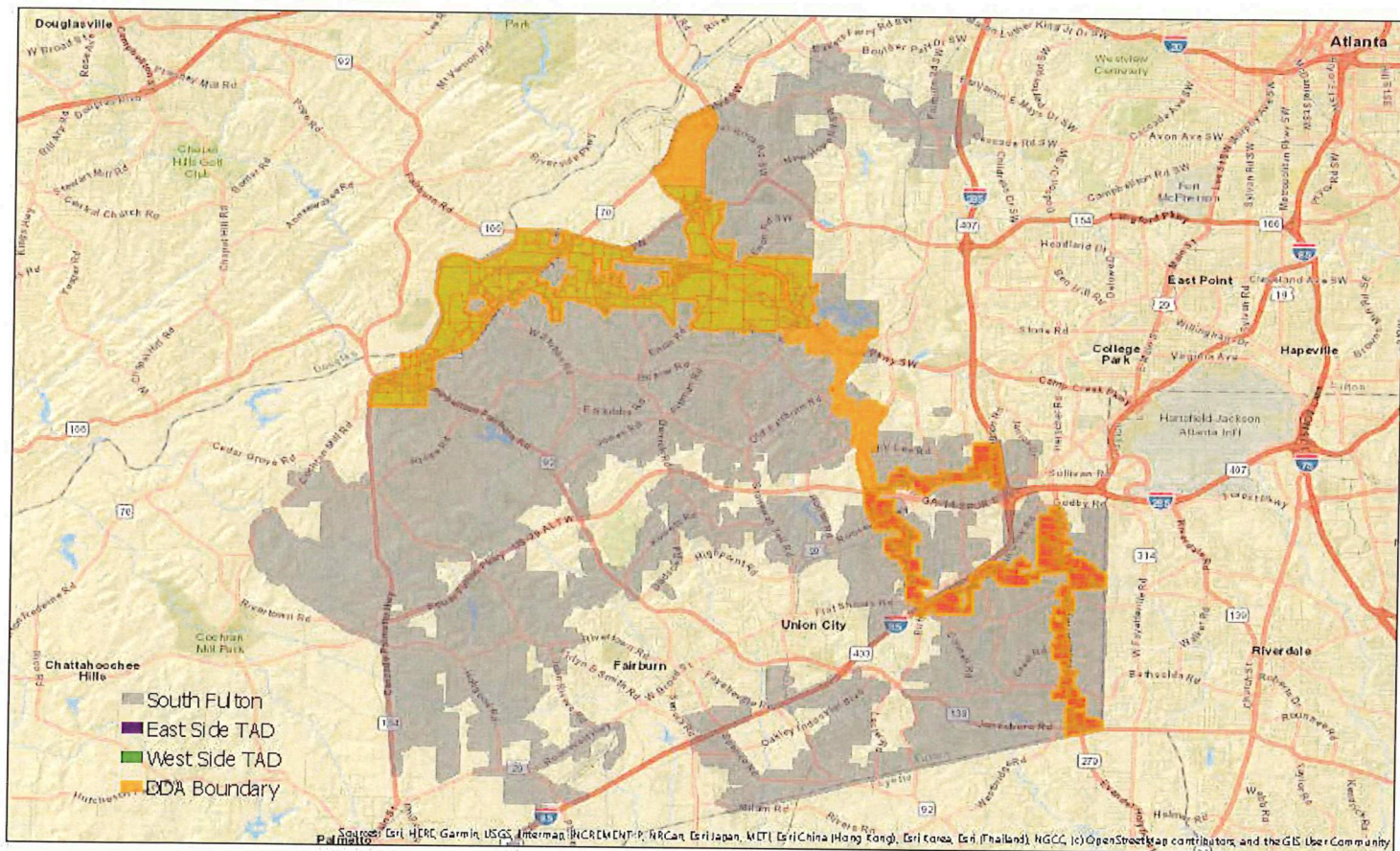
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252 EMILIA C. WALKER, CITY ATTORNEY
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The foregoing RESOLUTION No. 2020-034, adopted on Sept. 22, 2020 was offered by Councilmember Gumbs, who moved its approval. The motion was seconded by Councilmember Rowell, and being put to a vote, the result was as follows:

	AYE	NAY
William "Bill" Edwards, Mayor	<u> </u>	<u> </u>
Carmalitha Gumbs, Mayor Pro Tem	<u> x </u>	<u> </u>
Catherine Foster Rowell	<u> x </u>	<u> </u>
Helen Zenobia Willis	<u> x </u>	<u> </u>
Gertrude Naeema Gilyard (<i>Abstained</i>)	<u> </u>	<u> </u>
Corey Reeves	<u> x </u>	<u> </u>
khalid kamau	<u> </u>	<u> x </u>
Mark Baker (<i>Did not Vote</i>)	<u> </u>	<u> </u>





Environmental Committee

Jurisdiction. The Environmental Committee was formed to help ensure smart, sustainable environmental initiatives related to economic development and the long-term financial viability of the City; to strengthen environmental justice policies and programs to meet the needs of low-income areas and/or areas of minority concentration. Coordinating the City's annual celebration of Earth Day, in addition to presenting the committees final plans to the City Council for approval.

Creation and Terms. The Environmental Committee shall consist of eight City residents, all of whom shall be named for appointment by the mayor, and each member of the Council, subject to confirmation by the City Council. Resident members shall have education and experience in environment science, public health science, environmental justice or environmental education.

Environmental Committee members shall serve a two-year term, commencing from the date of their first Committee meeting. The City Council may remove any Environmental Committee member at any time, with or without cause. Any Environmental Committee member who fails to attend three consecutive regular meetings shall automatically stand removed.

Member	Appointed by	Appointed/Term Expires	2024 Absences (0 Meetings To Date)
Mr. Drew DeMan	Mayor khalid (at-large)	1/25/2022	N/A
Ms. Giavani Smith	Councilmember Rowell (D1)	1/14/2020	N/A
Ms. Antionette Edwards	Councilmember Gumbs (D2)	1/25/2022	N/A
Ms. Pamela C. Harvey	Councilmember Willis (D3)	1/28/2020	N/A
Mr. Shadeed Abdul-Salaam	Councilmember Sebastian (D4)	6/11/2019	N/A
Ms. Christina D. Clarke	Councilmember Bell (D5)	10/27/2020	N/A
Ms. Rae Pollack	Councilmember Williams -Brown(D6)	1/25/2022	N/A
Rev. Pennon Lockhart, Ph.D	Councilmember Pritchett (D7)	2/11/2020	N/A

STATE OF GEORGIA
COUNTY OF FULTON
CITY OF SOUTH FULTON

RES2023-022

A Resolution To Amend Resolution No. 2019-008 Which Established The City Environmental Committee And Encouraged Environmental Protection; And For Other Purposes.

WHEREAS, the City of South Fulton ("City") is a municipal corporation duly organized and existing under the laws of the State of Georgia; and

WHEREAS, the duly elected governing authority of the City is the Mayor and Council thereof ("City Council"); and

WHEREAS, Resolution No. 2019-008 was passed on February 12, 2019 by the City of South Fulton City Council, and adopted on the same date by virtue of the signature of the Mayor; and

WHEREAS, the aforementioned Resolution established the City of South Fulton Environmental Committee, provided for the composition and appointment of the Committee, and established regulations governing that Committee's activities; and

WHEREAS, the City Council wishes to amend Resolution 2019-008 to refine the composition and activities of the Environmental Committee; and

WHEREAS, this Resolution is in the best interests of the health and general welfare of the City, its residents and the general public.

THE CITY COUNCIL OF THE CITY OF SOUTH FULTON HEREBY RESOLVES as follows:

Section 1. That the City of South Fulton hereby amends Section 1 of Resolution 2019-008 which establishes the City Environmental Committee to read as follows:

a) Duties. The duties of the Environmental Committee shall consist of:

1. Advising the City Council on environmental/green issues, including climate change, recycling, clean air, clean water, wildlife management, hazardous waste and protection against health threatening contaminants/solid waste;
2. Presenting proposed plans to the City Council for ensuring sustainable parks, forests, open spaces and water resource management;
3. Coordinating the City's annual celebration of Earth Day, **in addition to presenting the committees final plans to the City Council for approval**; and
4. Developing proposed environmental based educational programs for the community.

(b) Composition and Appointment. The Environmental Committee shall consist of up to three City Councilmembers and up to eight City residents, all of whom shall be named for appointment by the mayor, and each member of the Council, subject to confirmation by the City Council. Resident members shall have education and experience in environment science, public health science, environmental justice or environmental education. ~~The Chairperson and Vice Chairperson shall be selected by the City Council from the members appointed. No City Council member shall be appointed, or selected to serve as the Chairperson and/or Vice Chairperson, absent their consent. The Mayor Pro Tem of the Council may serve, at his discretion, as an ex-officio member of the Environmental Committee whenever less than three of the City Council members serving are present at a meeting.~~

(c) Term and Removal. ~~Non-City Council Environmental Committee members shall serve a two year term, commencing from the date of their first Committee meeting. City Councilmembers shall serve on the Environmental Committee for the remainder of the term of office during which they are appointed, but may resign from the Environmental Committee at any time for any reason. The City Council may remove any Environmental Committee member at any time, with or without cause. Any Non-City Council Environmental Committee member who fails to attend three consecutive regular meetings shall automatically stand removed.~~

(d) Meetings.

(i) Time. The Environmental Committee shall adopt a regular meeting schedule, and may hold special meetings, as they deem necessary in order to carry out their functions, ~~with the exception that they shall hold at least one regular meeting during every month in which there is a scheduled regular meeting of the City Council.~~ Meetings may be cancelled or rescheduled by the Committee as circumstances require. The regular meetings schedule and notice of any special and/or rescheduled meetings shall be promptly provided to the City Clerk, who shall notice the same in accordance with the Open Meetings Act.

(ii) Location. In addition to City property and/or the City Council Chambers, the Environmental Committee may conduct its meetings at churches, parks, schools and libraries within the City, as such is available. The Environmental Committee Chairperson shall confirm with the City Clerk the availability of City property.

(e) Input and Assistance. The Environmental Committee members may seek input from City residents and businesses. Members may interact directly with the City Manager, City Attorney, City Treasurer and City Clerk, and may request assistance from City staff through the City Manager and/or his designee.

(f) Quorum and Governance. Four Environmental Committee members shall constitute a quorum and shall be authorized to act on behalf of the Environmental Committee. The Environmental Committee shall be governed procedurally by Robert's Rules of Order, as it is revised from time to time, and shall conduct its meetings in

accordance with all applicable local and state laws, including the Georgia Open Meetings Act.

(g) Funds. Environmental Committee members shall not receive compensation. The Environmental Committee may, by lawful means, fundraise to support its efforts, **including the coordination of the City's annual Earth Day Event.** All funds raised and/or received shall be made payable to the City of South Fulton and kept in a special account(s) restricted for the Environmental Committee. **During each Environmental Committee Meeting, a report of the Committee account shall be read into the official record.**

Section 2. Amendments are shown with strikethrough to denote text to be deleted and **bold underline** to denote text to be added.

Section 3. All Resolutions and parts of Resolutions in conflict herewith are hereby expressly repealed.

Section 4. The effective date of this Resolution shall be the date of adoption unless provided otherwise by the City Charter or state and federal law.

[signatures and voting tabulations appear on the following page]

The foregoing RESOLUTION No. 2023-022, adopted on April 25, 2023, was offered by Councilmember Gumbs, who moved its approval. The motion was seconded by Councilmember Willis, and being put to a vote, the result was as follows:

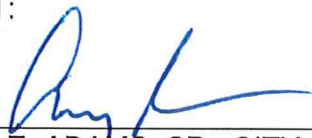
	AYE	NAY
khalid kamau, Mayor		
Carmalitha Gumbs	X	
Catherine Foster Rowell	X	
Helen Zenobia Willis	X	
Jaceey Sebastian	X	
Corey Reeves	X	
Natasha Williams-Brown, Mayor Pro Tem	X	
Linda Becquer Pritchett	X	

THIS RESOLUTION adopted this 25th day of April 2023.

CITY OF SOUTH FULTON, GEORGIA

khalid kamau, MAYOR

ATTEST:



COREY E. ADAMS, SR., CITY CLERK



APPROVED AS TO FORM:



VINCENT D. HYMAN, CITY ATTORNEY



City of South Fulton Ethics Board

Jurisdiction. A random three-person Ethics Panel will review a single complaint and determine whether there is clear and convincing evidence that a city official or employee has violated the ethics code as listed in the City Charter (as amended on June 30, 2020.)

Creation.

A. The Ethics Panel List shall consist of nine (9) members, with one appointment by the Mayor and one by each member of City Council; and one appointment by the Chief Judge of the City of South Fulton Municipal Court. Each member must be a practicing attorney.

B. The Ethics Panel shall consist of three randomly selected members from the Ethics Panel List maintained by the City Clerk.

C. The Ethics Panel shall be constituted for the sole purpose of considering a single ethics complaint and must organize and operate in accordance with the City Charter Section 6-A.5.

D. Each Ethics Panel member shall be compensated a per diem of \$50.00 for each meeting or hearing attended.

Member	Appointed by	Appointed/Term Expires	2024 Absences (0 Meetings To Date)
Tiffany Williams-Roberts, Esq.	Mayor khalid (at-large)	5/25/2022	N/A
Suzy Ockleberry Wynn, Esq.	Councilmember Rowell (D1)	1/25/2022	N/A
Eric Johnson, II, Esq.	Councilmember Gumbs (D2)	1/25/2022	N/A
Jill E. Pope, Esq.	Councilmember Willis (D3)	1/25/2022	N/A
Harry Bowden, Esq.	Councilmember Sebastian (D4)	1/25/2022	N/A
J. Latease Bailey-Close, Esq.	Councilmember Bell (D5)	11/15/2022	N/A
Kenneth Mitchell, Esq.	Councilmember Williams -Brown(D6)	1/25/2022	N/A
VACANT	Councilmember Pritchett (D7)		N/A
Veronica L. Richardson, Esq	Chief Judge, Municipal Court	1/25/2022	N/A
Tundé Ezekiel, Esq.	Chief Judge, Municipal Court	11/15/2022	N/A

**AN ORDINANCE AMENDING THE SELECTION OF AN ETHICS PANEL;
PROVIDING FOR COMPENSATION OF PANEL MEMBERS;
AND FOR OTHER LAWFUL PURPOSES.**

(Sponsored by Councilmember Natasha Williams, [Note: the following councilmembers were the sponsors of the original ordinance that is now being amended: Councilmembers Catherine Rowell, Carmalitha Gumbs and Mayor Pro Tern Corey Reeves])

WHEREAS, the City of South Fulton ("City") is a municipal corporation duly organized and existing under the laws of the State of Georgia; and

WHEREAS, the duly elected governing authority of the City is the Mayor and Council thereof ("City Council"); and

WHEREAS, the City Council is authorized by O.C.G.A. § 36-35-3 to adopt ordinances relating to its property, affairs, and local government; and

WHEREAS, pursuant to City Charter Section 3.10 (b), the City Council is authorized to adopt ordinances and amendments it deems necessary, expedient, or helpful for the health, welfare, safety, comfort, and well-being of the inhabitants of the City; and

WHEREAS, the City Council desires to provide for the method of selection of ethic panel members and their compensation; and

WHEREAS, the City Council on December 21, 2021 adopted Ordinance No. 2021-032, which provided for the method of selection of ethic panel members and their compensation; and

WHEREAS, since the adoption of Ordinance No. 2021-032, the City Council has yet to be able to impanel the requisite number of ethic panel members to conduct any necessary ethics hearings; and

WHEREAS, the City Council seeks to amend its previous Ordinance No. 2021-032 as set forth below.

THE CITY COUNCIL OF THE CITY OF SOUTH FULTON HEREBY ORDAINS as follows:

Section 1. An Ethics Panel List shall be compiled as a pool of members to hear ethics complaint for the City as follows:

A. The Ethics Panel List shall consist of nine (9) members, with one appointment by the Mayor and one by each member of City Council; and one appointment by the Chief Judge of the City of South Fulton Municipal Court. Each member must be a practicing attorney. Notwithstanding the foregoing, if the mayor or councilmember fails to make their appointment within 3 business days after being notified by City Clerk of the need for such an appoint to compile and complete the Ethics Panel list, then the Chief Judge of the City of South Fulton Municipal Court will be authorized to make additional appointments to fill the remaining vacant ethic panel positions necessary to comply with the Charter. However, in the event that an appointment made by the Chief Judge was due to a councilmember vacating his seat voluntarily or involuntarily, this appointment's term will be until December 31, of the year of such appointment or until such time the newly elected councilmember is sworn in and available to make his/her appointment to the Ethics Panel as required by this ordinance.

B. The Ethics Panel shall consist of three randomly selected members from the Ethics Panel List maintained by the City Clerk.

C. The Ethics Panel shall be constituted for the sole purpose of considering a single ethics complaint and must organize and operate in accordance with the City Charter Section 6- .5.

D. Each Ethics Panel member shall be compensated a per diem of \$50.00 for each meeting or hearing attended.

Section 2. It is hereby declared to be the intention of the Mayor and 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, 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 Ordinance.

(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 Ordinances and any parts thereof 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 the date of adoption unless provided otherwise by the City Charter or state and federal law.

[signatures and voting tabulations appear on the following page]

khalid kamau, Mayor
Carmalitha Gumbs
Catherine Foster Rowell
Helen Zenobia Willis
Jaceey Sebastian
Corey Reeves, Mayor Pro Tem
Natasha Williams
Vacant

NAY

[illegible]

VINCENT D. HYMAN, CITY ATTORNEY





MAYOR'S SIGNATURE PAGE

Per the City Charter, "Every ordinance, resolution, or other action adopted by the city council shall be presented to the mayor for signature within two business days following the adoption of such ordinance, resolution, or other action by the city council. The mayor shall have the right to veto any ordinance, resolution, or other action adopted by the city council, in accordance with the procedures set forth in this section. The mayor, within five business days following receipt of an ordinance, resolution, or other action adopted by the city council, shall return it to the city clerk with or without the mayor's approval or with the mayor's veto. If an ordinance, resolution, or other action adopted by the city council has been approved by the mayor or if it is returned to the city clerk neither approved nor disapproved, it shall become law upon its return to the city clerk. However, if the mayor fails to return an ordinance, resolution, or other action adopted by the city council to the city clerk within five business days of receipt, it shall become law at 12:00 Midnight on the fifth business day after receipt."

The mayor acknowledges receipt of the noted Item listed below:

Date of Adoption: August 23, 2022 **Item Number:** ORD2022-027

Subject: AN ORDINANCE AMENDING THE SELECTION OF AN ETHICS PANEL; PROVIDING FOR COMPENSATION OF PANEL MEMBERS; AND FOR OTHER LAWFUL PURPOSES.

Date Received by Mayor: August 25, 2022

☐

APPROVED

☐

DISAPPROVED

Mayor's Signature: _____
khalid kamau

Date to City Clerk' Office: _____

** Mayor did not sign*

CA

9/1/22



City of South Fulton Historic And Cultural Landmarks Commission

Jurisdiction. The City of South Fulton Historic & Cultural Landmarks Commission (HCLC) is dedicated to:

- identifying, preserving, and revitalizing the City's historic districts and landmarks;
- fostering civic pride in the past;
- promoting the use of historic districts and landmarks for the enrichment of the community;
- encouraging preservation of historic integrity in land use and development planning; and
- providing citizenry education to encourage preservation.

Creation and Terms. The Commission consists of 10 members. Eight of the members must be qualified electors of the City of South Fulton who are appointed to the Commission by the Mayor and ratified by the City Council. The planning and development director and the building official are ex officio, nonvoting members of the Historic and Cultural Landmarks Commission. The term of office of the members of the Historic and Cultural Landmarks Commission shall be for two (2) years. Members may be appointed to succeed themselves and shall serve at the discretion of the city council until a new member is appointed in their place.

Member	Appointed by	Appointed/Term Expires	2024 Absences (0 Meetings To Date)
Ms. Shakia Guest	Mayor khalid (at-large)	7/23/2019	N/A
Dr. Lynn Anidi	Councilmember Rowell (D1)	1/14/2020	N/A
Ms. Cybil Talley	Councilmember Gumbs (D2)	2/27/2018	N/A
Dr. John Herring	Councilmember Willis (D3)	1/28/2020	N/A
Mr. Charles Mitchell	Councilmember Sebastian (D4)	4/26/2022	N/A
Ms. Carmen Howell Ferguson	Councilmember Bell (D5)	1/28/2020	N/A
VACANT	Councilmember Williams -Brown(D6)		N/A
Ms. Elizabeth T. Miller	Councilmember Pritchett (D7)	6/5/2018	N/A

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

ORD – 2020-036

4
5
6 **AN ORDINANCE PROVIDING FOR REGULATIONS PROTECTING THE**
7 **HISTORICAL QUALITIES OF THE CITY; AMENDING TITLE 5, ZONING AND**
8 **PLANNING, CHAPTER 7, HISTORIC AND CULTURAL LANDMARKS COMMISSION**
9 **AND FOR OTHER LAWFUL PURPOSES**

10
11 **(Sponsored by Councilpersons khalid, Baker and Rowell)**

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 Council is authorized by O.C.G.A. Section 36-35-3 to adopt
19 ordinances relating to its property, affairs, and local government;

20 **WHEREAS**, Section 1.12(b)(4) of the City Charter authorizes the City to regulate
21 and license buildings and all other structures;

22
23 **WHEREAS**, the City Council desires to amend the existing Ordinance No 2017-
24 040 in order for the City to participate in and be eligible for Certified Local Government
25 Program; and to ensure compliance with both the Georgia Historic Preservation Act and
26 the Georgia Local Government Program Application and Procedures; and

27
28 **WHEREAS**, the City Council finds this Ordinance to be in the best interest of
29 the health, safety, and welfare of, the citizens of the City.

30
31 **NOW THEREFORE, THE COUNCIL OF THE CITY OF SOUTH FULTON**
32 **HEREBY ORDAINS** as follows:

33 **Section 1.** Title 5, Zoning and Planning, Chapter 7, Historic and Cultural
34 Landmarks Commission, Section 5-7001, Creation and Appointment is hereby amended
35 by replacing the same with the following:
36

37 **CHAPTER 7. - HISTORIC AND CULTURAL LANDMARKS COMMISSION**

38 **Sec. 5-7001. – Purpose, Authority, Definitions, Creation, and Appointment.**

- 39 (a) The mayor and council find that the historical and cultural heritage of the City is
40 among its most valued and important assets and that the preservation of this
41 heritage is essential to the promotion of the health, prosperity and general welfare
42 of the people of the City and of the public generally. Therefore, pursuant to the

43 authority conferred by the National Historic Preservation Act of 1976, as amended,
44 (16 USC 470 *et seq.*) and by the Georgia Historic Preservation Act of 1980, as
45 amended, (O.C.G.A. § 44-10-21 *et seq.*), and for the purposes of establishing a
46 uniform procedure for use in providing for the protection, enhancement,
47 perpetuation and use of historic properties and historic districts, having a special
48 historical and cultural interest or value; protecting and safeguarding the City's
49 historic and cultural heritage, as embodied and reflected in such properties and
50 districts; stabilizing and improving the property values of such properties and
51 districts to retain and attract residents and to encourage restoration and
52 rehabilitation efforts; protecting and enhancing the City's attractions to tourists and
53 visitors and the support and stimulus to business and industry thereby provided;
54 strengthening the economy of the City; enhancing the opportunities for federal and
55 state tax benefits under relevant provisions of federal and state law; seeking to
56 participate in federal and state programs that provide for the designation,
57 protection, preservation and rehabilitation of such properties and districts;
58 fostering civic pride in the beauty and accomplishments of the past; promoting the
59 use of such properties and districts for the education, pleasure, and welfare of the
60 people of the City; all in accordance with the City's adopted comprehensive plan,
61 as amended, the mayor and council hereby ordain and enact into law this chapter.

62 (b) The Historic and Cultural Landmarks Commission shall adopt rules and standards
63 for the transaction of its business and for consideration of application for
64 designation of Certificate of Appropriateness, such as by-laws, removal of
65 membership provision, and design guidelines and criteria. The Historic and Cultural
66 Landmarks Commission shall have the flexibility to adopt rules and standards
67 without amendment to this Ordinance.

68 (c) The provisions of this chapter shall govern all land, buildings and structures within
69 the incorporated limits of the city.

70 (d) The following words, terms and phrases when used in this chapter, shall have the
71 meanings ascribed to them in this section, except where the context clearly
72 indicates a different meaning:

73 *Certificate of Appropriateness* means a document approving a proposal to make a
74 material change in the appearance of a designated historic property or of a structure,
75 site, or work of art located within a designated historic district, which document must
76 be obtained from a Historic and Cultural Landmarks Commission before such material
77 change may be undertaken.

78 *Commission* means the Historic and Cultural Landmarks Commission created and
79 established pursuant to O.C.G.A. Section 44-10-24.

80 *Designation* means a decision by the mayor and council wherein a property or
81 district proposed for preservation is located to designate such property or district as a
82 "historic property" or as a "historic district" and thereafter to preclude all material
83 changes in appearance of such property or within such district prior to the issuance of
84 a certificate of appropriateness by the Historic and Cultural Landmarks Commission.

85 *Exterior architectural features* means the architectural style, general design and
86 general arrangement of the exterior of a building or other structure, including, but not
87 limited to the kind or texture of the building material; the type and style of all windows,
88 doors and signs; and other appurtenant architectural fixtures, features, details or
89 elements relative to the foregoing.

90 *Exterior environmental features* means all those aspects of the landscape which
91 affect the historic character of the property or the development of the site, including
92 but not limited to parking areas, driveways, walkways, fences, wall, landscaping, signs
93 or other permanent landscape elements; and other appurtenant environmental
94 fixtures, features, details or elements relative to the foregoing.

95 *Historic district* means a geographically definable area, urban or rural, which
96 contains structures, sites, works of art, or a combination thereof which:

- 97 i. Have special character or special historical or aesthetic interest or value;
- 98 ii. Represent one or more periods or styles of architecture typical of one or
99 more eras in the history of the municipality, county, state, or region; and
- 100 iii. Cause such area, by reason of such factors, to constitute a visibly
101 perceptible section of the municipality or county.

102 *Historic preservation jurisdiction* means the area within the incorporated limits of
103 the city.

104 *Historic property* means a structure, site, or work or art, including the adjacent
105 area necessary for the proper appreciation or use thereof, deemed worthy of
106 preservation by reason of its value to the municipality, county, state, or region for one
107 or more of the following reasons:

- 108 i. It is an outstanding example of a structure representative of its era;
- 109 ii. It is one of the few remaining examples of a past architectural style;
- 110 iii. It is a place or structure associated with an event or person of historic or
111 cultural significance to the municipality, county, state, or region; or
- 112 iv. It is a site of natural or aesthetic interest that is continuing to contribute to
113 the cultural or historical development and heritage of the municipality,
114 county, state, or region.

115 *Material change in appearance* means a change that will affect either the exterior
116 architectural or environmental features of a historic property or of any place, district,
117 site, building, structure, object or work of art within a historic district, including but not
118 limited to the following:

- 119 i. A reconstruction or alteration of the size, shape or facade of a historic
120 property, including relocation of any doors or windows or removal or
121 alteration of any architectural features, details or elements;
- 122 ii. Demolition or relocation of a historic property;
- 123 iii. Commencement of excavation;
- 124 iv. A change in the location of advertising visible from the public right-of-way
125 on any historic property; or
- 126 v. The erection, alteration, restoration or removal of any building or other
127 structures within a designated historic district, including walls, fences,
128 steps and pavements or other appurtenant environmental features,
129 except exterior paint alterations.

130 *Owner* means the holder of the title in fee simple.

131 *Parties in interest* means persons in possession of such property and all
132 individuals, associations and corporations who have an interest of record in the county
133 where the property is located in a place, site, building, structure or work of art,
134 including executors, administrators, guardians and trustees.

135 (e) There is hereby created the Historic and Cultural Landmarks Commission to be
136 comprised of ten members ("commission members"). Eight of the members shall be
137 qualified electors of the City who are appointed by the Mayor and ratified by the City
138 Council. The planning and development director and the building official shall be ex
139 officio, nonvoting members of the Historic and Cultural Landmarks Commission.

140 (f) The City Council shall appoint representatives who have demonstrated their civic
141 interest, general knowledge of the community, experience or education in history,
142 architecture, or the preservation of historic resources, independent judgment and
143 availability to prepare for and attend meetings. Whenever feasible, appointees
144 should be practicing professionals from the fields of architecture, landscape
145 architecture, history, urban planning, archeology, real estate, law, or other
146 disciplines related to historic preservation. All Historic and Cultural Landmarks
147 Commission members, regardless of background, shall have a known and
148 demonstrated interest, competence or knowledge in historic preservation and
149 planning within the city.

150 (g) As nearly as is reasonably possible, the Historic and Cultural Landmarks
151 Commission members as a whole shall fairly represent the ethnic makeup of the
152 city. All members shall be residents of the City.

153 (h) All Commission members shall serve without compensation.

154 **Section 2.** Title 5, Zoning and Planning, Chapter 7, Historic and Cultural
155 Landmarks Commission, Section 5-7004, Power and duties is hereby amended by
156 replacing the same with the following:
157

158 **CHAPTER 7. - HISTORIC AND CULTURAL LANDMARKS COMMISSION**

159 **Sec. 5-7004. - Power and duties.**

160 The Historic and Cultural Landmarks Commission shall be empowered to:

- 161 (1) Prepare an inventory of all property within the City's respective historic
162 preservation jurisdiction having the potential for designation as historic property.
- 163 (2) Recommend to the City council specific places, districts, sites, buildings,
164 structures, or works of art to be designated by ordinance as historic properties
165 or historic districts; Initiate and/or consider nominations, hold hearings and
166 recommend to the city council that certain structures and property be
167 designated as highly significant endangered, historic and cultural landmark or
168 demolition delay, or that an area containing two or more eligible structures be
169 designated as a historic and cultural landmark district.
- 170 (3) Review applications for certificates of appropriateness and grant or deny the
171 same in accordance with Code Section 44-10-28.
- 172 (4) Recommend to the city council that the designation of any place, district, site,
173 building, structure, or work of art as a historic property or as a historic district be
174 revoked or removed.
- 175 (5) Restore or preserve any historic properties acquired by the City.
- 176 (6) Promote the acquisition by the City of façade easements and conservation
177 easements in accordance with the provisions of the Georgia Uniform
178 Conservation Easement Act of 1992 and Georgia Annotated Code Sections 44-
179 10-1 through 44-10-8.
- 180 (7) Conduct an educational program on historic properties located within its historic
181 preservation jurisdiction.
- 182 (8) Make such investigations and studies of matters relating to historic preservation
183 as the local governing body or the commission itself may from time to time
184 deem necessary or appropriate for the purposes of this article.
- 185 (9) Seek out state and federal funds for historic preservation and make
186 recommendations to the local governing body concerning the most appropriate
187 use of any funds acquired.
- 188 (10) Consult with historic preservation experts in the Division of Historic
189 Preservation of the Department of Natural Resources or its successor and the
190 Georgia Trust for Historic Preservation, Inc.
- 191 (11) Submit to the Division of Historic Preservation of the Department of Natural
192 Resources or its successor a list of historic properties or historic districts
193 designated as such pursuant to Code Section 44-10-26.
- 194 (12) Perform historic preservation activities as the official agency of the City of South
195 Fulton Historic Preservation Program.

- 196 (13) Participate in private, state, and federal historic preservation programs and with
197 the consent of the South Fulton City Council, enter into agreements to do the
198 same.
- 199 (14) Receive donations, grants, funds, or gifts of historic property and acquire and
200 sell historic properties. The Commission shall not obligate the City without prior
201 consent.
- 202 (15) Review and make comments to the Historic Preservation Division of the
203 Department of Natural Resources concerning the nomination of properties
204 within its jurisdiction to the National Register of Historic Places.
- 205 (16) Prepare rules and procedures as necessary to carry out the business of the
206 Historic and Cultural Landmarks Commission, which shall be ratified by the city
207 council.
- 208 (17) Create committees from among its membership to advise the Historic and
209 Cultural Landmarks Commission in carrying out its powers and duties.
- 210 (18) Administer the city's certified local government program.
- 211 (19) Maintain written minutes, which record all actions taken by the Historic and
212 Cultural Landmarks Commission and the reasons for such actions.
- 213 (20) Increase public awareness of the value of historic, cultural, architectural and
214 archeological preservation by developing and participating in public education
215 programs.
- 216 (21) Conduct ongoing surveys to identify and list significant historical, cultural,
217 architectural and archeological resources.
- 218 (22) Make recommendations to the City council for the employment of professional
219 consultants as necessary to assist in carrying out the duties of the Historic and
220 Cultural Landmarks Commission.
- 221 (23) Create, maintain, revise and amend the historic resources survey.
- 222 (24) Maintain a current database of historic structures.
- 223 (25) Adopt, enforce and amend design guidelines for structures designated highly
224 significant endangered or historic and cultural landmark or located in a historic
225 and cultural landmark district.
- 226 (26) Hold hearings and make decisions concerning the issuance of certificates of
227 appropriateness for demolition, relocation or other work on designated
228 structures and, when appropriate, recommend salvage plans in connection with
229 such demolition, relocation or other work.
- 230 (27) Review public works and public utility projects to be constructed on the
231 premises of, or immediately adjacent to, historic structures and make
232 recommendations concerning whether they are appropriate to the character of
233 the area.
- 234 (28) Recommend enforcement actions to be taken against property owners who
235 permit the demolition by neglect of a designated historic structure or property.

- 236 (29) Advise and consult with the owners of historically and architecturally
237 significant structures.
- 238 (30) Propose incentive programs for rehabilitation of historically designated
239 structures and properties.
- 240 (31) Review requests regarding participation in historic preservation economic
241 incentive programs and forward recommendations concerning such requests to
242 the city council.
- 243 (32) Make recommendations to the city council concerning the utilization of city,
244 state, federal or private funds to promote historic preservation in the city.
- 245 (33) Recommend recognition of the owners of structures or property designated
246 in accordance by means of certificates, plaques or markers.
- 247 (34) Recommend to the city council that the city act as a conservator in the public
248 interest through mediation, arbitration or, in extreme cases, litigation.
- 249 (35) Recommend to the city council that the city accept the donation of
250 preservation easements and development rights, as well as gifts for the
251 purpose of historic preservation.
- 252 (36) Exercise such other and further powers as may be conferred on the Historic
253 and Cultural Landmarks Commission by city codes or ordinances.

254

255 **Section 3.** Title 5, Zoning and Planning, Chapter 7, Historic and Cultural
256 Landmarks Commission, is hereby amended by creating and adding Section 5-7007,
257 Designation by Ordinance of Historic Properties or Historic Districts:
258

259 **CHAPTER 7. - HISTORIC AND CULTURAL LANDMARKS COMMISSION**

260 **Sec. 5-7007. - Designation by Ordinance of Historic Properties or Historic**
261 **Districts.**

262

263 (a) Ordinances adopted by the City to designate historic properties or historic districts
264 shall be subject to the following requirements:

- 265 (1) Any ordinance designating any property as a historic property or any district as a
266 historic district shall require that the designated property or district be shown on
267 the official zoning map of the City or that, in the absence of an official zoning
268 map, the designated property or district be shown on a map of the City adopting
269 such ordinance and kept by the City as a public record to provide notice of such
270 designation in addition to other notice requirements specified by this section;
- 271 (2) Any ordinance designating any property as a historic property shall describe
272 each property to be designated, shall set forth the name or names of the owner
273 or owners of the property, and shall require that a certificate of appropriateness

274 be obtained from the Historic and Cultural Landmarks Commission prior to any
275 material change in appearance of the designated property; and

276 (3) Any ordinance designating any district as a historic district shall include a
277 description of the boundaries of the district, shall list each property located
278 therein, shall set forth the name or names of the owner or owners of each
279 property, and shall require that a certificate of appropriateness be obtained from
280 the Historic and Cultural Landmarks Commission prior to any material change in
281 appearance of any structure, site, or work of art located within the designated
282 historic district.

283

284 (b) No ordinance designating any property as a historic property and no ordinance
285 designating any district as a historic district nor any amendments thereto may be
286 adopted by the City nor may any property be accepted or acquired as historic property
287 by the City until the following procedural steps have been taken:

288

289 (1) The Commission shall make or cause to be made an investigation and shall
290 report on the historic, cultural, architectural, or aesthetic significance of each
291 place, district, site, building, structure, or work of art proposed for designation or
292 acquisition. This report shall be submitted to the Division of Historic Preservation
293 of the Department of Natural Resources or its successor which will be allowed 30
294 days to prepare written comments concerning the report;

295 (2) The Commission and the City shall hold a public hearing on the proposed
296 ordinance. Notice of the hearing shall be published at least three times in the
297 principal newspaper of general circulation within the municipality or county in
298 which the property or properties to be designated or acquired are located; and
299 written notice of the hearing shall be mailed by the Commission to all owners and
300 occupants of such properties. All the notices shall be published or mailed not
301 less than 10 nor more than 20 days prior to the date set for the public hearing;
302 and

303 (3) Following the public hearing, the City may adopt the ordinance as prepared,
304 adopt the ordinance with any amendments it deems necessary, or reject the
305 proposal.

306

307 (c) Within 30 days immediately following the adoption of the ordinance, the owners and
308 occupants of each designated historic property and the owners and occupants of each
309 structure, site, or work of art located within a designated historic district shall be given
310 written notification of such designation by the City, which notice shall apprise said
311 owners and occupants of the necessity for obtaining a Certificate of Appropriateness
312 prior to undertaking any material change in the appearance of the historic property
313 designated or within the historic district designated.

314

315 **Section 4.** Title 5, Zoning and Planning, Chapter 7, Historic and Cultural
316 Landmarks Commission, is hereby amended by creating and adding Section 5-7008,
317 Certificate of Appropriateness Requirements and Exemption:

318

319 **CHAPTER 7. - HISTORIC AND CULTURAL LANDMARKS COMMISSION**

320 **Sec. 5-7008. - Certificate of Appropriateness Requirements and Exemption.**

321 (a) After the designation by ordinance of a historic property or of a historic district, no
322 material change in the appearance of the historic property or of a structure, site, or work
323 of art within the historic district shall be made or be permitted to be made by the owner
324 or occupant thereof unless and until application for a Certificate of Appropriateness has
325 been submitted to and approved by the Commission. Such application shall be
326 accompanied by such drawings, photographs, or plans as may be required by the
327 Commission.

328
329 (b) The Department of Transportation and any contractors, including cities and counties,
330 performing work funded by the Department of Transportation are exempt from this
331 article. Local governments are exempt from the requirement of obtaining certificates of
332 appropriateness; provided, however, that local governments shall notify the Commission
333 45 days prior to beginning an undertaking that would otherwise require a Certificate of
334 Appropriateness and allow the Commission an opportunity to comment.

335
336 **Section 5.** Title 5, Zoning and Planning, Chapter 7, Historic and Cultural
337 Landmarks Commission, is hereby amended by creating and adding Section 5-7009,
338 Procedure for Review of Applications.
339

340 **CHAPTER 7. - HISTORIC AND CULTURAL LANDMARKS COMMISSION**

341 **Sec. 5-7009. - Procedure for Review of Applications.**

342 (a) Prior to reviewing an application for a Certificate of Appropriateness, the
343 Commission shall take such action as may reasonably be required to inform the owners
344 of any property likely to be affected materially by the application and shall give the
345 applicant and such owners an opportunity to be heard. In cases where the Commission
346 deems it necessary, it may hold a public hearing concerning the application.

347

348 (b) The Commission shall approve the application and issue a Certificate of
349 Appropriateness if it finds that the proposed material change in appearance would not
350 have a substantial adverse effect on the aesthetic, historical, or architectural
351 significance and value of the historic property or the historic district. In making this
352 determination, the Commission shall consider, in addition to any other pertinent factors,
353 the historical and architectural value and significance; architectural style; general
354 design, arrangement, texture, and material of the architectural features involved; and
355 the relationship thereof to the exterior architectural style and pertinent features of other
356 structures in the immediate neighborhood.

357 (c) In its review of applications for Certificates of Appropriateness, the Commission shall
358 not consider interior arrangement or uses having no effect on exterior architectural
359 features.

(d) The Commission shall approve or reject an application for a Certificate of Appropriateness within 45 days after the filing thereof by the owner or occupant of a historic property or of a structure, site, or work of art located within a historic district. Evidence of approval shall be by a Certificate of Appropriateness issued by the Commission. Failure of the Commission to act within the 45-day period shall constitute approval, and no other evidence of approval shall be needed.

(e) In the event the Commission rejects an application, it shall state its reasons for doing so and shall transmit a record of such action and the reasons therefor, in writing, to the applicant. The Commission may suggest alternative courses of action it thinks proper if it disapproves of the application submitted. The applicant, if he so desires, may make modifications to the plans and may resubmit the application at any time after doing so.

(f) In cases where the application covers a material change in the appearance of a structure which would require the issuance of a building permit, the rejection of an application for a Certificate of Appropriateness by the Commission shall be binding upon the building inspector or other administrative officer charged with issuing building permits; and, in such a case, no building permit shall be issued.

(g) Where such action is authorized by the City and is reasonably necessary or appropriate for the preservation of a unique historic property, the Commission may enter into negotiations with the owner for the acquisition by gift, purchase, exchange, or otherwise of the property or any interest therein.

(h) Where, by reason of unusual circumstances, the strict application of any provision of this article would result in exceptional practical difficulty or undue hardship upon any owner of any specific property, the Commission, in passing upon applications, shall have the power to vary or modify strict adherence to the provisions or to interpret the meaning of the provision so as to relieve such difficulty or hardship; provided, however, that such variance, modification, or interpretation shall remain in harmony with the general purpose and intent of the provisions so that the architectural or historical integrity or character of the property shall be conserved and substantial justice done. In granting variations, the Commission may impose such reasonable and additional stipulations and conditions as will in its judgment best fulfill the purpose of this article.

(i) The Commission shall keep a record of all applications for Certificates of Appropriateness and of all its proceedings.

(j) Any person adversely affected by any determination made by the Commission relative to the issuance or denial of a Certificate of Appropriateness may appeal such determination to the City of South Fulton City Council in whose historic preservation jurisdiction the property in question is located; and City Council may approve, modify and approve, or reject the determination made by the Commission if the City Council

397 finds that the Commission abused its discretion in reaching its decision. The ordinances
398 adopted in conformity with Code Section 44-10-26 shall specify the procedures for the
399 review of decisions of the Commission by the City Council. Appeals from decisions of
400 the City Council made pursuant to this article may be taken to the superior court in the
401 manner provided by law for appeals from a conviction for municipal ordinance
402 violations.

403 **Section 6.** Title 5, Zoning and Planning, Chapter 7, Historic and Cultural
404 Landmarks Commission, is hereby amended by creating and adding Section 5-7010,
405 Maintenance of Historic Properties and Code Provisions.
406

407 **CHAPTER 7. - HISTORIC AND CULTURAL LANDMARKS COMMISSION**

408 **Sec. 5-7010. - Maintenance of Historic Properties and Code Provisions.**

409 (a) Ordinary Maintenance or Repair of any exterior architectural or environmental
410 feature in or on a historic property to correct deterioration, decay, or to sustain the
411 existing form, and that does not involve a material change in design, material or outer
412 appearance thereof, does not require a Certificate of Appropriateness.

413 (b) Property owners of historic properties or properties within historic district shall not
414 allow their buildings to deteriorate by failing to provide ordinary maintenance or repair.
415 The Commission shall be charged with the following responsibilities regarding
416 deterioration by neglect.

417 1. The Commission shall monitor the condition of historic properties and existing
418 buildings in historic districts to determine if they are being allowed to deteriorate
419 by neglect. Such conditions as broken windows, doors and exterior openings
420 which allow the elements and vermin to enter, or the deterioration of a building
421 structural system shall constitute failure to provide ordinary maintenance or
422 repair.

423 2. In the event the Commission determines a failure to provide ordinary
424 maintenance or repair, the Commission will notify the owner of the property and
425 set forth the steps which need to be taken to remedy the situation. The owner of
426 such property will have 30 days to bring the property into compliance.

427 3. In the event that the condition is not remedied in 30 days, the owner shall be
428 punished as provided in Section 5-7011 of this Ordinance and, at the direction of
429 the City of South Fulton City council, the Commission may perform such
430 maintenance or repair as is necessary to prevent deterioration by neglect. The
431 owner of the property shall be liable for the cost of such maintenance and repair
432 performed by the Commission.

(c) Nothing in this Ordinance shall be constructed as to exempt property owners from complying with existing City building and zoning codes, nor prevent any property owner from making any use of this property not prohibited by other statutes, ordinances, or regulations.

Section 7. Title 5, Zoning and Planning, Chapter 7, Historic and Cultural Landmarks Commission, is hereby amended by creating and adding Section 5-7011, Penalty.

CHAPTER 7. - HISTORIC AND CULTURAL LANDMARKS COMMISSION

Sec. 5-7011. - Penalty.

Violations of any provisions of this Ordinance shall be punished in the same manner as provides for punishment of violations of validly enacted Ordinances of the City of South Fulton.

Section 8. 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 9. All Ordinances and Resolutions in conflict herewith are hereby expressly repealed.

Section 10. 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 11. 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.

517 The foregoing Ordinance No. 2020-036 was moved for approval by Councilmember
518 Rowell. The motion was seconded by Councilmember Gilyard, and being put to a vote,
519 the result was as follows:

520

521

522

AYE

NAY

523

524

William "Bill" Edwards, Mayor

X

525

Carmalitha Gumbs, Mayor Pro Tem

X

526

Catherine Foster Rowell

X

527

Helen Zenobia Willis

X

528

Gertrude Naeema Gilyard

X

529

Corey A. Reeves

X

530

khalid kamau

X

531

Mark Baker

532

533

534

THIS ORDINANCE so adopted this 10th day of November 2020.

535

536

CITY OF SOUTH FULTON, GEORGIA.

537

538

539

540



541

WILLIAM "BILL" EDWARDS, MAYOR

542

543

ATTEST:

544

545

546



547

COREY E. ADAMS, SR., CITY CLERK

548

549

APPROVED AS TO FORM:

550

551

552

553

EMILIA C. WALKER, CITY ATTORNEY





City of South Fulton Old National District Main Street Board

Jurisdiction. The Program is sponsored and governed by the City of South Fulton, and is a division of the City's Economic Development Department. The Program works to maintain a strong, viable, and broad based revitalization program that embraces the implementation of best development practices in accordance to the Georgia Main Street Program and the National Main Street Center's guiding principles and Main Street Approach.

Creation and Terms. The Advisory Board shall consist of seven (7) members ("Board Members") solicited by current Board Members and the Main Street Manager, with official appointment made by City Council. Initial appointments shall be for one-, two-, and three-year terms. Subsequent appointments shall be 3-year terms. Board members may serve consecutive terms if recommended by the board and approved by the city council. Appointments to the Board for the upcoming calendar year shall be made at a meeting in November, or at some other time, as approved by a majority vote of the Board, to ensure that official appointment by City Council has been made by the Board's first meeting of the next calendar year. All Board Members shall commit to working, volunteering, or participating, on behalf of the Program, in at least three of the Program's sponsored events.

Member	Appointed by	Appointed/Term Expires	2024 Absences (Meetings To Date)
Emmanuel Rainey Jr.	City Council	12/14/2021	
Sherri Fisher	City Council	12/14/2021	
Sherie Phillips	City Council	12/14/2021	
Phyllis Minter	City Council	12/14/2021	
Jonathan White	City Council	12/14/2021	
Charlston Austin	City Council	12/14/2021	
Linda Hubbert	City Council	12/14/2021	

STATE OF GEORGIA
COUNTY OF FULTON
CITY OF SOUTH FULTON

RES2021-047

A RESOLUTION SUPPORTING THE ESTABLISHMENT OF THE OLD NATIONAL DISTRICT MAIN STREET PROGRAM; AND FOR OTHER PURPOSES.

(Sponsored by Councilmember Reeves)

WHEREAS, the City of South Fulton supports the revitalization and economic re-development of the Old National Highway corridor; and

WHEREAS, the City of South Fulton desires to maintain an economically vital and vibrant district for its residents, visitors and tourists; and

WHEREAS, the City of South Fulton sees an economically healthy district as one of its critical assets; and

WHEREAS, the City of South Fulton realizes that a sustainable Old National District contributes to the community's economic health; and

WHEREAS, the City of South Fulton recognizes its commercial corridor as representing the unique history and culture of our community; and

WHEREAS, the City of South Fulton wishes to maintain a livable, walkable historic district with opportunities to shop, work, live and discover recreational, cultural and heritage opportunities; and

WHEREAS, the City of South Fulton wishes to pursue to investing in enhancing the quality of life for the community's citizens via the implementation of asset-based economic development strategies under the Main Street Approach; and

WHEREAS, the City of South Fulton may leverage technical assistance and other resources through the Georgia Department of Community Affairs Office of Downtown Development to support the economic re-development and revitalization of the Old National District Main Street district.

THE CITY COUNCIL OF THE CITY OF SOUTH FULTON HEREBY RESOLVES
as follows:

Section 1. The City of South Fulton agrees to work with the Georgia Department of Community Affairs Office of Downtown Development dedicating resources and financial support as available to create a successful district economic development program including strategies established by the National Main Street Center's Economic Transformation Strategies and the Main Street Approach.

Section 2. The City of South Fulton commits to work collaboratively the Georgia Department of Community Affairs, Office of Downtown Development to meet the standards and principles of revitalizing and re-developing the core commercial district of the community as set forth in the annual Memorandum of Understanding (MOU).

Section 3. The term of this resolution shall be deemed effective for the life of an active MOU on file with the Office of Downtown Development, renewed annually, if standards outline in the MOU are met, commencing January 1, 2022.

[signatures and voting tabulations appear on the following page]

The foregoing RESOLUTION No. 2021-047, adopted on December 14, 2021 was offered by Councilmember Willis, who moved its approval. The motion was seconded by Councilmember Rowell, and being put to a vote, the result was as follows:

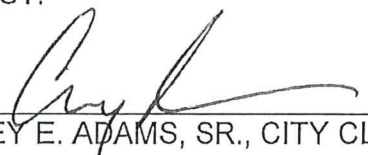
	AYE	NAY
William "Bill" Edwards, Mayor	_____	_____
Carmalitha Gumbs	_____X_____	_____
Catherine Foster Rowell	_____X_____	_____
Helen Zenobia Willis, Mayor Pro Tem	_____X_____	_____
Gertrude Naeema Gilyard	_____X_____	_____
Corey Reeves	_____X_____	_____
khalid kamau	_____X_____	_____
Mark Baker	_____X_____	_____

THIS RESOLUTION adopted this 14th day of December 2021.

CITY OF SOUTH FULTON, GEORGIA


WILLIAM "BILL" EDWARDS, MAYOR

ATTEST:

 12/16/21
COREY E. ADAMS, SR., CITY CLERK

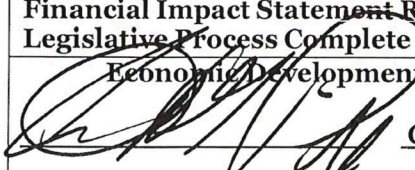
APPROVED AS TO FORM:

 12/16/21
VINCENT D. HYMAN, CITY ATTORNEY



City of South Fulton Agenda Item Summary



City Council Meeting Date: 12/14/2021		
Requesting Department	Council District(s) Affected	
Economic Development – Destination South Fulton	District 5,6,7	
Requested Action Requesting approval for the formation of the • Main Street Advisory Board • Adoption of Old National District Board Bylaws		
Requirements for Council Action (City specific Council policy, statute or code requirement) Approval of Old National District Advisory Board and bylaws as required by the Georgia Department of Community Affairs as a condition of accreditation. Board members being recommended: Emmanuel Rainey, Jr. Sherrie Fisher, Sherie Phillis, Phyllis Minter, Johnathan White, Charlston Austin, Linda Hubbert		
Summary and Background (Provide department recommendation and an executive summary of the action that gives an overview of the relevant details) In the FY20 Budget, Mayor and Council approved funding for the establishment of a Main Street Program in the Old National Corridor in the City of South Fulton. A condition of accreditation from Main Street America is the establishment of a Main Street Advisory Board, adoption of bylaws and the passage of a resolution officially designating the area to be serviced by the Main Street Program. Old National Main Street Program is fully funded in the FY22 Budget.		
Funding Source (if applicable) 100-7522-00-0000		
Financial Impact (if applicable) \$133,176		
Financial Impact Statement Received Yes ☐ No ☐ Legislative Process Complete Yes ☐ No ☐		
Economic Development Director Approval  <u>Christopher G. Pike</u>		Finance Director Approval
Assistant City Manager Approval 	City Attorney Approval 	City Manager Approval 

10-20-21

Old National District Main Street Advisory Board Bylaws

Adopted **To Be Determined**

ARTICLE I

Name

The name of the organization shall be the Old National District Main Street Advisory Board (hereinafter the “Advisory Board” or the “Board”).

ARTICLE II

Purposes

Section 2.1 Advisory Board Purpose

The Advisory Board and its committees (the “Main Street Committees” or “Committee”) work with the Main Street Manager (the “Manager”) to carry out the goals of the Main Street Program (the “Program”). The Advisory Board does not handle the day-to-day affairs of the Program, but provides additional insights, input, strategy recommendations, and policy to support the Program. The Advisory Board will assist the Main Street Manager in a number of ways including the following: (1) promote and market Old National District as a desirable location for businesses, and aim to achieve full use and occupancy of the Old National District; (2) fund raising for the Program and for special projects, including identifying and utilizing local, state, federal, and private sources including grants and contributions; (3) make policy recommendations and assist in strategic planning and goal setting for the Program; (4) encourage appropriate high-quality design in the maintenance, renovation and re-use of buildings in the Old National Business District (as defined herein); (5) sponsor events and promotional activities in Old National Business District that foster a sense of community, encourage tourism, and promotes business development; (6) recruiting dedicated volunteers and board members; (7) advocate for the Program and ensure that the Program is carrying out its mission and vision; and such other assistance as the Advisory Board and the Main Street Manager deem necessary.

Section 2.2 Scope of Power

The Advisory Board shall have no right, power, or authority to obligate or bind the City of South Fulton (the “City”) in any manner whatsoever. The Advisory Board is not a governing board but is advisory in nature with no power of authority over day-to-day operations of the Program or the Main Street Manager.

Section 2.3 Main Street Program Purpose

The Program is sponsored and governed by the City of South Fulton, and is a division of the City's Economic Development Department. The Program works to maintain a strong, viable, and broad-based revitalization program that embraces the implementation of best development practices in accordance to the Georgia Main Street Program and the National Main Street Center's guiding principles and Main Street Approach.

ARTICLE III Boundaries

The map below indicates the boundaries of the Old National Business District. The primary focus area of the Business District will be defined by properties along Old National Highway starting at Gdby Road to the north and extending all the way to Jonesboro Road to the south, as shown on the Business District map, attached hereto at Appendix A and incorporated herein by this express reference.

ARTICLE IV Advisory Board Members

Section 4.1 Members

The Advisory Board shall consist of seven (7) members ("Board Members") solicited by current Board Members and the Main Street Manager, with official appointment made by City Council. Initial appointments shall be for one-, two-, and three-year terms. Subsequent appointments shall be 3-year terms. Board members may serve consecutive terms if recommended by the board and approved by the city council. Appointments to the Board for the upcoming calendar year shall be made at a meeting in November, or at some other time, as approved by a majority vote of the Board, to ensure that official appointment by City Council has been made by the Board's first meeting of the next calendar year. All Board Members shall commit to working, volunteering, or participating, on behalf of the Program, in at least three of the Program's sponsored events.

Section 4.2 Qualifications of Advisory Board Members

Persons selected for appointment to the Advisory Board by current Board Members and/or the Main Street Manager shall have interests and/or experience in economic development of historic commercial areas or in historic preservation and be willing to actively participate. The make-up of the Advisory Board should strive for diversity, seeking representation from public and private groups. There will not be a majority of any occupation on the Advisory Board. Board Members must be of sound mind and of legal age to serve. The composition of the background, experiences, and occupations of the Board Member's comprising the Advisory Board shall be consistent with the Georgia Main Street Annual Standards of Accreditation.

Section 4.3 Resignation

A Board Member wishing to resign from the Advisory Board shall submit a letter of resignation to the Main Street Manager, Board President, or Vice President. Upon Receipt of a Board member's resignation, the Main Street Manager, Board President, or Vice President must present the Board Member's resignation to the entire Advisory Board. A Board Member resigning from the Board must expressly state whether the resignation is with immediate effect or provide a date

the resignation will take effect. If a Board Member submits his/her resignation, whether to be effective immediately or at a future date, a Vacancy occurs on the tenth day after the date of its receipt by the Advisory Board. The Advisory Board may not refuse to accept a resignation, however during the 10-day waiting period; the resigning Board Member may rescind his/her resignation with a majority of vote of the Board Members. The Board Member who initially sought resignation shall not be permitted to participate in the vote, or the discussion preceding the vote, considering whether that Board Member's desire to rescind his/her resignation will be permitted.

Section 4.4 Vacancies

If a Vacancy occurs on the Advisory Board because of death, resignation, refusal to serve, or for a reason other than the normal expiration of a term of office; the Board shall propose a new candidate to fill the Vacancy by majority vote of the remaining Board Members. The candidate shall become a Board Member with the approval of the City Council. The Board Member filling such Vacancy shall fill the unexpired term of his/her predecessor.

Section 4.5 Removal

Board members who fail to fulfill their duties and have three consecutive unexcused absences from regular board meetings are subject to removal.

ARTICLE V Officers

Section 5.1 Officers and Elections

The officers of the Advisory Board ("Board Officers") shall consist of a President, Vice-President, Treasurer, and Secretary. Board Officers shall be elected by a majority vote of the Advisory Board at the first regular meeting after the annual City Council Advisory Board appointment process.

No person shall be elected President who has not served at least one year on the Advisory Board.

Section 5.2 Terms of Office

Board Officers shall serve for elected annually.

Section 5.3 Board Officer Vacancies

In the event of a vacancy in the office of President, the Vice President shall serve as President.

In the event of a vacancy in the offices of Vice President, Treasurer, or Secretary the Advisory Board shall elect a replacement and successor Board Officer by majority vote of Board Members at the next regularly scheduled meeting, or as soon as reasonably practical for the unexpired term.

If possible, the Board Officer creating the vacancy shall continue to serve until the vacancy is filled.

Section 5.4 Duties

- A. President, whose duties include chairing all meetings of the Board, acting as a representative of the Board in functions requiring such representation, and acting as the Board liaison to support the Main Street Manager in facilitating the goals of the Program.
- B. Vice President, who shall assume all duties outlined for the President in his/her absence.
- C. Treasurer, who shall keep record of all income and expenses for the Main Street budget and the Main Street fundraising account. At the Annual Meeting, and at regular Advisory Board meetings, the Treasurer will provide a report and summary statement on the financial affairs of the Program.
- D. Secretary, whose duties include recording the minutes at meetings of the Board, presenting said minutes to the Board for review and acceptance by the Board, and maintaining Program records that result from Board meetings.
- E. Temporary Officers. In cases of absence or disability of an Officer of the Program, the remaining Officers may vote to delegate the powers and duties of such Officer to any other Officer or Member of the Board.

Section 6.1 Regular Meetings

Regular meetings of the Board shall be held not less than eight (8) times during a calendar year, unless the Main Street Manager, in conjunction with the Board President, deems necessary by any or all parties. Meetings of the Advisory Board shall be held at a date, time and location approved by the Main Street Manager and Board.

Section 6.2 Agenda

Items may be placed on the agenda by the Main Street Manager, Board President, or at the request of a Board Member. The party (or individual) requesting the agenda item will be responsible for the initial presentation at the meeting. Items included on the agenda must be submitted to the Main Street Manager no later than one week before the Advisory Board meeting at which the agenda item will be considered. Agenda packets for regular meetings will be provided to the Members in advance of the scheduled Board meeting. Agenda packets will contain the posted agenda, typed minutes of the last meeting, and any other necessary documents.

Section 6.3 Special Called Meetings

The Board President, Main Street Manager, or at least a quorum of the Advisory Board may, when deemed necessary, call special meetings of the Advisory Board.

Section 6.4 Quorum

A quorum is required for the purpose of transacting all business of the Board at any regularly scheduled meeting of the Main Street Advisory Board. No action of the Advisory Board or any individual Board Member shall be an official action of the Program unless approved by a majority of Board Members present at an official board meeting. A quorum shall consist of four (4) voting Board Members. If a quorum is not present or represented at any meeting of the Advisory Board, a majority of the Board Members entitled to vote thereat, present in person, may adjourn the meeting, until a quorum shall be present or represented. At such adjourned meeting at which a quorum shall be present or represented, any business may be transacted which might have been transacted at the meeting as originally notified.

Section 6.5 Call to Order

Advisory Board meetings will be called to order by the Board President, or if absent, by the Vice President. In the absence of both the President and Vice President, the meeting shall be called to order by the Secretary, and a temporary President shall be elected to preside over the meeting.

Section 6.6 Notice

Written or electronic notice of every meeting of the Board stating the place, date, and hour of the meeting, shall be given either personally or by electronic mail to each member not less than 48 hours before the date of the meeting.

Section 6.7 Attendance

Board Members are required to attend Board meetings and be prepared to discuss the issues on the agenda. A Member shall notify the Main Street Manager or Board President if the Member is unable to attend a meeting. Any Board Member missing three regularly scheduled meetings shall be contacted by the President, or his/her designee, regarding the absentee Board Member's desire to continue to serve.

Section 6.8 Voting

When a quorum is present at any meeting, the vote of a majority of the Board Members present in person decides any question brought before such meeting, unless the question is one upon which the express provisions of law or these Bylaws require a different vote, in which case such express provisions shall govern and control the decision of the question. Each Board Member shall at every meeting of the Advisory Board be entitled to one vote. No Board Member may vote by proxy.

The Main Street Manager shall be a non-voting member of the Advisory Board and the Manager, or his/her designee, shall be present at all meetings of the Advisory Board.

Section 6.9 Electronic Voting

Board Members, by providing an e-mail address to receive electronic transmission, consent to electronic transmission of information (including meeting notices) and to conduct votes via electronic transmission. Such votes are considered final action on the matter if there is unanimous consent of the Advisory Board. After two successive failed attempts to contact a Board Member by electronic means, consent by that Board Member will be considered to be revoked.

Section 6.10 Public Participation

In accordance with City Policy, the public is welcome and invited to attend Board meetings and to speak on any item on the agenda during the public comment portion of the agenda. If any written materials are to be provided to the Board, a copy shall also be provided to the Main Street Manager for inclusion in the minutes of the meeting. Speakers shall be allowed a maximum of three (3) minutes to speak. A person who disrupts the meeting may be asked to leave and be removed.

Section 6.11 Open Meetings

Public notice of Board meetings shall be provided in accordance with the provisions of the Georgia Open Meetings Act. All Board meetings and deliberations shall be open to the public, except for properly noticed closed session matters, and shall be conducted in accordance with the provisions of the Georgia Open Meetings Act.

Section 6.12 Closed Sessions

The Board may conduct closed sessions as allowed by law, on properly noticed closed session matters, such as consultation with attorney on legal matters, deliberation regarding the value of real property, or personnel matters. A certified agenda shall be made of all closed sessions of Board meetings.

Section 6.13 Board Orientation

All new members of the Main Street Advisory Board shall participate in an orientation program familiarizing themselves with the goals and objectives of the program and with their responsibilities. All new members of the Main Street Advisory Board Members are required to become Main Street 101 certified within the first 12 months of taking their position.

Section 6.14 Annual Meeting

An annual meeting of the Board shall be held at the first regular meeting of the new calendar year for the purposes of electing officers and transacting such other business.

ARTICLE VII Reports to City Council

The Advisory Board shall meet with City Council, as requested, to provide reports and to determine how the Board may best serve the City of South Fulton. Board Reports will be made at a regularly scheduled Council meeting. The Board must submit an annual report to City Council each year.

ARTICLE VIII Committees

Section 8.1 Structure

In an effort to revitalize the Business District through historic preservation-based economic development, the Program will utilize the Main Street Four-Point Approach, and other applicable guiding principles and Main Street Approach of the National Main Street Center and Georgia Main Street Program, to leverage success. The Program will have the following standing Main Street Committees:

- A. Organization Committee. The Organization Committee plays a key role in keeping the board, committees, and program-of-work in good shape by attracting people and money to the organization.
- B. Economic Vitality Committee. The Economic Vitality Committee promotes the interests of businesses and assists the Main Street Manager in recruiting desirable businesses to the Business District.
- C. Design Committee. The Design Committee works to protect and improve Old National's built and natural environment through historic preservation, public art installation and other design features.
- D. Promotion Committee. The Promotion Committee fosters good will among residents and attracts tourists by participating in and coordinating special events and promotional activities. The Committee also assists in the implementation of marketing initiatives for the district.

The Program shall also have other committees and ad hoc bodies as the Advisory Board and Main Street Manager may from time to time establish in accordance with the Georgia Main Street Program and the National Main Street Center's guiding principles and Main Street Approach. Main Street Committees must submit a written report to the Main Street Manager one week prior to each regularly scheduled Board meeting. Main Street Committees must also submit minutes of each meeting to the Main Street Manager.

Section 8.2 Committee Members

Main Street Committees shall consist of not less than three (3) members, and shall have as chairperson who shall be responsible for directing and coordinating the affairs of the Main Street Committee. At least one Board member must be represented on each Main Street Committee. The terms of the Main Street Committees shall be for one year.

Main Street Committees will be appointed by the Main Street Manager and Board President with the approval of the Advisory Board. Main Street Committees need not be limited to the Program's downtown businesses, but can have representatives from other relevant areas of the community.

ARTICLE IX Main Street Program Manager

The Main Street Manager is an employee of the City that reports directly to Director of Economic Development as illustrated in the Main Street Organizational Chart attached hereto as Appendix B and is incorporated herein by this express reference. The Main Street Manager shall manage the daily operations of the Program and shall be responsible for the coordination and the implementation of the Program's policies and projects and such other duties as may be required. The Main Street Manager shall serve as a liaison between the Advisory Board and Main Street Committees. The office of the Main Street Manager shall be located within the Old National

Business District in accordance to Georgia Department of Community Affairs guidelines. The Manager will maintain information regarding the revitalization in the Business District.

ARTICLE X

Finances and General Provisions

Section 10.1 Fiscal Year.

The fiscal year of the Program will begin on the first day of January, and end on the last day of December of each year. On the first year of creation, the fiscal year will begin upon creation and end on the last day of December.

Section 10.2 Funds.

The Advisory Board and the Board Members have no authority to expend funds or to incur or make an obligation on behalf of the City unless authorized and approved by City Council. Board Members may be reimbursed for expenses in accordance with City Policy. The Advisory Board shall have the authority to administer the monies from the Main Street Fundraising Account with the support of the City. The Advisory Board is required to submit a report of all fundraising incoming and spending to the Main Street Manager and the City in a timely manner.

Section 10.3 Year-End Financial Statement.

Within two months after the close of the fiscal year, the Treasurer will prepare a year-end financial statement showing in reasonable detail the source and application of the previous year's funds and the financial condition of the Program. This statement will be presented to the Advisory Board at a regular Board meeting.

ARTICLE XI

Books and Records

Correct books of account of the activities and transactions of the Program shall be kept at the Main Street Office. These shall include a minute book, which shall contain a copy of these Bylaws and all minutes of meetings of the Advisory Board, work plans, and vision and mission statements.

ARTICLE XII

Conflict of Interest

Any Board Member who has a financial, personal, or official interest in, or conflict (or appearance of a conflict) with any matter pending before the Advisory Board, of such nature that it prevents or may prevent that Board Member from acting on the matter in an impartial manner, shall disclose such conflict and the Board shall abide by the following protocol:

- A. Abstinance from Vote. When any conflict of interest is relevant to a matter requiring action by the Advisory Board, the interested person shall call it to the attention of the Board or its appropriate Committee and such person shall not vote on the matter.

- B. Absence from Discussion. Unless requested to remain present during the meeting, the person having the conflict shall retire from the room in which the Advisory Board or its Committee is meeting and shall not participate in the final deliberation or decision regarding the matter under consideration. However, that person shall provide the Board or Committee with any and all relevant information.
- C. Minutes. The minutes of the meeting of the Advisory Board or one of its Committees shall reflect that the conflict of interest was disclosed and that the interested person was not present during the final discussion or vote and did not vote. When there is doubt as to whether a conflict of interest exists, the matter shall be resolved by a vote of the Advisory Board or its Committee, excluding the person concerning whose situation the doubt has arisen.

Section 12.1 Annual Review.

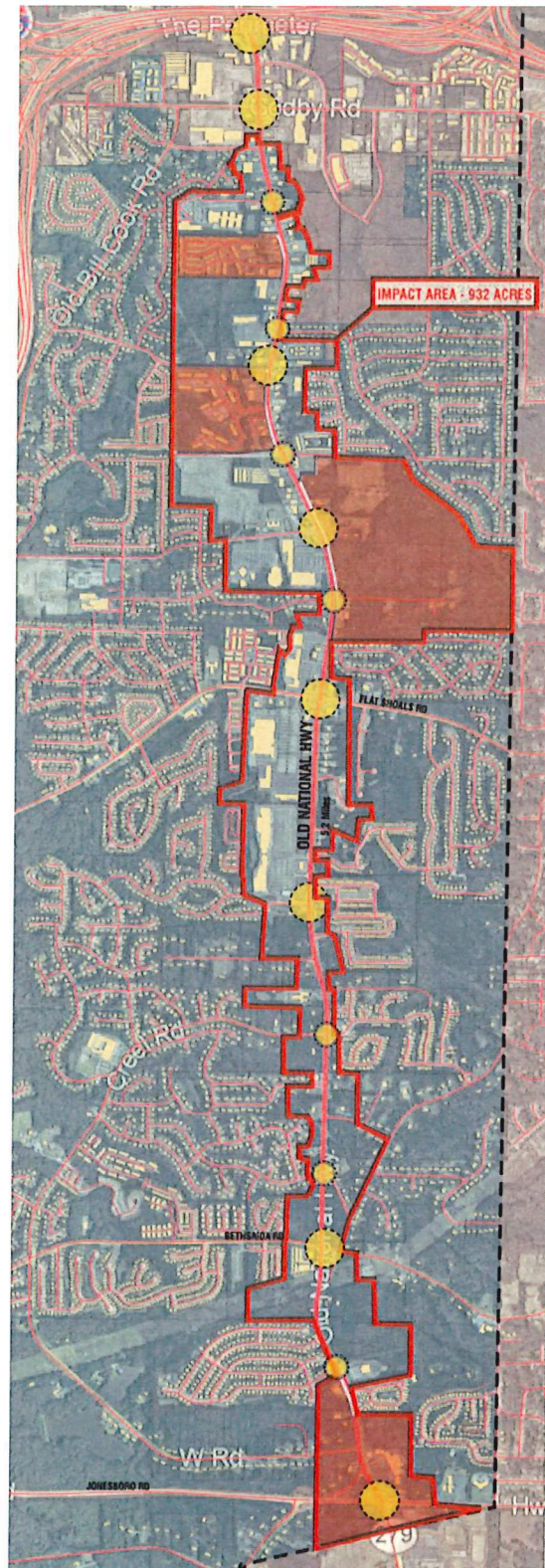
A copy of this conflict of interest bylaw shall be furnished to each Board Member and Officer who is presently serving the Program, or who may hereafter become associated with the Program. This policy shall be reviewed annually for the information and guidance of Board Members, Officers, and staff members. Any new Board Members or Officers shall be advised of this policy upon undertaking the duties of such office.

ARTICLE XIII Amendments

The Advisory Board shall have the power to alter, amend, or repeal the Bylaws or adopt new Bylaws by a quorum vote at a duly called meeting of the Board. However, the Board's proposed amendments to the Bylaws must be approved by City Council. Bylaw amendments are not effective until approved by City Council.

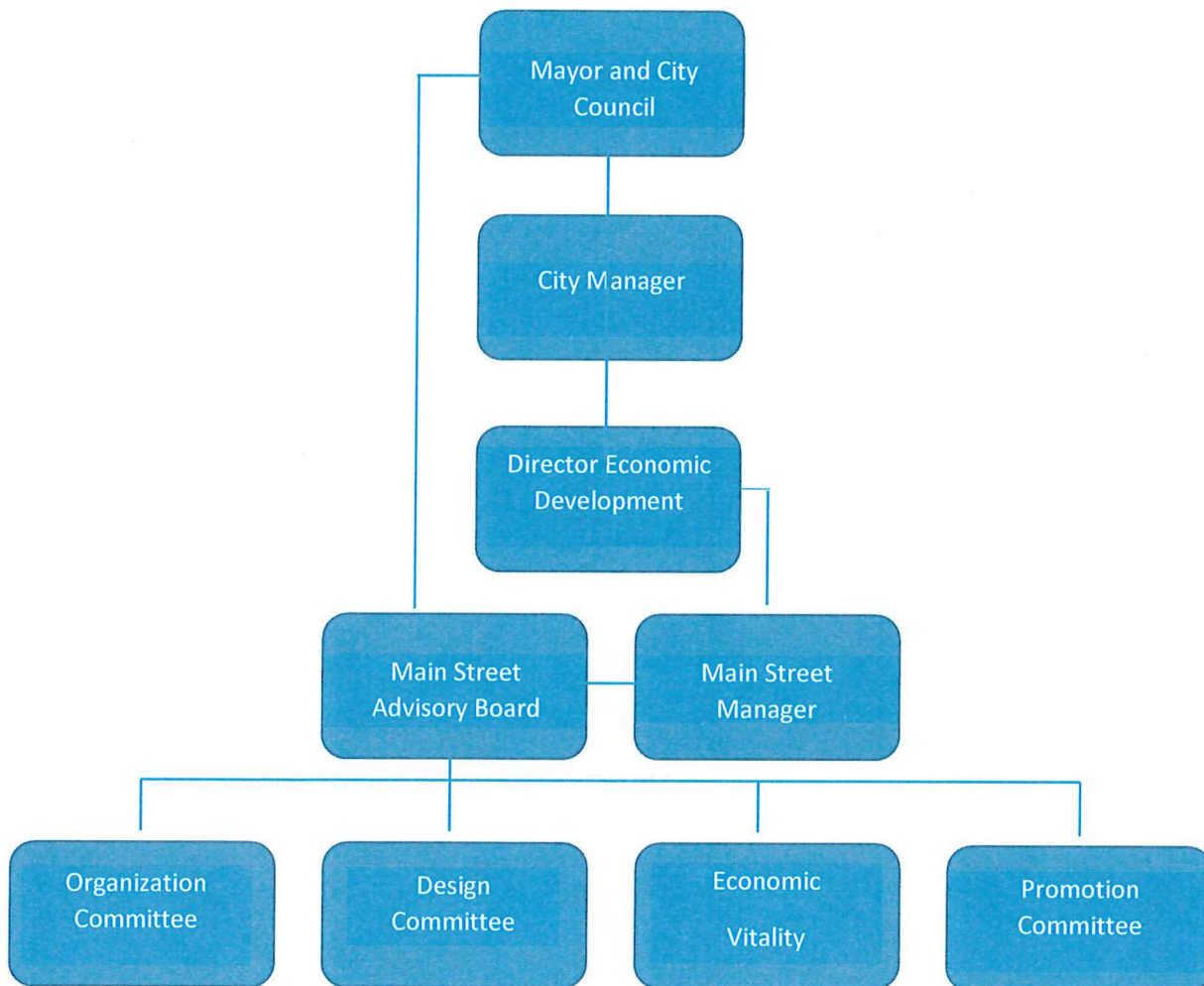
Appendix A

Old National Business District



Appendix B

Old National District Main Street Advisory Board Organizational Chart *City Sponsored Program*





City of South Fulton Parks Advisory Board

Jurisdiction. A parks and recreation advisory board ("Advisory Board") is created and shall act in an advisory capacity in matters of policy and programming with respect to City parks property as follows:

- (a) Provide recommendations through budget process re park priorities and funding needs;
- (b) Explore ways to improve and enhance parks and recreation programing. Parks and recreation programing under this paragraph shall not be deemed to include parks facility use agreements, special use permits and/or MOUs. Absent an emergency, the Parks Director shall bring all parks and recreation programing proposals before the Advisory Board prior to bringing such items before the City Council. The Advisory Board shall offer a recommendation on any such programming proposals within 10 days of their meeting at which it was considered, or shall be deemed to have no comment; and
- (c) Offer annual reporting on parks master plan compliance and necessary changes.

Nothing in this chapter shall prevent the City Council from acting on a park related item and/or proposal that has not gone before the Advisory Board.

Creation and Terms. The Advisory Board shall consist of up to three City Councilmembers and up to eight City residents, all subject to confirmation by the City Council. Each member of the City Council may nominate an appointee to serve. The parks and recreation Director shall serve as a non-voting, ex-officio member of the Advisory Board. The Chairperson and Vice- Chairperson shall be selected by the City Council from the members appointed. The Advisory Board shall appoint a Secretary from its members. No City Council member shall be appointed, or selected to serve as the Chairperson and/or Vice-Chairperson, absent their consent.

Non-City Council Advisory Board members shall serve a two year term, commencing from the date of their Appointment. City Councilmembers shall serve on the Advisory Board for the remainder of the term of office during which they are appointed, but may resign from the Advisory Board at any time for any reason. The City Council may remove any Advisory Board member at any time, with or without cause. Any Non-City Council Advisory Board member who fails to attend three consecutive regular meetings shall automatically stand removed. Should a vacancy be created, the city council member shall appoint a person to fill the remainder of the term of the vacant position, subject to confirmation by the City Council.

City of South Fulton Parks Advisory Board

Member	Appointed by	Appointed/Term Expires	2024 Absences (0 Meetings To Date)
Mr. George Oliver	Mayor khalid (at-large)	5/25/2022 – 12/31/2025	N/A
Ms. Anita Bellinger	Councilmember Rowell (D1)	1/1/2024 – 1/1/2026	N/A
Ms. Wanda Ididapo	Councilmember Gumbs (D2)	4/9/2024 – 12/31/2025	N/A
Mr. Keishan Davis	Councilmember Willis (D3)	3/19/2024 – 3/19/2026	N/A
Ms. Barbara Mostella	Councilmember Sebastian (D4)	3/19/2024 – 12/31/2025	N/A
Mr. Johnny Clark	Councilmember Bell (D5)	1/28/2020 – 12/31/2023	N/A
Ms. Natalie Jerome	Councilmember Williams -Brown(D6)	4/9/2024 – 12/31/2025	N/A
Mr. Rodney Jones	Councilmember Pritchett (D7)	2/11/2020 – 12/31/2023	N/A

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

ORD-2019-010

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 **Section 1.** The City of South Fulton Code of Ordinances, **Title 11, Parks and**
26 **Recreation, Chapter 3, Parks and Recreation Advisory Board**, is hereby revised to
27 read as follows:
28

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 property
35 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 programing
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 considered,
46 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 City
65 residents, all subject to confirmation by the City Council. Each member of the City Council
66 may nominate an appointee to serve. The parks and recreation Director shall serve as a
67 non-voting, ex-officio member of the Advisory Board. The Chairperson and Vice-
68 Chairperson shall be selected by the City Council from the members appointed. The
69 Advisory Board shall appoint a Secretary from its members. No City Council member shall
70 be appointed, or selected to serve as the Chairperson and/or Vice-Chairperson, absent
71 their consent.

72
73 **Sec. 11-3004. – Term and Removal.**

74 Non-City Council Advisory Board members shall serve a two year term, commencing from
75 the date of their Appointment. City Councilmembers shall serve on the Advisory Board
76 for the remainder of the term of office during which they are appointed, but may resign
77 from the Advisory Board at any time for any reason. The City Council may remove any
78 Advisory Board member at any time, with or without cause. Any Non-City Council
79 Advisory Board member who fails to attend three consecutive regular meetings shall
80 automatically stand removed. Should a vacancy be created, the city council member
81 shall appoint a person to fill the remainder of the term of the vacant position, subject to
82 confirmation by the City Council.

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(b) Location. In addition to City property and/or the City Council Chambers, the Advisory Board may conduct its meetings at churches, parks, schools and libraries within the City, as such is available. The Advisory Board Chairperson, Vice-chairperson or Secretary shall confirm with the City Clerk the availability of City property.

The Advisory Board members may seek input from City residents and businesses. Members may interact directly with the City Manager, park's Director, City Attorney and City Clerk, and may request assistance from City staff through the City Manager and/or his designee.

Five Advisory Board members shall constitute a quorum. The affirmative vote of a majority of members present at a meeting shall be required to approve decisions by the Advisory Board. The Advisory Board shall be governed procedurally by Robert's Rules of Order, as it is revised from time to time, and shall conduct its meetings in accordance with all applicable local and state laws, including the Georgia Open Meetings Act.

(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 City 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.

TITLE 11. – PARKS AND RECREATION

CHAPTER 5. – SPECIAL EVENTS

Sec. 11-5003. - Permit application.

(a) An application for a special event permit shall be submitted to the parks and recreation director with a nonrefundable payment in the amount established by resolution by city council no later than 30 days prior to the proposed event. Nothing in the chapter shall prevent the city council from authorizing a special event permit at the city's discretion.

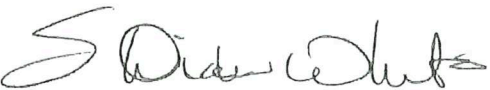
(b) Upon written request and submittal of appropriate documentation, the parks and recreation director or his or her designee may waive the payment referenced in subsection (a) of this section for fundraising for charitable events if he determines that it is to the city's benefit to waive the fee. All requests to fundraise during a special event must be approved in advance by the director. No special event permit authorizing fundraising shall be approved unless it is determined by the director that at least 50% of the proceeds raised will directly benefit the city.

THIS RESOLUTION adopted this 28TH day of May 2019.

CITY OF SOUTH FULTON, GEORGIA

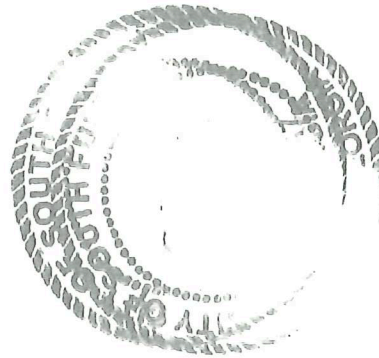

WILLIAM "BILL" EDWARDS, MAYOR

ATTEST:


S. DIANE WHITE, CITY CLERK

APPROVED AS TO FORM:


EMILIA C. WALKER, CITY ATTORNEY





City of South Fulton Planning Commission

Jurisdiction. The City of South Fulton City Planning Commission oversees all zoning and planning of the City.

Creation. The Commission consists of eight members who are residents of the city. One member was nominated by each member of the City Council and the Mayor. The Planning Commission member shall serve a term consistent with that of the member of the City Council (or the Mayor) making the nomination.

Member	Appointed by	Appointed/Term Expires	2024 Absences (6 Meetings To Date)
Ms. Brianna McGeehan	Mayor khalid (at-large)	5/25/2022 – 12/31/2025	2
Mr. Rodney Hadley	Councilmember Rowell (D1)	1/1/2024-12/31/2027	0
Mr. Keith Perry	Councilmember Gumbs (D2)	1/25/2022-12/31/2025	2
Rev. Shanan Jones	Councilmember Willis (D3)	4/9/2024-12/31/2027	1
Ms. Janai C. Walters	Councilmember Sebastian (D4)	1/25/2022-12/31/2025	1
Ms. Rachel Williams	Councilmember Bell (D5)	1/28/2020-12/31/2023	5
Ms. Paulette DeVaughn	Councilmember Williams -Brown(D6)	1/25/2022-12/31/2025	0
Ms. Yvonne Boone	Councilmember Pritchett (D7)	2/28/2023-12/31/2023	3

**STATE OF GEORGIA
COUNTY OF FULTON
CITY OF SOUTH FULTON**

ORDINANCE No. 2017-010

**ADOPTION OF ORDINANCE ESTABLISHING THE PLANNING
COMMISSION FOR THE CITY OF SOUTH FULTON**

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 City Council is authorized by O.C.G.A. § 36-35-3 to adopt ordinances relating to its property, affairs, and local government;

WHEREAS, the duly elected governing authority of the City is the Mayor and City Council;

WHEREAS, Section 4.11 of the City Charter authorizes the City Council to create such boards, commissions and authorities to fulfill any investigative, quasi-judicial, or quasi-legislative function the City Council deems necessary;

WHEREAS, Section 1.12(b)(26) of the City Charter authorizes the City to exercise planning and zoning powers;

WHEREAS, the City is charged with preserving the health, safety, and welfare of its citizens; and

WHEREAS, the establishment of a Planning Commission to oversee all zoning and planning of the City is in the best interest of the City.

THE COUNCIL OF THE CITY OF SOUTH FULTON HEREBY ORDAINS
as follows:

Section 1: The City of South Fulton Code of Ordinances, Chapter 5, Title 5, Zoning and Planning, is hereby established and enacted as follows:

Title 5: ZONING AND PLANNING

CHAPTER 5. – PLANNING COMMISSION

Sec. 5-5001. – Initiation of amendments.

- (a) Amendments to the text of this chapter and to the official zoning map shall be made only by the City Council. The Planning Commission shall make recommendations to the City Council on proposed amendments to the official zoning map, and the

community development department may make recommendations to the Planning Commission.

- (b) Owners of subject property or their authorized agent may initiate amendments to the official zoning map and the comprehensive plan by submitting a request to the community development department. The department shall review the request for compliance with state and municipal law, and it shall make a written recommendation to the Planning Commission prior to any meeting where the request is considered.
- (c) Before enacting any amendment to this chapter or to the official zoning map, the City Council shall provide for the public notice and public hearings required by this chapter and Georgia law.

Sec. 5-5002. – Planning Commission established; membership; terms.

- (a) *Creation.* There is hereby established a Planning Commission which shall consist of eight members, residents of the city, who shall be appointed by the governing authority as follows:
 - (1) One member shall be nominated by each member of the City Council and the Mayor; and
 - (2) Each member shall be approved by a vote of the majority of the City Council.
- (b) *Terms.* The Planning Commission member shall serve a term consistent with that of the member of the City Council (or the Mayor) making the nomination. A Planning Commission member shall serve until his or her replacement is appointed by the City Council in a manner consistent with this ordinance. The Planning Commission members shall serve no more than two terms, either consecutive or non-consecutive, and a term shall end upon the swearing in or re-swearing in of the member of the City Council (or the Mayor) who nominates the Planning Commission member.
- (c) *Chair and Vice Chair.* The Planning Commission shall elect one of its members to serve as chairperson and another to serve as vice-chairperson. The chairperson and vice-chairperson of the Planning Commission shall serve a term of one year or until reelected or a successor is elected. The duty of the chair shall be to conduct the meetings in accordance with the procedures set forth herein and any other rules or regulations established by the Planning Commission. The vice-chairperson shall conduct the meetings in the chair's absence. The vice-chairperson may be appointed chair if the chair is removed from office, or due to a physical or mental disability, cannot perform the duties of chair.
- (c) *Qualifications.*
 - (1) Members of the Planning Commission shall hold no other city office or city-compensated position during such member's term.
 - (2) All Planning Commission members shall be residents of the City.
 - (3) No person shall preside at a meeting of the Planning Commission as a member of the Planning Commission until they have been certified as having completed a training session of eight hours.

(d) *Removal.*

(1) Except as provided in paragraph 2 of this subsection, Planning Commission members serve at the pleasure of the City Council and may be removed upon motion of the nominating councilmember and affirmative vote of a majority of the City Council.

(2) Planning Commission members shall automatically be removed from the Commission if they miss two consecutive meetings without the permission of the Chair, or if the Commission member fails to attend at least 75 percent of the Commission meetings in a 12 month period. The Commission secretary shall notify the City Clerk of any Commission member who does not attend a meeting. If a Commission member is removed for failure to attend meetings as set forth in his paragraph, the removal is automatic and does not require a vote of the City Council.

(e) *Compensation.* The City Council shall, by resolution, determine the amount of compensation, if any, to be paid to the members of the Planning Commission. In the absence of such resolution, no compensation shall be provided to the members of the Planning Commission.

Sec. 5-5003. – Planning Commission to hold public hearing and make recommendation on all proposed amendments.

Until the City adopts its own ordinances, the ordinances of Fulton County shall govern. The Planning Commission is authorized to render decisions based on Fulton County's ordinances until the City adopts its own, at which point, the Planning Commission shall apply the City's ordinances. Unless introduced by a member of the City Council, no amendment to the official zoning map or the comprehensive plan character area maps shall become effective unless it has first been submitted to the Planning Commission for public hearing and recommendation pursuant to the requirements of this title and this chapter. If a City Council member introduces an amendment without allowing for the Planning Commission's review, the City Councilmember shall notify the City Council that the Planning Commission has not been provided with the opportunity to make a recommendation on the proposed amendment, through the proposed ordinance's text and verbally at the first and second reading of the proposed ordinance. Except as provided in this Section, no amendment to the text of this chapter shall become effective unless a proposed ordinance has been submitted to the Planning Commission for public hearing and recommendation to the City Council pursuant to the requirements of this chapter.

Sec. 5-5004. – Planning Commission and City Council to adopt rules of procedures.

The Planning Commission and the City Council shall propose rules of procedure to the City Council, and the rules shall specify the policies and procedures that govern calling and conducting the public hearings by the Planning Commission. Robert's Rules of Order shall govern any procedural question not otherwise covered in the rules of procedure of the Planning Commission or City Council. The proposed rules shall not be effective until either the City Council approves them at a public meeting, or the City Council has not acted on the proposed rules for three public meetings since receiving notice of the proposed rules by the Planning Commission. Notice shall be provided to the City Council

by the City Clerk upon transmission of the proposed rules from the Planning Commission to the City Clerk. The Planning Commission rules shall be made available for distribution to the public.

Sec. 5-5005. – Voting.

Whenever a vote is required by the members of the Planning Commission, the member appointed by the Mayor shall not vote except in the case of a tie.

Sec. 5-5006. – Secretary of Planning Commission; staff support.

A City employee shall serve as the Planning Commission secretary. The secretary shall provide support to the Planning Commission as reasonable and necessary to accomplish said Commission's duties. The secretary of the Planning Commission shall provide the members of the Planning Commission all information submitted to, or generated by, city staff on each proposed amendment, which the Commission considers, including: a copy of the application and all supporting materials; all other written communications given to the staff either in support of or in the opposition to the amendment; and the proposed amendment. The secretary shall be responsible for permanently maintaining the records of the Planning Commission.

Section 2: Severability

In the event any portion of this ordinance shall be declared or adjudged invalid or unconstitutional, it is the intention of the City Council of the City of South Fulton, Georgia, that such adjudication shall in no manner affect the other sections, sentences, clauses or phrases of this ordinance which shall remain in full force and effect, as if the invalid or unconstitutional section, sentence, clause or phrase were not originally a part of the ordinance.

Section 3: Repealer

All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Section 4: Effective Date

Unless specifically specified elsewhere in this Ordinance, the effective date of this Ordinance shall be July 12, 2017.

The foregoing Ordinance No. **2017-010** was offered by Councilmember **Gilyard**, who moved its approval. The motion was seconded by Councilmember **Gumbs**, and being put to a vote, the result was as follows:

	AYE	NAY
William "Bill" Edwards, Mayor		
Catherine Foster Rowell, Mayor Pro Tem	√	
Carmalitha Lizandra Gumbs	√	
Helen Zenobia Willis	√	
Gertrude Naeema Gilyard	√	
Rosie Jackson	√	
khalid kamau	√	
Mark Baker	√	

THIS ORDINANCE adopted this 25th day of July 2017. CITY OF
SOUTH FULTON, GEORGIA

"THIRD READING"


WILLIAM "BILL" EDWARDS, MAYOR

ATTEST:


MARK MASSEY, CITY CLERK



APPROVED AS TO FORM:


JOSH BELINFANTE, INTERIM CITY ATTORNEY

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

ORD2020-027

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5
6
7 AN ORDINANCE AMENDING TITLE 5, PLANNING AND ZONING, OF THE CITY OF
8 SOUTH FULTON CODE OF ORDINANCES; UPDATING PLANNING COMMISSION
9 DUTIES AND FOR OTHER LAWFUL PURPOSES

10
11 (Sponsored by Councilperson Rowell)

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
19 WHEREAS, the City Council is authorized to update and amend the duties of its
20 boards and commissions;

21
22 WHEREAS, the City Council finds this Ordinance to be in the best interest of the
23 health, safety, and welfare of, the citizens of the City.

24
25 NOW THEREFORE, THE COUNCIL OF THE CITY OF SOUTH FULTON
HEREBY ORDAINS as follows:

26
27 Section 1. Title 5, Planning and Zoning, of the City of South Fulton Code of
28 Ordinances, is hereby amended by revising Chapter 5, Planning Commission, to read
29 as follows:

30 TITLE 2 – PLANNING AND ZONING

31 ...

32
33 CHAPTER 5. - PLANNING COMMISSION

34 Sec. 5-5001. - Duty.

35 The planning commission is hereby granted all powers and is hereby assigned all
36 duties that the council as the governing authority of the City is authorized and
37 empowered to grant and assign, to include the following:

38 (1) Review and recommend for adoption to the City Council comprehensive surveys
39 and studies of existing conditions and probable future developments and reviewing such
40 plans for physical, social and economic growth as will best promote the public health,
41 safety, morals, convenience, prosperity or general welfare, as well as efficiency and
42 economy in the development of the City.

(2) Review and recommend for adoption to the City Council, in accordance with those comprehensive surveys and studies, a future land use map for the development of the City.

(3) Review and recommend for adoption to the City Council a plat or an official map showing the exact location of the boundary lines of existing, proposed, extended, widened or narrowed streets, public open spaces or public building sites, and all properties.

(4) Review and recommend for adoption to the City Council a zoning ordinance or resolution and map for the City, and all proposed amendments to the zoning ordinances, and the zoning, plat, and future land use maps.

(5) Review and recommend for adoption to the City Council regulations for the subdivision of land within the City and administering the regulations that may be adopted.

(6) Review and recommend for adoption to the City Council regulations to control the erection of buildings or other structures within the City or a specified portion thereof and administering the regulations that may be adopted.

(7) Review and recommend for approval to the City Council all cases of new development(s) and building(s), residential, commercial, and industrial (excluding residential sheds, non-commercial Land Disturbance Applications for individual homeowners (such as new driveways or large landscaping projects), lean-to's for storage (small structures that are not independently freestanding), and other minor processes as deemed so by the Community Development and Regulatory Affairs Director, including but not limited to the items listed above, plus pools, treehouses, private residential swing sets and jungle gyms.

(8) Review and recommend for approval to the City Council all cases that require a special use permit and use variances.

(9) Recommend to the executive or legislative officials of the City programs for public improvements and the financing thereof.

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,

81 sentence, clause or phrase of this Ordinance is mutually dependent upon any other
82 section, paragraph, sentence, clause or phrase of this Resolution.

83 (c) In the event that any phrase, clause, sentence, paragraph or section of this
84 Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or
85 otherwise unenforceable by the valid judgment or decree of any court of competent
86 jurisdiction, it is the express intent of the City Council that such invalidity,
87 unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not
88 render invalid, unconstitutional or otherwise unenforceable any of the remaining
89 phrases, clauses, sentences, paragraphs or sections of the Ordinance.

90 **Section 3.** All Ordinance and Resolutions in conflict herewith are hereby expressly
91 repealed.

92 **Section 4.** The City Attorney, City Clerk and contracted City Codifier are authorized
93 to make non-substantive formatting and renumbering edits to this ordinance for
94 proofing, codification, and supplementation purposes. The final version of all
95 ordinances shall be filed with the clerk.

96 **Section 5.** The effective date of this Ordinance shall be on the date as set forth
97 under Sec. 3.21 of the City Charter unless provided otherwise by applicable local, state
98 and/or federal law.
99

100
101 THIS ORDINANCE so adopted this 22nd day of September 2020.

102
103 **CITY OF SOUTH FULTON, GEORGIA**

104
105 
106

107
108 WILLIAM "BILL" EDWARDS, MAYOR

109
110 ATTEST:

111
112 
113

114 S. DIANE WHITE, CITY CLERK

115
116 APPROVED AS TO FORM:

117
118 
119

120 EMILIA C. WALKER, CITY ATTORNEY



The foregoing Ordinance No. 2020-027_ was moved for approval by Councilmember Rowell. The motion was seconded by Councilmember Willis, and being put to a vote, the result was as follows:

	AYE	NAY
William "Bill" Edwards, Mayor	<u> </u>	<u> </u>
Carmalitha Gumbs, Mayor Pro Tem	<u> X </u>	<u> </u>
Catherine Foster Rowell	<u> X </u>	<u> </u>
Helen Zenobia Willis	<u> X </u>	<u> </u>
Gertrude Naeema Gilyard	<u> </u>	<u> X </u>
Corey Reeves	<u> X </u>	<u> </u>
khalid kamau	<u> </u>	<u> X </u>
Mark Baker	<u> X </u>	<u> </u>



City of South Fulton Public Arts Commission

Jurisdiction. The Public Arts Commission shall have the following duties:

1. Advocate for the role and value of arts in civic life and promote greater public participation in, and access to public art.
2. Oversee funding allocations in support of non-profit arts and culture organizations, artists, festivals and artworks in public development;
3. Oversee artworks owned and controlled by the city to contribute to the quality of life, the economic vitality and the vibrancy of the city;
4. Make recommendations for city funding to the city council using objective criteria and evaluation panels, as appropriate.
5. Serve in an advisory capacity on projects and programs designed to promote the arts in public places throughout the city and encourage the private sector to include the arts in private developments; and
6. Serve as the city's federal and state local arts program liaison.
7. Advise on the acquisition and placement of works of art on city property.
 - a. No work of art shall be installed or removed from public areas of city property without a review by the commission.
8. Receive and accept applications for public art funds and use objective criteria to evaluate and recommend to the city council the allocation of said funds.
9. Advocate for and explore alternative sources of arts funding including, but not limited to, grants, donations and corporate sponsorships.
 - a. Explore funding opportunities with private sector, local, regional, state and federal governments, and international entities.
10. Prepare and recommend for the city's council's review a Public Art Plan and guidelines to carry out the city's art program, which shall include, but not be limited to, the methods for selection of artists or works of arts and for the placement of works of arts.
 - a. Public hearings shall be held by the commission during the preparation of the plan and any amendments thereto.

b. Advise on the development, implementation, evaluation and/or change of the city's arts policy, legislation, programs and services.

11. Advise the city council regarding the possible purchase of works of art or commissioning the design, execution and/or placement of works of art.

a. The commission shall give special attention to the placement of appropriate art in parks and gateways to the city.

12. Receive input from the city manager regarding operation and maintenance expenses associated with a work of art.

a. If the city manager finds that a proposed work of art requires extraordinary operation of maintenance expenses, the commission shall either select another work of art; or

b. Submit with its recommendation to the city manager and city council a statement of overriding consideration for why the work of art should be utilized notwithstanding its extraordinary operation or maintenance expense.

13. In cooperation with the city manager, promulgate for city council appropriate guidelines consistent with the ordinance to facilitate implementation of the responsibility of the commission and city manager hereunder.

14. In instances of artworks to be placed in new construction projects initiated by the city, to achieve a greater degree of artistic harmony, artists should be recommended by the commission and confirmed by the city manager before city approval of the architect's schematic design.

Terms. The Commission shall consist of eight members who shall represent the following areas:

- a. Individual artist;
- b. Arts organizations;
- c. Arts patrons;
- d. Educators;
- e. The business community;
- f. Public.

The mayor's appointee shall serve as chair, and each city council member shall have one appointee. The chair shall only vote in cases of a tie.

Commission Term will serve concurrently with their appointing city councilmember's term of office. Commission members cannot serve more than two full terms, or a total of eight years.

City of South Fulton Public Arts Commission

Member	Appointed by	Appointed/Term Expires	2024 Absences (Meetings To Date)
Ms. Myrna Fuller	Mayor khalid (at-large)	5/24/2022 – 12/331/2025	
Ms. Ty Mays Kelty	Councilmember Rowell (D1)	1/1/2024-12/31/2027	
Mr. Arelious Cooper, Jr.	Councilmember Gumbs (D2)	4/25/2023-12/31/2025	
Ms. Pamela Harvey	Councilmember Willis (D3)	1/1/2024-12/31/2027	
Ms. Tisha Smith	Councilmember Sebastian (D4)	3/22/2022-12/31/2025	
Ms. Eleanor Kinlaw-Ross	Councilmember Bell (D5)	1/27/2024-12/31/2027	
Mr. Imara Canady	Councilmember Williams -Brown(D6)	1/23/2024-12/31/2025	
Mr. Mario Clark	Councilmember Pritchett (D7)	1/9/2024-12/31/2027	

1 STATE OF GEORGIA
2 COUNTY OF FULTON
3 CITY OF SOUTH FULTON
4

5 **ORDINANCE NO. 2018-033**

6 **AN ORDINANCE ESTABLISHING THE CITY OF SOUTH FULTON PUBLIC ARTS**
7 **COMMISSION AND FOR OTHER LAWFUL PURPOSES.**

8 **(Sponsored by Mayor Edwards, Councilperson Rowell and**
9 **Mayor Pro Tem Mark Baker)**

10 **WHEREAS**, the City of South Fulton ("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
14 Council thereof ("City Council");

15
16 **WHEREAS**, cities use public art to showcase their personalities, character and
17 history;

18 **WHEREAS**, it is the purpose and intent of the City Council to invest in public arts
19 and to establish an Arts Commission to serve in an advisory capacity to the Mayor, City
20 Council and City Manager on promoting, encouraging and increasing support for the
21 arts;

22 **WHEREAS**, the City Council finds this ordinance to be in the best interests of the
23 health, safety, and general welfare of the City.

24
25 **THE MAYOR AND COUNCIL OF THE CITY OF SOUTH FULTON HEREBY**
26 **ORDAINS** as follows:

27
28 **Section 1:** The City of South Fulton Code of Ordinances is hereby amended by
29 creating a new Chapter 8, Arts & Entertainment, to Title 11, Parks and Recreation,
30 which shall read as follows:

31
32 **TITLE 11 – PARKS & RECREATION**

33
34 **CHAPTER 8 - ARTS & ENTERTAINMENT**

35
36 **Sec. 11-8001. Short title.**

37 This Chapter shall be known as the "South Fulton Public Arts Ordinance."

38 **Sec. 11-8002. Definitions.**

39 As used in this chapter, the following words and phrases are used and shall mean:

- 40 A. "Accession" means the formal process used to accept and record an artwork as a
41 Public Art Collection item.
- 42 B. "Acquisition" means the transfer of title to the city of valuable property including
43 artwork by purchase, donation, bequest, transfer or exchange.
- 44 C. "Artist" means an individual generally recognized by critics and peers as a
45 professional practitioner of the visual, performing or language arts or a
46 combination thereof, based on the professional practitioner's body of work,
47 educational background, experience, past commissions, exhibition/performance
48 record, publications and production of artworks.
- 49 D. "Artworks" must be specified or designed by an artist and include public arts as
50 defined herein;
- 51 a. Sculpture may be made of any material or combination of materials; may
52 be free standing, wall-supported, suspended, mounted, installed, kinetic,
53 electronic or mechanical.
- 54 b. Murals or paintings may be made of any material or combination of
55 materials with traditional or non-traditional means;
- 56 c. Earthworks, glass, organic materials (i.e. fiber, clay, wood, etc.), mosaics,
57 photographs, prints, calligraphy, ephemera, textiles, found objects and any
58 media or combination of media including audio, video, film, holographic or
59 computer-generated technologies or other art genres currently known or
60 which may come to be known; and
- 61 d. Tangible manifestations (i.e. CDs, DVDs, scripts, photographs, videos,
62 films, scores, etc.) of choreography, theatrical performances, performance
63 art, happenings, music, television and film or other performing or language
64 art genres currently known or which may come to be known.
- 65 e. Artworks may be permanent, temporary, fixed or portable, may be integral
66 part of a building, facility or structure integrated with the work of other
67 design professionals.

68 The following, unless specified or designed by an artist, are not considered
69 artwork:

- 70 a. Reproductions, by mechanical or other means, of original artworks.
71 However, limited editions controlled by the artist or original prints, cast
72 sculptures or photographs, may be considered artworks.
- 73 b. Decorative, ornamental or functional elements not specified or designed
74 by an artist.
- 75 c. Elements generally considered as being components of architecture or
76 landscape design such as vegetative materials, pools, paths, benches,
77 receptacles, fixtures, planters, etc.
- 78 d. Art objects which are mass produced, ordered from a catalog, or of
79 standard design (such as benches or fountains), wayfinding or other
80 functional elements such as graphics, signage, advertising or maps.

- 81 E. "Capital Improvement Program Project" means any permanent public
82 improvement project, or portion or phase thereof, set forth in the Capital
83 Improvements Program budget as adopted by city council.
- 84 F. "Public Art Collection" means artworks which have been accessioned and are
85 publicly owned, possessed, or controlled by the city and administered by the
86 commission. Incoming loans of artwork shall be incorporated into the *Civic Art*
87 *Collection* for the duration of the loan but are not considered acquisitions.
- 88 G. "Commission" means the City of South Fulton Public Arts Commission.
- 89 H. "Deaccession" means the formal process used to permanently remove an
90 artwork from the *Public Art Collection*.
- 91 I. "Disposal" means the permanent exchange, sale, destruction or transfer of an
92 artwork from the Public Art Collection.
- 93 J. "Extraordinary artwork maintenance" means any maintenance or conservation to
94 the sound condition of an artwork that requires specialized services.
- 95 K. "Open and accessible" means available for use by the general public during
96 normal hours of business operation consistent with the use of the premises.
- 97 L. "Ordinary artwork maintenance" means the routine oversight of the operation and
98 cleaning of and around artworks.
- 99 M. "Public art" means artwork acquired or created using funds appropriated by the
100 city and located in public places.
- 101 N. "Public Art Fund" means a separate fund established in the city treasury into
102 which funding for collection management activities; funding for public arts project
103 management activities; monetary bequests and donations for specific or
104 unspecified cultural use; grants; grant matching funds and allocated Hotel/Motel
105 Tax funds may be deposited.
- 106 O. "Supplemental funds: means those funds contributed by individuals,
107 corporations, foundations or government grants and placed in the Public Art
108 Fund in addition to the allocation of three percent of hotel/motel taxes collected
109 by the City for implementing the purposes of this Ordinance and other public art
110 projects recommending by the commission and approved by the Council.
- 111 P. "Public exhibition of the visual, literary, film/video arts" shall mean paintings,
112 lithographs, reproductions, photographs, murals, handcrafted arts, stained glass,
113 statues, sculptures and other forms of media arts.
- 114 Q. "Public places" shall mean land, buildings and structures owned or controlled by
115 the city.
- 116 R. "Works of art" shall mean paintings, reproductions, photographs, murals,
117 handcrafted arts, stained glass, statues or other sculptures, monuments,
118 fountains, arches and other structures of a permanent or temporary nature
119 intended for ornament or commemoration.

120 **Sec. 11-8003. Arts Commission.**

121 The City of South Fulton Public Arts Commission is hereby established consisting of
122 eight members who shall represent the following areas:

- 123 a. Individual artist
- 124 b. Arts organizations
- 125 c. Arts patrons
- 126 d. Educators
- 127 e. The business community
- 128 f. General public

129 The mayor's appointee shall serve as chair, and each city council members shall have
130 one appointee whose terms will serve concurrently with their appointing city council
131 member's term of office. The chair shall only vote in cases of a tie. Commission
132 members cannot serve more than two full terms, or a total of eight years. Commission
133 members shall be volunteers, but may be reimbursed for travel, training and related
134 expenses as approved by the City Council.

135 **Sec. 11-8004. Commission quorum.**

136 Four Commission members shall constitute a quorum and shall be authorized to
137 transact business.

138 **Sec. 11-8005. Commission meeting and reporting.**

139 The commission shall meet not less than monthly, and report to the city council on an
140 as-needed basis, but not less than twice per year. The commission may adopt by-laws,
141 subject to confirmation by the city council, and shall operate in accordance with Robert's
142 Rules of Order, 11th Edition, newly revised, as said publication may be updated from
143 time to time.

144 **Sec. 11-8006. Duties and functions.**

145 The commission's duties and functions shall be as follows:

- 146 1. Advocate for the role and value of arts in civic life and promote greater public
- 147 participation in, and access to public art.
- 148 2. Oversee funding allocations in support of non-profit arts and culture
- 149 organizations, artists, festivals and artworks in public development;
- 150 3. Oversee artworks owned and controlled by the city to contribute to the quality of
- 151 life, the economic vitality and the vibrancy of the city;
- 152 4. Make recommendations for city funding to the city council using objective criteria
- 153 and evaluation panels, as appropriate;
- 154 5. Serve in and advisory capacity on projects and programs designed to promote
- 155 the arts in public places throughout the city and encourage the private sector to
- 156 include the arts in private developments; and
- 157 6. Serve as the city's federal and state local arts program liaison.
- 158 7. Advise on the acquisition and placement of works of art on city property.
- 159 a. No work of art shall be installed or removed from public areas of city property
- 160 without a review by the commission.

8. Receive and accept applications for public art funds and use objective criteria to evaluate and recommend to the city council the allocation of said funds.
9. Advocate for and explore alternative sources of arts funding including, but not limited to, grants, donations and corporate sponsorships.
 - a. Explore funding opportunities with private sector, local, regional, state and federal governments, and international entities.
10. Prepare and recommend for the city's council's review a Public Art Plan and guidelines to carry out the city's art program, which shall include, but not be limited to, the methods for selection of artists or works of arts and for the placement of works of arts.
 - a. Public hearings shall be held by the commission during the preparation of the plan and any amendments thereto.
 - b. Advise on the development, implementation, evaluation and/or change of the city's arts policy, legislation, programs and services.
11. Advise the city council regarding the possible purchase of works of art or commissioning the design, execution and/or placement of works of art.
 - a. The commission shall give special attention to the placement of appropriate art in parks and gateways to the city.
12. Receive input from the city manager regarding operation and maintenance expenses associated with a work of art.
 - a. If the city manager finds that a proposed work of art requires extraordinary operation of maintenance expenses, the commission shall either select another work of art; or
 - b. Submit with its recommendation to the city manager and city council a statement of overriding consideration for why the work of art should be utilized notwithstanding its extraordinary operation or maintenance expense.
13. In cooperation with the city manager, promulgate for city council appropriate guidelines consistent with the ordinance to facilitate implementation of the responsibility of the commission and city manager hereunder.
14. In instances of artworks to be placed in new construction projects initiated by the city, to achieve a greater degree of artistic harmony, artists should be recommended by the commission and confirmed by the city manager before city approval of the architect's schematic design.

Sec. 11-8007. Hotel/motel tax allocation. Three percent of the total amount of hotel/motel taxes collected by the City shall be allocated to the Public Art Fund for implementing the purposes of this Ordinance.

Sec. 11-8008. Control of artworks.

No artworks shall be contracted for, exhibited on, or erected on public places, or become the property of the city by acquisition or otherwise, or be in the custody of the city by loan or otherwise, or be in the custody of the city by loan or otherwise, unless

such artworks, shall first have been submitted to, reviewed and accepted by the commission.

No existing artworks owned by or in the custody of the city shall be deaccessioned, removed, relocated, conserved, altered, exhibited or disposed of in any way without the review, recommendation and approval of the commission.

Sec. 11-8009. Management of artworks.

All collection management activities shall be the responsibility of the commission. Ordinary artwork maintenance of artworks in the Public Art Collection is the responsibility of the city department at which the artwork is sited and shall be undertaken at the direction of commission.

Sec. 11-80010. Acquisition of artworks.

The commission may authorize the purchase of artworks for inclusion in the Public Art Collection following the review and recommendation of the commission.

Commission staff shall, on behalf of the city, accept with or without conditions, or reject donations, bequests or incoming loans or artwork following the review and recommendation of the commission. Title to all donated and bequeathed artworks accepted by the city and accessioned into the Public Art Collection shall be vested and held in the name of the city.

Sec. 11-80011. Deaccession of artworks.

When an artwork is deaccessioned and disposed of through sale, the artwork shall be sold through methods either administered by or approved by the Purchasing Agent who may administer acceptance of all deeds of conveyance necessary and property to affect a duly authorized sale or exchange.

Sec. 11-80012. Loans from the civic art collection.

The commission is authorized to loan artworks from the Public Art Collection to city departments, agencies, institutions, organizations or galleries. Loans with any non-city entities shall be subject to confirmation by the city council.

Sec. 11-80013. Reproductions or adaptations of artworks.

The commission is authorized to negotiate with the copyright holder for each artwork in, or proposed for inclusion in the Public Art Collection for the purpose of acquiring a license to make, or cause to be made reproductions or adaptations of artwork. Reproductions or adaptations of artworks are made according to the terms and conditions of the licensing agreement.

Sec. 11-80014. Proceeds from the sale, loan, reproduction or adaptation of artworks.

237 All monies received from the sale of artworks from the Public Art Collection must be
238 expended on new acquisitions. Proceeds from the loan of artworks or from the
239 licensing of the making of reproduction or adaptations thereof, less any payments due,
240 shall be deposited into the Public Art Fund.

241 *****
242 *****
243 *****

244 **Section 2.** It is hereby declared to be the intention of the Mayor and Council that: (a)
245 All sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were,
246 upon their enactment, believed by the city council to be fully valid, enforceable and
247 constitutional.

248 (b) To the greatest extent allowed by law, each and every section, paragraph, sentence,
249 clause or phrase of this Ordinance is severable from every other section, paragraph,
250 sentence, clause or phrase of this Ordinance. No section, paragraph, sentence, clause
251 or phrase of this Ordinance is mutually dependent upon any other section, paragraph,
252 sentence, clause or phrase of this Ordinance.

253 (c) In the event that any phrase, clause, sentence, paragraph or section of this
254 Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or
255 otherwise unenforceable by the valid judgment or decree of any court of competent
256 jurisdiction, it is the express intent of the City Council that such invalidity,
257 unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not
258 render invalid, unconstitutional or otherwise unenforceable any of the remaining
259 phrases, clauses, sentences, paragraphs or sections of the Ordinance.

260 **Section 3.** All Ordinances and parts of Ordinances in conflict herewith are hereby
261 expressly repealed.

262 **Section 4.** The effective date of this Ordinance shall be the date of adoption unless
263 provided otherwise by the City Charter or state and/or federal law.

The foregoing **ORDINANCE No. 2018-033**, adopted on **August 28, 2018** was offered by Councilmember **Rowell**, who moved its approval. The motion was seconded by **Mayor Pro Tem Baker**, and being put to a vote, the result was as follows:

"SECOND 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	☒	☐
khalid kamau	☒	☐

285 THIS ORDINANCE adopted this 28th day of August 2018. CITY OF SOUTH
286 FULTON, GEORGIA.

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290 "SECOND READING"

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295 WILLIAM "BILL" EDWARDS, MAYOR
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301 ATTEST:

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305 MARK MASSEY, CITY CLERK
306



307
308 ITEM# Ord 2018-033 DATE 8/28/2018
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310

311
312 APPROVED AS TO FORM:

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314 
315
316 EMILIA C. WALKER, CITY ATTORNEY
317
318



City of South Fulton Red Oak Main Street

Board

Jurisdiction. The Program is sponsored and governed by the City of South Fulton, and is a division of the City's Economic Development Department. The Program works to maintain a strong, viable, and broad based revitalization program that embraces the implementation of best development practices in accordance to the Georgia Main Street Program and the National Main Street Center's guiding principles and Main Street Approach.

Creation and Terms. The Advisory Board shall consist of seven (7) members ("Board Members") solicited by current Board Members and the Main Street Manager, with official appointment made by City Council. Initial appointments shall be for one-, two-, and three-year terms. Subsequent appointments shall be 3-year terms. Board members may serve consecutive terms if recommended by the board and approved by the city council. Appointments to the Board for the upcoming calendar year shall be made at a meeting in November, or at some other time, as approved by a majority vote of the Board, to ensure that official appointment by City Council has been made by the Board's first meeting of the next calendar year. All Board Members shall commit to working, volunteering, or participating, on behalf of the Program, in at least three of the Program's sponsored events.

Member	Appointed by	Appointed/Term Expires	2024 Absences (6 Meetings To Date)
Dr. Sylvia Carter	City Council	12/14/2021	2
Josephine Smart	City Council	12/14/2021	0
Lee Muhammad	City Council	12/14/2021	0
Douglas Brown	City Council	12/14/2021	2
Dr. Ronald Tolbert	City Council	12/14/2021	0
Michael McCrary	City Council	7/9/2024	0
Rev. Reginald Morton	City Council	7/9/2024	1

**A RESOLUTION SUPPORTING THE ESTABLISHMENT OF THE RED OAK
DISTRICT MAINS TREET PROGRAM; AND FOR OTHER PURPOSES.**

(Sponsored by Mayor Pro Tem Willis)

WHEREAS, the City of South Fulton supports the revitalization and economic re-development of its historic commercial core; and

WHEREAS, the City of South Fulton desires to maintain an economically vital and vibrant district for its residents, visitors and tourists; and

WHEREAS, the City of South Fulton sees an economically healthy historic district as one of its critical assets; and

WHEREAS, the City of South Fulton realizes that a sustainable historic district economy contributes to the community's economic health; and

WHEREAS, the City of South Fulton recognizes its commercial corridor as representing the unique history and culture of our community; and

WHEREAS, the City of South Fulton wishes to maintain a livable, walkable historic district with opportunities to shop, work, live and discover recreational, cultural and heritage opportunities; and

WHEREAS, the City of South Fulton wishes to pursue to investing in enhancing the quality of life for the community's citizens via the implementation of asset-based economic development strategies under the Main Street Approach; and

WHEREAS, the City of South Fulton may leverage technical assistance and other resources through the Georgia Department of Community Affairs Office of Downtown Development to support the economic re-development and revitalization of the Red Oak District Main Street district.

THE CITY COUNCIL OF THE CITY OF SOUTH FULTON HEREBY RESOLVES
as follows:

1. **Section 1.** The City of South Fulton agrees to work with the Georgia Department of Community Affairs Office of Downtown Development dedicating resources and financial support as available to create a successful district economic development

program including strategies established by the National Main Street Center's Economic Transformation Strategies and the Main Street Approach.

Section 2. The City of South Fulton commits to work collaboratively the Georgia Department of Community Affairs, Office of Downtown Development to meet the standards and principles of revitalizing and re-developing the core commercial district of the community as set forth in the annual Memorandum of Understanding (MOU).

Section 3. The term of this resolution shall be deemed effective for the life of an active MOU on file with the Office of Downtown Development, renewed annually, if standards outline in the MOU are met, commencing January 1, 2022.

[signatures and voting tabulations appear on the following page]

The foregoing RESOLUTION No. 2021-046, adopted on December 14, 2021 was offered by Councilmember Willis, who moved its approval. The motion was seconded by Councilmember Rowell, and being put to a vote, the result was as follows:

William "Bill" Edwards, Mayor

Carmalitha Gumbs

Catherine Foster Rowell

Helen Zenobia Willis, Mayor Pro Tem

Gertrude Naeema Gilyard

Corey Reeves

khalid kamau

Mark Baker

AYE

NAY

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THIS RESOLUTION adopted this 14th day of December 2021.

CITY OF SOUTH FULTON, GEORGIA


WILLIAM "BILL" EDWARDS, MAYOR

ATTEST:

 12/16/21
COREY E. ADAMS, SR., CITY CLERK

APPROVED AS TO FORM:

 12/16/21
VINCENT D. HYMAN, CITY ATTORNEY



City of South Fulton Agenda Item Summary



City Council Meeting Date: 12/14/2021		
Requesting Department	Council District(s) Affected	
Economic Development – Destination South Fulton	District 3	
Requested Action Requesting approval for the formation of the - Main Street Advisory Board - Adoption of Red Oak District Board Bylaws		
Requirements for Council Action (City specific Council policy, statute or code requirement) An advisory board and bylaws are required by the Georgia Department of Community Affairs as a condition of accreditation. Members to be appointed: Ontia Howard; Sylvia D Carter; Josephine Smart; Sandra Green; Lee Muhammad; Douglas Brown; Ronald Tolbert.		
Summary and Background (Provide department recommendation and an executive summary of the action that gives an overview of the relevant details) In the FY20 Budget, Mayor and Council approved funding for the establishment of a Main Street Program in the Red Oak area of the City of South Fulton. A condition of accreditation from Main Street America is the establishment of a Main Street Advisory Board, adoption of bylaws and officially designating the area to be serviced by the Main Street Program. Red Oak Main Street Program is fully funded in the FY22 Budget.		
Funding Source (if applicable) 100-7521-00-0000		
Financial Impact (if applicable) \$126,176		
Financial Impact Statement Received Yes ☐ No ☐ Legislative Process Complete Yes ☐ No ☐		
Economic Development Director Approval _____ Christopher G. Pike		Finance Director Approval _____
Assistant City Manager Approval _____	City Attorney Approval _____	City Manager Approval _____

(0-20-2)

Red Oak District Main Street Advisory Board Bylaws

Adopted **To Be Determined**

ARTICLE I

Name

The name of the organization shall be the Red Oak District Main Street Advisory Board (hereinafter the “Advisory Board” or the “Board”).

ARTICLE II

Purposes

Section 2.1 Advisory Board Purpose

The Advisory Board and its committees (the “Main Street Committees” or “Committee”) work with the Main Street Manager (the “Manager”) to carry out the goals of the Main Street Program (the “Program”). The Advisory Board does not handle the day-to-day affairs of the Program, but provides additional insights, input, strategy recommendations, and policy to support the Program. The Advisory Board will assist the Main Street Manager in a number of ways including the following: (1) promote and market Red Oak District as a desirable location for businesses, and aim to achieve full use and occupancy of the Red Oak District; (2) fund raising for the Program and for special projects, including identifying and utilizing local, state, federal, and private sources including grants and contributions; (3) make policy recommendations and assist in strategic planning and goal setting for the Program; (4) encourage appropriate high-quality design in the maintenance, renovation and re-use of buildings in the Red Oak Business District (as defined herein); (5) sponsor events and promotional activities in Red Oak Business District that foster a sense of community, encourage tourism, and promotes business development; (6) recruiting dedicated volunteers and board members; (7) advocate for the Program and ensure that the Program is carrying out its mission and vision; and such other assistance as the Advisory Board and the Main Street Manager deem necessary.

Section 2.2 Scope of Power

The Advisory Board shall have no right, power, or authority to obligate or bind the City of South Fulton (the “City”) in any manner whatsoever. The Advisory Board is not a governing board but is advisory in nature with no power of authority over day-to-day operations of the Program or the Main Street Manager.

Section 2.3 Main Street Program Purpose

The Program is sponsored and governed by the City, and is a division of the City's Economic Development Department. The Program works to maintain a strong, viable, and broad-based revitalization program that embraces the implementation of best development practices in accordance to the Georgia Main Street Program and the National Main Street Center's guiding principles and Main Street Approach.

ARTICLE III Boundaries

The map below indicates the boundaries of the Red Oak Business District (the "Business District"). The primary focus area of the Business District will be defined by portions of Roosevelt Highway, Washington Road, Welcome All Road, Campbell Road, and Ben Hill Road as shown on the Business District map, attached hereto at Appendix A and incorporated herein by this express reference.

ARTICLE IV Advisory Board Members

Section 4.1 Members

The Advisory Board shall consist of seven (7) members ("Board Members") solicited by current Board Members and the Main Street Manager, with official appointment made by City Council. Initial appointments shall be for one-, two-, and three-year terms. Subsequent appointments shall be 3-year terms. Board members may serve consecutive terms if recommended by the board and approved by the city council. Appointments to the Board for the upcoming calendar year shall be made at a meeting in November, or at some other time, as approved by a majority vote of the Board, to ensure that official appointment by City Council has been made by the Board's first meeting of the next calendar year. All Board Members shall commit to working, volunteering, or participating, on behalf of the Program, in at least three of the Program's sponsored events.

Section 4.2 Qualifications of Advisory Board Members

Persons selected for appointment to the Advisory Board by current Board Members and/or the Main Street Manager shall have interests and/or experience in economic development of historic commercial areas or in historic preservation, and be willing to actively participate. The make-up of the Advisory Board should strive for diversity, seeking representation from public and private groups. There will not be a majority of any occupation on the Advisory Board. Board Members must be of sound mind and of legal age to serve. The composition of the background, experiences, and occupations of the Board Member's comprising the Advisory Board shall be consistent with the Georgia Main Street Annual Standards of Accreditation.

Section 4.3 Resignation

A Board Member wishing to resign from the Advisory Board shall submit a letter of resignation to the Main Street Manager, Board President, or Vice President. Upon Receipt of a Board member's resignation, the Main Street Manager, Board President, or Vice President must present the Board Member's resignation to the entire Advisory Board. A Board Member resigning from the Board must expressly state whether the resignation is with immediate effect or provide a date

the resignation will take effect. If a Board Member submits his/her resignation, whether to be effective immediately or at a future date, a Vacancy occurs on the tenth day after the date of its receipt by the Advisory Board. The Advisory Board may not refuse to accept a resignation, however during the 10-day waiting period; the resigning Board Member may rescind his/her resignation with a majority of vote of the Board Members. The Board Member who initially sought resignation shall not be permitted to participate in the vote, or the discussion preceding the vote, considering whether that Board Member's desire to rescind his/her resignation will be permitted.

Section 4.4 Vacancies

If a Vacancy occurs on the Advisory Board because of death, resignation, refusal to serve, or for a reason other than the normal expiration of a term of office; the Board shall propose a new candidate to fill the Vacancy by majority vote of the remaining Board Members. The candidate shall become a Board Member with the approval of the City Council. The Board Member filling such Vacancy shall fill the unexpired term of his/her predecessor.

Section 4.5 Removal

Board members who fail to fulfill their duties and have three consecutive unexcused absences from regular board meetings are subject to removal.

ARTICLE V Officers

Section 5.1 Officers and Elections

The officers of the Advisory Board ("Board Officers") shall consist of a President, Vice-President, Treasurer, and Secretary. Board Officers shall be elected by a majority vote of the Advisory Board at the first regular meeting after the annual City Council Advisory Board appointment process.

No person shall be elected President who has not served at least one year on the Advisory Board.

Section 5.2 Terms of Office

Board Officers shall serve for elected annually.

Section 5.3 Board Officer Vacancies

In the event of a vacancy in the office of President, the Vice President shall serve as President.

In the event of a vacancy in the offices of Vice President, Treasurer, or Secretary the Advisory Board shall elect a replacement and successor Board Officer by majority vote of Board Members at the next regularly scheduled meeting, or as soon as reasonably practical for the unexpired term.

If possible, the Board Officer creating the vacancy shall continue to serve until the vacancy is filled.

Section 5.4 Duties

- A. President, whose duties include chairing all meetings of the Board, acting as a representative of the Board in functions requiring such representation, and acting as the Board liaison to support the Main Street Manager in facilitating the goals of the Program.
- B. Vice President, who shall assume all duties outlined for the President in his/her absence.
- C. Treasurer, who shall keep record of all income and expenses for the Main Street budget and the Main Street fundraising account. At the Annual Meeting, and at regular Advisory Board meetings, the Treasurer will provide a report and summary statement on the financial affairs of the Program.
- D. Secretary, whose duties include recording the minutes at meetings of the Board, presenting said minutes to the Board for review and acceptance by the Board, and maintaining Program records that result from Board meetings.
- E. Temporary Officers. In cases of absence or disability of an Officer of the Program, the remaining Officers may vote to delegate the powers and duties of such Officer to any other Officer or Member of the Board.

Section 6.1 Regular Meetings

Regular meetings of the Board shall be held not less than eight (8) times during a calendar year, unless the Main Street Manager, in conjunction with the Board President, deems necessary by any or all parties. Meetings of the Advisory Board shall be held in the Collab South conference room, located at 3435 Roosevelt Highway, Suite 11, South Fulton, GA 30349, or such other place as designated by the Advisory Board. Regular meetings shall be held on the second Wednesday of the month, unless such day falls on a city observed holiday, in which event the regular meeting for that month shall be postponed to the following month at the same hour and place.

Section 6.2 Agenda

Items may be placed on the agenda by the Main Street Manager, Board President, or at the request of a Board Member. The party (or individual) requesting the agenda item will be responsible for the initial presentation at the meeting. Items included on the agenda must be submitted to the Main Street Manager no later than one week before the Advisory Board meeting at which the agenda item will be considered. Agenda packets for regular meetings will be provided to the Members in advance of the scheduled Board meeting. Agenda packets will contain the posted agenda, typed minutes of the last meeting, and any other necessary documents.

Section 6.3 Special Called Meetings

The Board President, Main Street Manager, or at least a quorum of the Advisory Board may, when deemed necessary, call special meetings of the Advisory Board.

Section 6.4 Quorum

A quorum is required for the purpose of transacting all business of the Board at any regularly scheduled meeting of the Main Street Advisory Board. No action of the Advisory Board or any

individual Board Member shall be an official action of the Program unless approved by a majority of Board Members present at an official board meeting. A quorum shall consist of four (4) voting Board Members. If a quorum is not present or represented at any meeting of the Advisory Board, a majority of the Board Members entitled to vote thereat, present in person, may adjourn the meeting, until a quorum shall be present or represented. At such adjourned meeting at which a quorum shall be present or represented, any business may be transacted which might have been transacted at the meeting as originally notified.

Section 6.5 Call to Order

Advisory Board meetings will be called to order by the Board President, or if absent, by the Vice President. In the absence of both the President and Vice President, the meeting shall be called to order by the Secretary, and a temporary President shall be elected to preside over the meeting.

Section 6.6 Notice

Written or electronic notice of every meeting of the Board stating the place, date, and hour of the meeting, shall be given either personally or by electronic mail to each member not less than 48 hours before the date of the meeting.

Section 6.7 Attendance

Board Members are required to attend Board meetings and be prepared to discuss the issues on the agenda. A Member shall notify the Main Street Manager or Board President if the Member is unable to attend a meeting. Any Board Member missing three regularly scheduled meetings shall be contacted by the President, or his/her designee, regarding the absentee Board Member's desire to continue to serve.

Section 6.8 Voting

When a quorum is present at any meeting, the vote of a majority of the Board Members present in person decides any question brought before such meeting, unless the question is one upon which the express provisions of law or these Bylaws require a different vote, in which case such express provisions shall govern and control the decision of the question. Each Board Member shall at every meeting of the Advisory Board be entitled to one vote. No Board Member may vote by proxy.

The Main Street Manager shall be a non-voting member of the Advisory Board and the Manager, or his/her designee, shall be present at all meetings of the Advisory Board.

Section 6.9 Electronic Voting

Board Members, by providing an e-mail address to receive electronic transmission, consent to electronic transmission of information (including meeting notices) and to conduct votes via electronic transmission. Such votes are considered final action on the matter if there is unanimous consent of the Advisory Board. After two successive failed attempts to contact a Board Member by electronic means, consent by that Board Member will be considered to be revoked.

Section 6.10 Public Participation

In accordance with City Policy, the public is welcome and invited to attend Board meetings and to speak on any item on the agenda during the public comment portion of the agenda. If any written

materials are to be provided to the Board, a copy shall also be provided to the Main Street Manager for inclusion in the minutes of the meeting. Speakers shall be allowed a maximum of three (3) minutes to speak. A person who disrupts the meeting may be asked to leave and be removed.

Section 6.11 Open Meetings

Public notice of Board meetings shall be provided in accordance with the provisions of the Georgia Open Meetings Act. All Board meetings and deliberations shall be open to the public, except for properly noticed closed session matters, and shall be conducted in accordance with the provisions of the Georgia Open Meetings Act.

Section 6.12 Closed Sessions

The Board may conduct closed sessions as allowed by law, on properly noticed closed session matters, such as consultation with attorney on legal matters, deliberation regarding the value of real property, or personnel matters. A certified agenda shall be made of all closed sessions of Board meetings.

Section 6.13 Board Orientation

All new members of the Main Street Advisory Board shall participate in an orientation program familiarizing themselves with the goals and objectives of the program and with their responsibilities. All new members of the Main Street Advisory Board Members are required to become Main Street 101 certified within the first 12 months of taking their position.

Section 6.14 Annual Meeting

An annual meeting of the Board shall be held at the first regular meeting of the new calendar year for the purposes of electing officers and transacting such other business.

ARTICLE VII Reports to City Council

The Advisory Board shall meet with City Council, as requested, to provide reports and to determine how the Board may best serve the City of South Fulton. Board Reports will be made at a regularly scheduled Council meeting. The Board must submit an annual report to City Council each year.

ARTICLE VIII Committees

Section 8.1 Structure

In an effort to revitalize the Business District through historic preservation-based economic development, the Program will utilize the Main Street Four-Point Approach, and other applicable guiding principles and Main Street Approach of the National Main Street Center and Georgia Main Street Program, to leverage success. The Program will have the following standing Main Street Committees:

- A. Organization Committee. The Organization Committee plays a key role in keeping the board, committees, and program-of-work in good shape by attracting people and money to the organization.
- B. Economic Vitality Committee. The Economic Vitality Committee promotes the interests of businesses and assists the Main Street Manager in recruiting desirable businesses to the Business District.
- C. Design Committee. The Design Committee works to protect and improve Red Oak's built and natural environment through historic preservation, public art installation and other design features.
- D. Promotion Committee. The Promotion Committee fosters good will among residents and attracts tourists by participating in and coordinating special events and promotional activities. The Committee also assists in the implementation of marketing initiatives for the district.

The Program shall also have other committees and ad hoc bodies as the Advisory Board and Main Street Manager may from time to time establish in accordance with the Georgia Main Street Program and the National Main Street Center's guiding principles and Main Street Approach. Main Street Committees must submit a written report to the Main Street Manager one week prior to each regularly scheduled Board meeting. Main Street Committees must also submit minutes of each meeting to the Main Street Manager.

Section 8.2 Committee Members

Main Street Committees shall consist of not less than three (3) members, and shall have as chairperson who shall be responsible for directing and coordinating the affairs of the Main Street Committee. At least one Board member must be represented on each Main Street Committee. The terms of the Main Street Committees shall be for one year.

Main Street Committees will be appointed by the Main Street Manager and Board President with the approval of the Advisory Board. Main Street Committees need not be limited to the Program's downtown businesses, but can have representatives from other relevant areas of the community.

ARTICLE IX Main Street Program Manager

The Main Street Manager is an employee of the City that reports directly to Director of Economic Development as illustrated in the Main Street Organizational Chart attached hereto as Appendix B and is incorporated herein by this express reference. The Main Street Manager shall manage the daily operations of the Program and shall be responsible for the coordination and the implementation of the Program's policies and projects and such other duties as may be required. The Main Street Manager shall serve as a liaison between the Advisory Board and Main Street Committees. The office of the Main Street Manager shall be located within the Red Oak Business

District in accordance to Georgia Department of Community Affairs guidelines. The Manager will maintain information regarding the revitalization in the Business District.

ARTICLE X

Finances and General Provisions

Section 10.1 Fiscal Year.

The fiscal year of the Program will begin on the first day of January, and end on the last day of December of each year. On the first year of creation, the fiscal year will begin upon creation and end on the last day of December.

Section 10.2 Funds.

The Advisory Board and the Board Members have no authority to expend funds or to incur or make an obligation on behalf of the City unless authorized and approved by City Council. Board Members may be reimbursed for expenses in accordance with City Policy. The Advisory Board shall have the authority to administer the monies from the Main Street Fundraising Account with the support of the City. The Advisory Board is required to submit a report of all fundraising incoming and spending to the Main Street Manager and the City in a timely manner.

Section 10.3 Year-End Financial Statement.

Within two months after the close of the fiscal year, the Treasurer will prepare a year-end financial statement showing in reasonable detail the source and application of the previous year's funds and the financial condition of the Program. This statement will be presented to the Advisory Board at a regular Board meeting.

ARTICLE XI

Books and Records

Correct books of account of the activities and transactions of the Program shall be kept at the Main Street Office. These shall include a minute book, which shall contain a copy of these Bylaws and all minutes of meetings of the Advisory Board, work plans, and vision and mission statements.

ARTICLE XII

Conflict of Interest

Any Board Member who has a financial, personal, or official interest in, or conflict (or appearance of a conflict) with any matter pending before the Advisory Board, of such nature that it prevents or may prevent that Board Member from acting on the matter in an impartial manner, shall disclose such conflict and the Board shall abide by the following protocol:

- A. Abstinance from Vote. When any conflict of interest is relevant to a matter requiring action by the Advisory Board, the interested person shall call it to the attention of the Board or its appropriate Committee and such person shall not vote on the matter.

- B. Absence from Discussion. Unless requested to remain present during the meeting, the person having the conflict shall retire from the room in which the Advisory Board or its Committee is meeting and shall not participate in the final deliberation or decision regarding the matter under consideration. However, that person shall provide the Board or Committee with any and all relevant information.
- C. Minutes. The minutes of the meeting of the Advisory Board or one of its Committees shall reflect that the conflict of interest was disclosed and that the interested person was not present during the final discussion or vote, and did not vote. When there is doubt as to whether a conflict of interest exists, the matter shall be resolved by a vote of the Advisory Board or its Committee, excluding the person concerning whose situation the doubt has arisen.

Section 12.1 Annual Review.

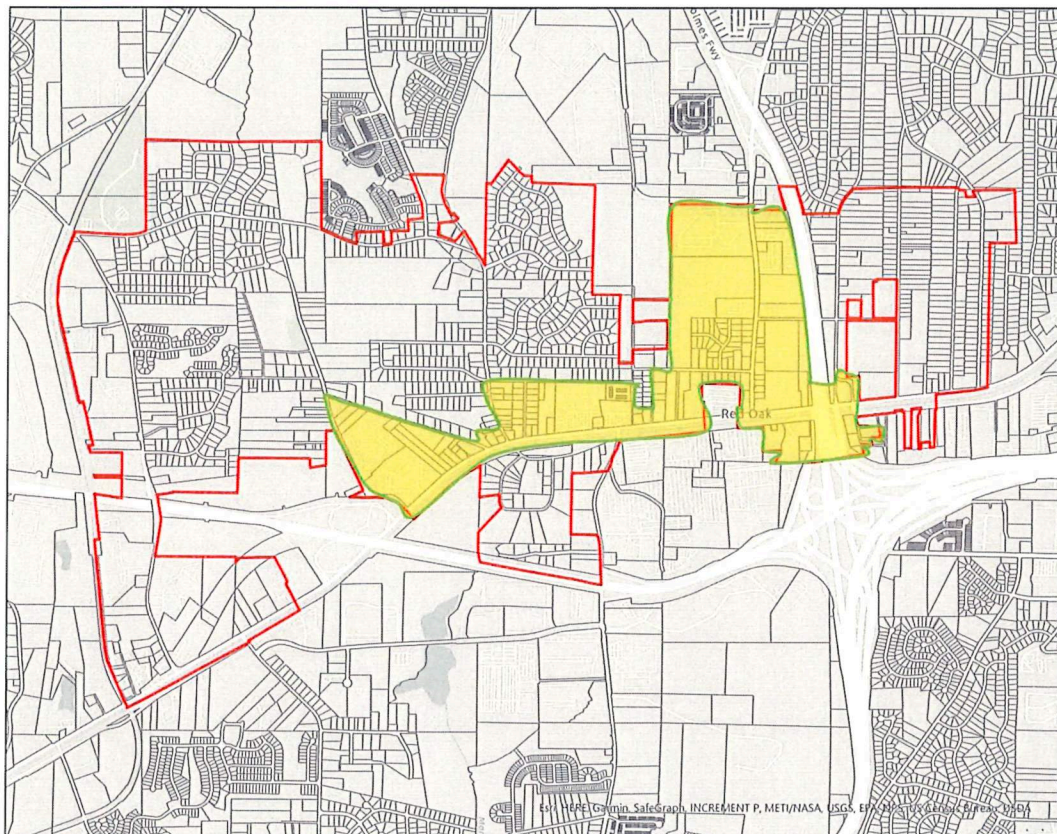
A copy of this conflict of interest bylaw shall be furnished to each Board Member and Officer who is presently serving the Program, or who may hereafter become associated with the Program. This policy shall be reviewed annually for the information and guidance of Board Members, Officers, and staff members. Any new Board Members or Officers shall be advised of this policy upon undertaking the duties of such office.

ARTICLE XIII Amendments

The Advisory Board shall have the power to alter, amend, or repeal the Bylaws or adopt new Bylaws by a quorum vote at a duly called meeting of the Board. However, the Board's proposed amendments to the Bylaws must be approved by City Council. Bylaw amendments are not effective until approved by City Council.

Appendix A

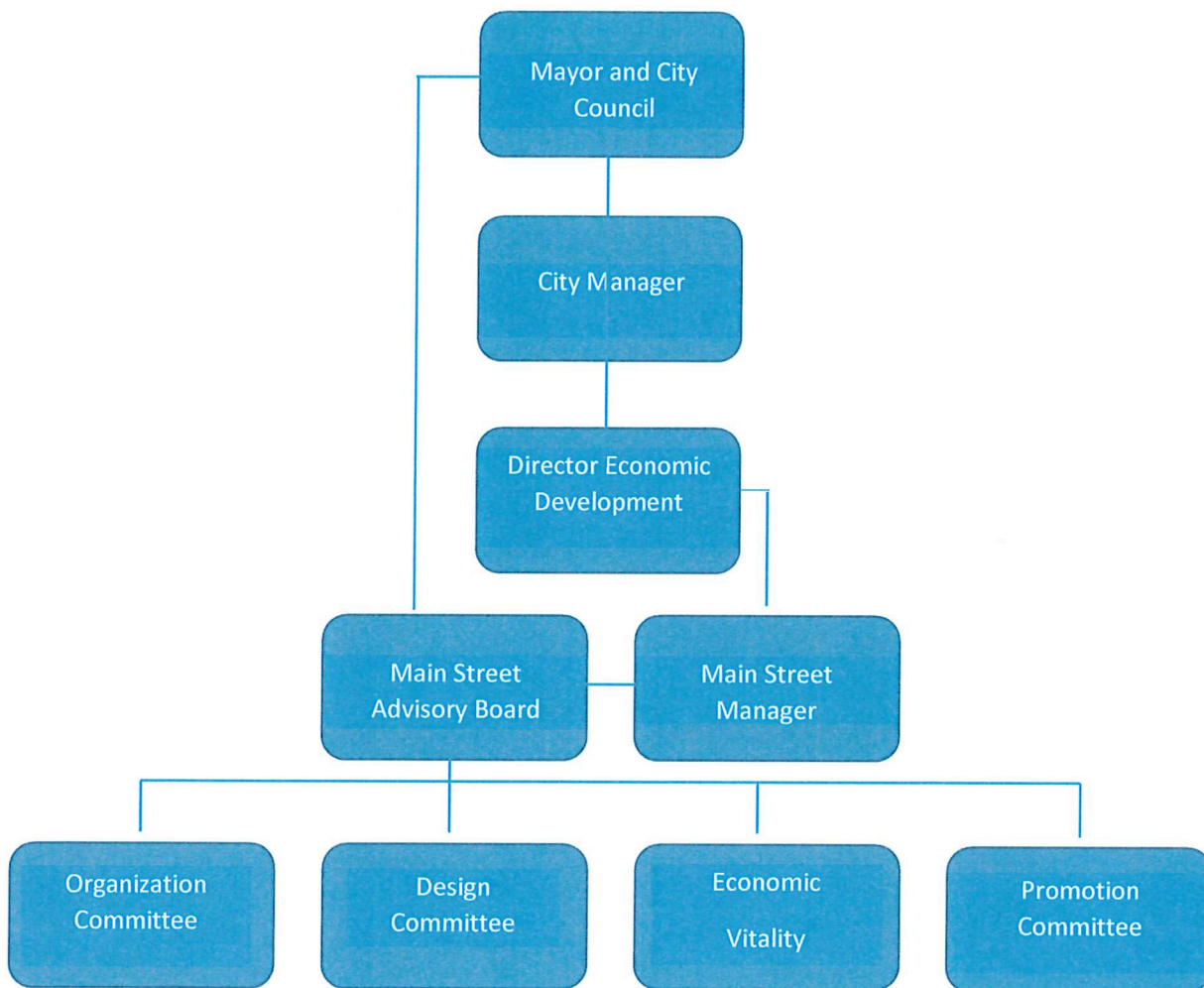
Red Oak Central Business District



- Red Oak Historic District
- Red Oak Business District

Appendix B

Red Oak District Main Street Advisory Board Organizational Chart *City Sponsored Program*





City of South Fulton Urban Redevelopment Agency

Jurisdiction. The City Council directed that it is in the public interest of the citizens of the City that an urban redevelopment agency be created for the City pursuant to O.C.G.A. § 36-61-18(a) (the "South Fulton Urban Redevelopment Agency") to exercise the "urban redevelopment project powers" of the City as authorized by §36-61-17 of the Urban Redevelopment Law. Created upon approval of Resolution 2019-029 (June 19, 2019)

Creation. The Board of Commissioners of the South Fulton Urban Redevelopment Agency (SFURA) shall consist of the members of the City Council who shall serve for the length of their term as a City Council member and until their successor takes office. A City Council member shall stand automatically appointed to the SFURA upon the commencement of their City Council term. The Mayor shall serve as the Chairperson and shall not vote except in the event of a tie. The Commissioners shall elect a member from among them to serve as the Vice Chair.

Member
Mayor khalid khalid (at-large)
Councilmember Catherine Rowell (D1)
Councilmember Carmalitha Gumbs (D2)
Councilmember Helen Willis (D3)
Councilmember Jaceey Sebastian (D4)
Councilmember Keosha Bell (D5)
Councilmember Natasha Williams - Brown(D6)
Councilmember Linda Pritchett (D7)

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

RES- 2019-029

4
5 A RESOLUTION ESTABLISHING MEMBERSHIP AND COMPOSITION OF THE
6 SOUTH FULTON URBAN REDEVELOPMENT AGENCY AND
7 FOR OTHER LAWFUL PURPOSES
8

9 (Sponsored by Mayor Pro Tem Baker and Councilmember Willis)

10
11 WHEREAS, the City of South Fulton ("City") is a municipal corporation duly
12 organized and existing under the laws of the State of Georgia;

13
14 WHEREAS, the duly elected governing authority of the City is the Mayor and
15 Council thereof ("City Council");

16 WHEREAS, by Resolution (the "Prerequisite Resolution"), the City Council
17 has determined that one or more pockets of blight exist in the City and that the
18 rehabilitation, conservation or redevelopment, or a combination thereof, of such area or
19 areas is necessary in the interest of the public health, safety, morals, or welfare of the
20 residents of the City;

21
22 WHEREAS, the Urban Redevelopment Law of Georgia, O.C.G.A. § 36-61-1, *et*
23 *seq.*, as amended (the "Urban Redevelopment Law") creates in each municipality in
24 the State of Georgia a public body corporate and politic to be known as the "urban
25 redevelopment agency" of the municipality, for the purpose of exercising the "urban
26 redevelopment project powers" defined in § 36-61-17(b) of the Act;

27
28 WHEREAS, it has been determined by the City Council that it is in the public
29 interest of the citizens of the City that an urban redevelopment agency be created for
30 the City pursuant to O.C.G.A. § 36-61-18(a) (the "South Fulton Urban
31 Redevelopment Agency") to exercise the "urban redevelopment project powers" of the
32 City as authorized by §36-61-17 of the Urban Redevelopment Law;

33
34 WHEREAS, the City Council, after thorough investigation, has determined that it
35 is desirable and necessary that the South Fulton Urban Redevelopment Agency be
36 activated immediately, as authorized by § 36-61-18 of the Urban Redevelopment Law,
37 in order to fulfill the needs expressed herein;

38
39 WHEREAS, the City Council desires to appoint the board of commissioners of
40 the South Fulton Urban Redevelopment Agency pursuant to §36-61-18(b) of the Urban
41 Redevelopment Law;

42
43 WHEREAS, pursuant to the Prerequisite Resolution, the City Council designated
44 a certain geographic territory within its boundaries as the City of South Fulton Urban
45 Redevelopment Area No. 1 (the "South Fulton Urban Redevelopment Area");
46

47 **WHEREAS**, in accordance with the Urban Redevelopment Law, the City has
48 prepared an "Urban Redevelopment Plan" and scheduled a public hearing regarding the
49 same in compliance with Section 36-61-7 of the Urban Redevelopment Law;
50

51 **WHEREAS**, the City desires for the South Fulton Urban Redevelopment Agency
52 to (i) conduct a public hearing on an Urban Redevelopment Plan and, (ii) if such plan is
53 subsequently approved by the governing body of the City, to finance certain economic
54 development projects identified within the plan to be located in the South Fulton Urban
55 Redevelopment Area on behalf of the City; and
56

57 **WHEREAS**, this Resolution will benefit the health and general welfare of the City,
58 its citizens and general public.

59 **NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL**, as
60 follows:

61
62 **Section 1.**
63

- 64 **a. Transaction of Business.** The South Fulton Urban Redevelopment Agency
65 ("SFURA") is hereby directed to conduct its organizational meetings, make
66 any and all required filings and transact business as permitted by the Urban
67 Redevelopment Law.
68
- 69 **b. Exercise of Power.** The City Council hereby determines that it is in the public
70 interest for the SFURA to exercise the City's "urban redevelopment project
71 powers" and hereby elects to have the SFURA exercise all of the City's
72 "urban redevelopment project powers" which are not retained by the City
73 pursuant to O.C.G.A. § 36-61-17(b).
74
- 75 **c. Composition and Term.** The Board of Commissioners of the SFURA shall
76 consist of the members of the City Council who shall serve for the length of
77 their term as a City Council member and until their successor takes office. A
78 City Council member shall stand automatically appointed to the SFURA upon
79 the commencement of their City Council term. The Mayor shall serve as the
80 Chairperson and shall not vote except in the event of a tie. The
81 Commissioners shall elect a member from among them to serve as the Vice
82 Chairperson.
83
- 84 **d. Meetings.** The SFURA shall be governed by Roberts Rules of Order, as
85 amended, establish its own meeting dates and may adopt further rules and
86 procedures consistent with this Resolution, applicable City regulations and
87 State law. A special meeting may be called by the Chairperson or four
88 Commissioners, subject to 72-hour advance notice to all Commissioners,
89 although a Commissioner may waive such notice.
90
91

92 **Section 2.** It is hereby declared to be the intention of the Mayor and Council that: (a)
93 All sections, paragraphs, sentences, clauses and phrases of this Resolution are or
94 were, upon their enactment, believed by the City Council to be fully valid, enforceable
95 and constitutional.

96 (b) To the greatest extent allowed by law, each and every section, paragraph, sentence,
97 clause or phrase of this Resolution is severable from every other section, paragraph,
98 sentence, clause or phrase of this Resolution. No section, paragraph, sentence, clause
99 or phrase of this Resolution is mutually dependent upon any other section, paragraph,
100 sentence, clause or phrase of this Resolution.

101 (c) In the event that any phrase, clause, sentence, paragraph or section of this
102 Resolution shall, for any reason whatsoever, be declared invalid, unconstitutional or
103 otherwise unenforceable by the valid judgment or decree of any court of competent
104 jurisdiction, it is the express intent of the City Council that such invalidity,
105 unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not
106 render invalid, unconstitutional or otherwise unenforceable any of the remaining
107 phrases, clauses, sentences, paragraphs or sections of the Resolution.

108 **Section 3.** All Resolutions and parts of Resolutions in conflict herewith are hereby
109 expressly repealed.

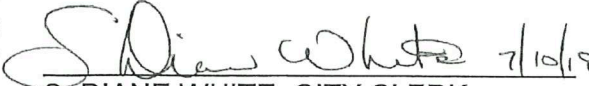
110 **Section 4.** The effective date of this Resolution shall be the date of adoption unless
111 provided otherwise by the City Charter or state and/or federal law.

112
113
114 THIS RESOLUTION adopted this 19th day of June 2019.

115
116 **CITY OF SOUTH FULTON, GEORGIA**

117
118
119 
120
121 WILLIAM "BILL" EDWARDS, MAYOR

122
123
124 ATTEST:

125
126 
127
128 S. DIANE WHITE, CITY CLERK

129
130 APPROVED AS TO FORM:

131 
132
133
134 EMILIA C. WALKER, CITY ATTORNEY



The foregoing RESOLUTION No. 2019-016, adopted on June 19, 2019 was offered by Councilmember Willis, who moved its approval and was seconded by Councilmember Gumbs, and being put to a vote, the result was as follows:

	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	☒	☐
khalid kamau	☐	☒



City of South Fulton Zoning Board of

Appeals

Jurisdiction. Shall oversee all zoning and planning appeals regarding real property within the City's borders

Creation. Shall consist of eight citizen members appointed by the Mayor and City Council and who are residents of the city.

Terms. The Zoning Board of Appeals members shall serve a term consistent with that of the member of the City Council (or the Mayor) making the nomination.

Member	Appointed by	Appointed/Term Expires	2024 Absences (3 Meetings To Date)
Mr. Aaron Johnson	Mayor khalid (at-large)		1
Ms. Toni Blackshear	Councilmember Rowell (D1)	8/13/2024-12/31/2027	0
Ms. Sonya Patterson	Councilmember Gumbs (D2)	8/13/2024-12/31/2025	0
Mr. Deandre Mathis	Councilmember Willis (D3)	8/13/2024-12/31/2027	1
Mr. Brian O'Donnell	Councilmember Sebastian (D4)	8/13/2024-12/31/2025	0
Ms. Amethyst Harris	Councilmember Bell (D5)	8/13/2024-12/31/2027	1
Ms. Judy Booker	Councilmember Williams -Brown(D6)	8/13/2024-12/31/2025	2
Ms. Khalisha Roberts	Councilmember Pritchett (D7)	8/13/2024-12/31/2027	3

**STATE OF GEORGIA
COUNTY OF FULTON
CITY OF SOUTH FULTON**

ORDINANCE No. 2017-011

**ADOPTION OF ORDINANCE ESTABLISHING THE ZONING BOARD OF
APPEALS FOR THE CITY OF SOUTH FULTON**

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 City Council is authorized by O.C.G.A. § 36-35-3 to adopt ordinances relating to its property, affairs, and local government;

WHEREAS, the duly elected governing authority of the City is the Mayor and City Council;

WHEREAS, Section 4.11 of the City Charter authorizes the City Council to create such boards, commissions and authorities to fulfill any investigative, quasi-judicial, or quasi-legislative function the City Council deems necessary;

WHEREAS, Section 1.12(b)(26) of the City Charter authorizes the City to exercise planning and zoning powers;

WHEREAS, the City is charged with preserving the health, safety, and welfare of its citizens; and

WHEREAS, the establishment of a Zoning Board of Appeals to oversee all zoning and planning appeals regarding real property within the City's borders is in the best interest of the City.

THE COUNCIL OF THE CITY OF SOUTH FULTON HEREBY ORDAINS
as follows:

Section 1: The City of South Fulton Code of Ordinances, Chapter 6, Title 5, Zoning and Planning, is hereby established and enacted as follows:

Title 5: ZONING AND PLANNING

CHAPTER 6. – APPEALS

Sec. 5-6001. – Zoning Board of Appeals established; membership; terms.

(a) *Creation.* There is hereby established a Zoning Board of Appeals which shall consist of eight members, residents of the city, who shall be appointed by the City Council as follows:

- (1) One member shall be nominated by each member of the City Council and the Mayor; and
- (2) Each member shall be approved by a vote of the majority of the City Council.

(b) *Terms.* The Zoning Board of Appeals members shall serve a term consistent with that of the member of the City Council (or the Mayor) making the nomination. A Enforcement Board member shall serve until his or her replacement is appointed by the City Council in a manner consistent with this ordinance. The Zoning Board of Appeals members shall serve no more than two terms, either consecutive or non-consecutive, and a term shall end upon the swearing in or re-swearing in of the member of the City Council (or the Mayor) who nominates the Enforcement Board member.

(c) *Chair and Vice Chair.* The Zoning Board of Appeals shall elect one of its members to serve as chairperson and another to serve as vice-chairperson. The chairperson and vice-chairperson of the Zoning Board shall serve a term of one year or until reelected or a successor is elected. The duty of the chair shall be to conduct the meetings in accordance with the procedures set forth herein and any other rules or regulations established by the Zoning Board of Appeals. The vice-chairperson shall conduct the meetings in the chair's absence. The vice-chairperson may be appointed chair if the chair is removed from office, or due to a physical or mental disability, cannot perform the duties of chair.

(c) *Qualifications.*

- (1) Board members shall hold no other city office or city-compensated position during such member's term.
- (2) All Zoning Board of Appeals members shall be residents of the City.
- (3) No person shall serve at a meeting of the Zoning Board of Appeals as a member until they have been certified as having completed at least two hours of training.

(d) *Removal.*

- (1) Except as provided in paragraph (2) of this Zoning Board of Appeals members may be removed by the City Council at any time.
- (2) Zoning Board of Appeals members shall automatically be removed from the Board if they miss two consecutive meetings without the permission of the Chair, or if the Board member fails to attend at least 75 percent of the Board meetings in a 12 month period. The Board secretary shall notify the City Clerk of any Board member who does not attend a meeting. If a Board member is removed for failure to attend meetings as set forth in his paragraph, the removal is automatic and does not require a vote of the City Council.

- (e) *Compensation.* The City Council may, by resolution, determine the amount of compensation, if any, to be paid to the Zoning Board of Appeals members. In the absence of such resolution, no compensation shall be provided to the members of the Zoning Board of Appeals.

Sec. 5-6002. – Meetings of the board.

The board shall adopt its rules of procedure, which shall be substantially similar to the rules of procedure of the City Council, and determine its time of meetings. The date and time of each meeting shall be standardized and regular; provided, however, the Zoning Board of Appeals may call for and have a specially called meeting subject to the requirements of Georgia law and the ordinances of the City. In the case of a specially called meeting, at least 24 hours public notice shall be made available. Agenda items to be considered shall be publicized in the same manner as meetings of the mayor and council. A meeting may be canceled by the chairperson, secretary or community development director or his designee if there are no matters to be acted upon by the board.

Sec. 5-6003. – Rules of procedure.

The Zoning Board of Appeals shall propose rules of procedure to the City Council, and the rules shall specify the policies and procedures that govern calling and conducting the public hearings by the Zoning Board of Appeals. Robert's Rules of Order shall govern any procedural question not otherwise covered in the rules of procedure of the Zoning Board of Appeals or City Council. The proposed rules shall not be effective until either the City Council approves them at a public meeting, or the City Council has not acted on the proposed rules for three public meetings since receiving notice of the proposed rules by the Zoning Board of Appeals. Notice shall be provided to the City Council by the City Clerk upon transmission of the proposed rules from the Zoning Board of Appeals to the City Clerk. The Zoning Board of Appeals rules shall be made available for distribution to the public.

Sec. 5-6004. - Quorum, voting, and actions by board.

A quorum of the board shall consist of four members of the board. A quorum is necessary for the board to take official action. A member who has withdrawn from the meeting without being excused as provided herein shall be counted as present for the purpose of determining whether a quorum is present. All official actions of the board shall be taken by majority vote of the members present. The Board member nominated by the Mayor shall not vote unless there is a tie. A roll call vote shall be taken upon the request of any member.

Sec. 5-6005. - Secretary.

A City employee shall serve as the Secretary of the Zoning Board of Appeals. The secretary shall provide support to the Zoning Board of Appeals as reasonable and

necessary to accomplish said Board's duties. The secretary of the Zoning Board of Appeals shall provide the members of the Zoning Board of Appeals all information submitted to, or generated by, city staff on each proposed amendment, which the Zoning Board of Appeals considers, including: a copy of the application and all supporting materials; all other written communications given to the staff either in support of or in the opposition to the amendment; any decision of the Board; the minutes, if any, of the Board meeting; and any filings made by any party that appears before the Board. The secretary shall be responsible for transmitting the records of the Zoning Board of Appeals to the City Clerk.

Sec. 5-6006. – Reserved.

Sec. 5-6007. - Staff analysis, findings of fact, and recommendation on each application for variance and special exception.

The appropriate City staff shall conduct a site inspection of and shall prepare a written analysis of each matter coming before the Zoning Board of Appeals. The analysis shall cite to and analyze the criteria and standards necessary to decide the issue presented to the Zoning Board of Appeals. The analysis may include a recommendation to the Zoning Board of Appeals.

Sec. 5-6008. - Testimony.

All testimony before the Zoning Board of Appeals shall be taken as if under oath regardless of whether or not a formal oath or affirmation is administered. The chairperson, or in his absence the acting chairperson, may administer oaths and compel the attendance of witnesses by subpoena.

Sec. 3-6009. – Hearings before the Zoning Board of Appeals.

(a) *Subject Matter Jurisdiction.* The Zoning Board of Appeals shall have the jurisdiction, power, and duty to hear and decide appeals may be filed by any person aggrieved by, or by any city official, department, board, commission, or agency affected by, any final order, requirement, or decision of an administrative official, based on or made in the enforcement of the zoning ordinance, by filing with the secretary of the board an application for appeal specifying the grounds thereof, within 30 days after the action appealed from was taken. The City may appeal to the Zoning Board of Appeals a decision of the Planning Commission. The failure of a City official, department, board, commission, or agency to act shall not be construed to be an order, requirement or decision within the meaning of this division. A person shall be considered aggrieved for purposes of this subsection only if:

- (1) Said person or said person's property was the subject of the action appealed from; or

- (2) Said person has a substantial interest in the action appealed from that is in danger of suffering special damage or injury not common to all property owners similarly situated.

(b) *Deadline to file an appeal.* All appeals shall be filed pursuant to this Ordinance within thirty days of the decision appealed.

(c) *Appeal stays all legal proceedings.* An appeal stays all legal proceedings in furtherance of the action appealed from unless the official from whom the appeal is taken certifies to the board, after notice of appeal has been filed, that by reasons of facts stated in the certificate, a stay would, in that official's opinion, cause imminent peril to life and property. In such a case, proceedings shall be stayed only by a restraining order granted by the Superior Court of Fulton County.

(d) *Time of hearing.* The board shall fix a reasonable time for the hearing of the appeal and give notice thereof pursuant to the requirements of section 3-6014 as well as due notice to the parties in interest. Any party may appear at the hearing in person, by an agent, by an attorney or by a written documentation. The Zoning Board of Appeals will not furnish a court reporter, but any party to the proceeding may do so at its own cost.

(e) *Notice of hearing.* Notice of public hearing before the board on any application for appeal, variance, or special exception shall be provided as follows:

- (1) Written notice of the nature of the proposed application, and the date, time, and place of the public hearing before the board shall be mailed by first class mail to all property owners within 250 feet of the boundaries of the subject property as measured by use of the official zoning map, and as such property owners are listed on the tax records of the county, at least 15 days before the public hearing before the board;
- (2) Signs shall be posted within the public right-of-way or on the subject property at least 15 days before the hearing before the board. One sign shall be posted for each 500 feet of street frontage or fraction thereof along each street on which the subject property has frontage. Signs shall be double-faced and posted so that the face of the sign is at a right angle to the street in order that said signs can be read by the traveling public in both directions. The lettering on the signs shall be at least one inch in size and the sign shall state the nature of the proposed application and the date, time and place of the public hearing before the board; and
- (3) Notice of the nature of the proposed application and the date, time and place of the public hearing before the board shall be published in the newspaper of general circulation within the city in which are carried the legal advertisements of the city at least 15 days prior to the date of the hearing before the board and not more than 45 days prior to the date of the hearing before the board.

(f) *Decision of the board.* Following the consideration of all testimony, documentary evidence, and matters of record, the Zoning Board of Appeals shall make a determination on the matter before it. The Zoning Board of Appeals shall decide the appeal within a reasonable time but in no event more than 60 days from the date of the hearing. An appeal shall be sustained only upon an expressed finding by the board that the administrative official's action was based on an erroneous finding of a material fact, or that the administrative official acted in an arbitrary manner. In exercising its powers, the Zoning Board of Appeals may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from, and to that end shall have all the powers of the administrative official from whom the appeal was taken and may issue or direct the issuance of a permit provided all requirements imposed by all other applicable laws are met.

Sec. 3-6010. - Compliance with standards upon denial.

In such case that an application to the board is initiated due to an existing violation of this chapter and such application is denied, the violation shall be required to be corrected within ten to 30 days of such denial or as specified by the board if a greater time period is required. The maximum extension of time the board may grant for correction shall not be less than 30 nor more than 90 days.

Sec. 3-6011. - Successive applications.

An application for a variance or special exception affecting all or a portion of the same property which was denied by the zoning board of appeals shall not be submitted more than once every 24 months measured from the date of final decision by the zoning board of appeals. The zoning board of appeals may waive or reduce this 24-month time interval by resolution provided that if the application for a variance or special exception was denied by the zoning board of appeals, the time interval between the date of said denial and any subsequent application or amendment affecting the same property shall be no less than six months.

Sec. 3-6012. - Appeals of decisions of the Zoning Board of Appeals.

All appeals of all final decisions of the board under the provisions of this chapter shall be as follows:

- (1) *Writ of Certiorari.* Any person aggrieved by a final decision of the board, or any officer, department, board or agency affected by such decision, may seek review of such decision by petitioning the superior court of the county for a writ of certiorari, setting forth plainly the alleged errors. Such petition shall be filed within 30 days after the final decision of the board is rendered.
- (2) *Notice to Board.* In any such petition filed, the zoning board of appeals shall be designated the respondent in certiorari and the city the defendant in certiorari. Service shall be as provided by law. Within the time prescribed by law, the zoning board of appeals shall cause to be filed with the clerk of the superior court of the

county a duly certified record of the proceedings had before the board, including a transcript of the evidence heard before it, if any, and the decision of the board.

Section 2: Severability

In the event any portion of this ordinance shall be declared or adjudged invalid or unconstitutional, it is the intention of the City Council of the City of South Fulton, Georgia, that such adjudication shall in no manner affect the other sections, sentences, clauses or phrases of this ordinance which shall remain in full force and effect, as if the invalid or unconstitutional section, sentence, clause or phrase were not originally a part of the ordinance.

Section 3: Repealer

All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Section 4: Effective Date

Unless specifically specified elsewhere in this Ordinance, the effective date of this Ordinance shall be July 12, 2017.

The foregoing Ordinance No. **2017-011** was offered by Councilmember **Baker**, who moved its approval. The motion was seconded by Councilmember **Gilyard**, and being put to a vote, the result was as follows:

“SECOND READ”

	AYE	NAY
William “Bill” Edwards, Mayor		
Catherine Foster Rowell, Mayor Pro Tem	√	
Carmalitha Lizandra Gumbs	√	
Helen Zenobia Willis	√	
Gertrude Naeema Gilyard	√	
Rosie Jackson	√	
khalid kamau	√	
Mark Baker	√	

THIS ORDINANCE adopted this 11th day of July 2017. CITY OF
SOUTH FULTON, GEORGIA


WILLIAM "BILL" EDWARDS, MAYOR

ATTEST:


MARK MASSEY, CITY CLERK



APPROVED AS TO FORM:


JOSH BELINFANTE, INTERIM CITY ATTORNEY