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

**REGULAR MEETING AGENDA**

1. Call to Order
2. Invocation
3. Pledge of Allegiance
4. Approval of Consent Agenda
  - a. Meeting Minutes - Tuesday, August 28, 2018, Work Session and Regular Meeting.
  - b. Meeting Minutes - Friday and Saturday, August 24-25, 2018, Special Called Meeting (Strategic Planning).
  - c. Proclamation - Rev. Paul H. Easley, Sr. Appreciation Day, Friday, September 7, 2018. **(Edwards)**

5. Approval of the Regular Meeting Agenda
6. Public Comment

Speakers will be granted up to two minutes each and public comment will not exceed 30 minutes. Speakers will not be allowed to yield or donate their time to other speakers. Please present your speaker card prior to the commencement of the public comment period.

- a. Public Comment on City related matters.

- b. Public Hearing on Budget
- c. Public Hearing on Alcohol License - Harold's Chicken and Ice Bar.

7. Business

a. Resolutions

- i. Resolution to adopt the City of South Fulton Fiscal Year 2019 Final Budget. Adopting the several items of revenue anticipations and appropriating the amounts showing in each fund as expenditures. Prohibiting expenditures or expenses from exceeding the actual funding available. **(Res2018-058)**

b. Ordinances

- i. **[SECOND READING]** Ordinance amending Title 12, Licenses, Permits and Business Regulations, of the City Code of Ordinances to discourage human trafficking, preserve the health and welfare of the City and for other lawful purposes. **(Willis - Ord2018-034)**
- ii. **[SECOND READING, first reading heard on September 7, 2018]**  
Ordinance providing procurement policies and for other lawful purposes. **(Willis and Jackson - Ord2018-037)**
- iii. **[SECOND READING, first reading heard on September 7, 2018]**  
Ordinance amending the City of South Fulton Truck Routes Ordinance in Chapter 2 of Title 8 of the City of South Fulton Code of Ordinances. **(Res2018-038)**

8. Action Items

- a. Resolution to authorize the use of eminent domain to acquire real property interests necessary to complete the Enon Road sidewalk project T-268, to authorize the County Attorney to condemn said property interests, where necessary; to authorize the County Attorney to approve any necessary documents as to form and substance and make any necessary modifications thereof to protect the interest of the County, prior to execution.
- b. Resolution to authorize the Mayor to execute the Memorandum of Agreement (MOA) between the Atlanta Regional Commission (ARC) and the City of South Fulton for the update of the South Fulton Comprehensive Transportation Plan (SFCTP).
- c. 2018 Audit Contract Approval - Finance

9. City Manager's Report

10. City Attorney's Report
11. Mayor and City Council Comments (Two minutes each)
12. Executive Session (CLOSED), if necessary
13. Adjournment



**CITY OF SOUTH FULTON**

**COUNCIL AGENDA ITEM**

**COUNCIL REGULAR MEETING**



**SUBJECT:** Meeting Minutes - Tuesday, August 28, 2018

**DATE OF MEETING:** 9/11/2018

**DEPARTMENT:** City Clerk

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**ATTACHMENTS:**

| Description                | Type       | Upload Date |
|----------------------------|------------|-------------|
| Minutes_Combined_2018_8_28 | Cover Memo | 9/6/2018    |





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

### **WORK SESSION MINUTES**

**1. Call to Order**

Minutes:

**The meeting was called to order by Mayor Edwards at 3:02pm. Following the roll call by the City Clerk, a quorum was present.**

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**2. Discussion Items**

**a. Fire & Rescue**

Minutes:

**Chief Larry Few gave a presentation outlining the budget for the Fire & Rescue Department.**

**Councilmember Gumbs inquired as to the meaning of rocket internet and Chief Few explained it was the system that allows staff to access the internet via their apparatus. She inquired about mutual aid agreements with other cities. Chief Few indicated the mutual agreement with Union City is in the process of being executed and they are currently working with the city of Fairburn and the agreement should be completed within the next 30-45 days. Councilmember Gumbs questioned if Fire & Rescue had a public information officer. Chief Few pointed out they use the City's Director of Communications, Ms. Jolene Butts-Freeman and sometimes the**

Fire Marshall acts as a quasi communications person. She commended the Chief on an outstanding Smoke Alarm System and the Chief outlined the program and indicated the State supplies monies for the program.

Councilmember Willis was concerned with the working conditions of the Firefighters. She would like to see the City improve the stations and asked the Chief for goals working toward that end. The Chief addressed the issue by outlining the steps they are now taking to repair the stations. Councilmember Willis had discussions with the City Manager and the Mayor on the issue and indicated she is very pleased with the service but would like to see an aggressive attempt at repairing/replacing the stations given they are safe havens for people in trouble. She also asked the Chief to look into securing a transport license.

Councilmember Gilyard noted this FY there was one less person compared to last year but the salary line is more than 100% higher than this year. The fringe benefits are more than 50% higher in FY2019 than FY2018 and the operating expenses, e.g. uniforms. Take a look at these categories and just be mindful of the numbers. The total budget comparisons, given the IGA is in FY2018, might excuse it a little bit. The capital budget of \$150,000 might not be enough to address all the conditions in need of repair/replacement.

Councilmember Rowell had concerns about a lack of address visibility. She questioned the 'false alarm contract' and inquired if it was still in place. Councilmember Rowell agreed with Councilmembers Willis and Gilyard as it relates to the need for improved facilities. The Chief informed Councilmember Rowell the Fire Department does not have a grant writer on staff. She noticed there is a need for tracking the fire hydrants within the City and to make sure they are in proper working order. She charged the City Manager with looking into this issue. As a new City we should tap into some of the local funders for capital projects.

Councilmember khalid inquired as to a mutual aid agreement with Clayton County. The Chief responded we do not. He questioned the City Manager & the CFO if there was a grant writer for the fire department or a grant administrator for the entire City. He asked for an update on the IGA cost increase. The City Manager informed Councilmember khalid there are no individual grant writers specific to each department and the grant administrator for the City can submit grants for each department. The CFO indicated some services are now turned over to us, and as such we have to purchase our own inventory, i.e; radios, etc. The animal control services cost has also increased. Councilmember Gumbs stressed the importance of being cost effective and since the Smart City Resolution was adopted by the Council there is a need for the Fire Chief to be mindful of the Resolution when considering purchases.

Councilmember Jackson thanked the Chief for his presentation and commended him for switching over to Grady because of the reduced response time. She questioned if the \$150,000 would be enough for the facility improvements. The Chief indicated that this is a first step in getting the repairs started.

Councilmember Willis spoke to police and fire uniforms and the need to have them for daily use. The City needs to work toward making sure the officers have enough uniforms for every day of the week.

b. Parks & Recreation

Minutes:

**Tony Phillips gave a presentation outlining the budget for the Parks & Recreation Department.**

**Councilmember Gilyard noted the Parks & Recreation budget included performance indicators and she would like for Council to receive a copy of the report. In personnel there was a reduction in staff. Mr. Phillips indicated the reduction is on paper not in services, they are moving towards a shared services model. She questioned the professional fees for the master plan expense and Mr. Phillips indicated the expense will be for an outside consulting firm. Councilmember Gilyard noted the \$18,000 allocated to Cedar Grove Park will not be enough for landscaping, the lighting is needed and the field is under utilized and asked Mr. Phillips to look at implementing uses. She mentioned the omission of Wilkerson Mill Park and has asked for feedback, which she expects shortly. The organizational chart does not show all the parks, the ones listed have staff on site replied Mr. Phillips.**

**Councilmember Rowell wants an understanding as it relates to the hard courts for the Trammell Crow Tennis Center. She would like to see hydration centers and defibrillators throughout the parks. Sandtown Athletics Association has years of data that she would like the City Manager to extract so it can be included into the City's system. Mr. Phillips ensured Councilmember Rowell that funds are available to be used for resurfacing tennis courts, adding hydration stations and they have already entered into dialogue in collecting the data for the City system but there will be a cost involved.**

**Councilmember Willis has concerns with maintenance fee collections. Mr. Phillips assured her they are collecting fees and they have seen an increase in fees collected. She questioned the decision to use CivicRec. Mr. Phillips informed Councilmember Willis the decision was made prior to his transition by the interim city manager. She requested a report on fees collected from athletic associations at the September 11th Council meeting. She would like to see stronger control around the events as it relates to issuance of permits. Mr. Phillips detailed the permit process and Councilmember Willis requested Mr. Phillips to implement a process where a staff member would follow-up after permits are issued to make sure all rules and regulations are followed. She stated the City is missing an opportunity for additional revenue in concession stands. Mr. Phillips indicated there is current dialogue to get concession stands in the parks. Councilmember Willis requested that when there are community events in the parks that Councilmembers are notified of those events.**

**Councilmember Jackson requested information concerning the revenue collected by the South Fulton Tennis Center. She addressed the City Manager and Mr. Phillips to look at the City's options in collecting the revenue to defray some of the cost associated with the tennis center overhead.**

**Councilmember Gumbs inquired about the existing number of parks. Mr. Phillips**

advised that the City owns parks and approximately 692 acres. They plan on implementing the priority of the eight security guards (park rangers). Mr. Phillips is currently working with Chief Meadows to fine-tune the process.

Councilmember khalid stated he is not a fan of CivicRec or CivicPlus and would like staff to look at both systems before going much further. He questioned the \$40,000 Fulton County allocated for lighting at Creel Park and what happened to that money. Councilmember khalid directed the CFO to find out the details of that situation with Fulton County. Councilmember khalid inquired as to the maintenance department and moving it to public works. The City Manager outlined the benefits of reorganizing staff to be in one location.

Councilmember khalid spoke regarding the difference in the athletic association programs vs the basketball program which is run in-house. He has heard bad things about the association programs and nothing bad about the in-house basketball program. He requested Mr. Phillips to look at bringing more programs in-house. He complimented the park rangers program.

Mayor Edwards inquired if contractor agreements are still in effect. The City Manager indicated Mr. Phillips and the city attorney are evaluating all contracts and will send a report when completed. As to vehicles, purchase or lease, Mr. Phillips indicated they will do what works best for the budget. He also stated the parks need new signs with park rules as the old ones are unreadable. He suggested using one vendor for all the lighting and use parks and recreation for grass cutting, instead of public works. Mayor Edwards stressed that revenue can be generated by the South Fulton Tennis Center, some color should be used in the City's parks, and we should have good equipment and computers for the young children. He stressed the importance of holding the athletic associations to their contracts, and if the parks have weekend programs there should be a staff member on the premises. As to permits, the Mayor suggested displaying/posting the permit at the event and the permit should be available to show if a park employee or police request to see a copy.

Mayor Pro Tem Baker spoke regarding the opportunity to generate revenue at the tennis center. He inquired about a leaning light post at Old National Park. Mr. Phillips indicated that a correction is in process. Mayor Pro Tem Baker requested Mr. Phillips to tour District 7 with him after September 11th to identify land for a park in District 7.

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c. Public Works

Minutes:

Melanie Winfield gave a presentation outlining the budget for the Public Works Department.

Mayor Edwards stressed the need to curtail conversations as there are on-going conversations between the City and Public Works concerning the transition.

The City Manager indicated the Council will need to send a letter in reference to the transition date. Once the transition takes place, the last day public works is at the

County does not mean they will be at the City on that day. The bulk of their services are outside of executive staff. Transportation is expensive.

Councilmember khalid questioned the maintenance service employees and the County employees transitioning over to the City.

Councilwoman Willis spoke to the omission of sanitation. The City Manager stated the Public Works Director will oversee that process and the sanitation revenues will pay for staff and services. This all will be implemented when a sanitation vendor is selected.

Mayor Pro Tem Baker questioned the phase two of Old National Hwy sidewalks. Ms. Winfield indicated the design process is be done by the County and the construction process will be done by the City.

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d. Municipal Court

Minutes:

Judge Sellers gave a presentation outlining the budget for the Municipal Court.

Councilmember Gilyard questioned fringe benefits has increased by \$109,000. over FY2018 and she would like Judge Sellers to look at those numbers. She would like to see a more permanent court space and Judge Sellers indicated they are currently looking throughout the City for a space.

Councilmember Jackson inquired about why community service green team was developed. Judge Sellers indicated, due to a lack of public works at the City.

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e. City Council

Minutes:

The presentation was moved to the City Manager's Report on the regular meeting agenda.

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f. City Clerk

Minutes:

The presentation was moved to the City Manager's Report on the regular meeting agenda.

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g. City Manager

Minutes:

The presentation was moved to the City Manager's Report on the regular meeting agenda.

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- h. Aerotropolis Atlanta CID Presentation - Mr. Gerald McDowell, Executive Director. **(Gilyard)**

Minutes:

**Mr. Gerald McDowell distributed information and gave an overview of the Aerotropolis Atlanta CID. He explained there are two distinct sides: West and South with separate Boards. He detailed the area and the services they provide in the beautification program. The CID's also maintains a police/security department and are currently rolling out a security video system.**

**Councilmember khalid questioned if there were any CID's in the City of South Fulton. Mr. McDowell indicated yes, on Camp Creek, some of Buffington Rd and Old National Hwy. He indicated that property (business) owners pay to participate in the CID's.**

**Councilmember Willis is concerned with Buffington Rd/Roosevelt Hwy road widening. Mr. McDowell informed Councilmember Willis that is a GDOT project, not a CID project.**

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3. Executive Session (CLOSED), if necessary.

Motion (Recess): Councilmember Willis

Second: Councilmember Gumbs

[Motion Passed]

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

Nay: 0

Abstain: 0

Not Voting: 0

Minutes:

**A motion was made to recess for closed executive session for personnel, real estate, and litigation. The motion passed unanimously.**

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Motion (Recess): Councilmember Willis

Second: Councilmember Gilyard

[Motion Passed]

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

Nay: 0

Abstain: 0

Not Voting: 0

Minutes:

**a. A motion was made to recess for closed executive session for personnel and litigation. The motion passed unanimously.**

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4. Adjournment

Motion (Adjourn): Mayor Pro Tem Baker

Second: Councilmember Gilyard

[Motion Passed]

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

Nay: 0

Abstain: 0

Not Voting: 0

Minutes:

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

**A motion was made to close executive session and adjourn the work session. The motion passed unanimously.**

**The executive session began at 6:13pm an ended at 7:06pm.**

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Mark Massey, City Clerk

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# **DIVIDER SHEET**





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

### **REGULAR MEETING MINUTES**

1. Call to Order

Minutes:

**The meeting was called to order by Mayor Edwards at 7:06pm. Following the roll call by the City Clerk, a quorum was present.**

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2. Invocation

Minutes:

**The invocation was rendered by Pastor Warren L. Henry, Sr.**

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3. Pledge of Allegiance

Minutes:

**The pledge of allegiance was recited in unison.**

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4. Approval of Consent Agenda

- a. Meeting Minutes - Tuesday, August 14, 2018, Work Session and Regular Meeting

- b. Meeting Minutes - Tuesday, August 21, 2018, Special Called Meeting
- c. Proclamation - Jacob Maxey Appreciation Day, Thursday, August 16, 2018. **(Baker)**
- d. Proclamation - Women's Equality Day, Sunday, August 26, 2018. **(Edwards)**
- e. ~~For Spreading Upon the Minutes. Appointment of Mr. Gerald McDowell to the Airport West CID. **(Edwards)**~~

Motion (Approve as Amended): Councilmember Willis

Second: Councilmember Rowell

[Motion Passed]

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

Nay: 0

Abstain: 0

Not Voting: 0

Minutes:

**Mayor Edwards requested to remove a consent agenda item, letter e. (appointment to the Airport West CID).**

**A motion was made to approve the consent agenda as amended. The motion passed unanimously.**

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## 5. Approval of the Regular Meeting Agenda

Motion (Hold): Councilmember Gumbs

Second: Councilmember Gilyard

[Motion Passed]

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

Nay: 0

Abstain: 0

Not Voting: 0

Minutes:

**Motion a.**

**A motion was made to hold Ord2018-031 (re: department heads and directors). The motion passed unanimously.**

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Motion (Approve as Amended): Councilmember khalid

Second: Councilmember Gumbs

[Motion Passed]

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

Nay: 0

Abstain: 0

Not Voting: 0

Minutes:

**Motion b.**

**A motion was made to approve the regular meeting agenda as amended. The motion passed unanimously.**

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**6. Proclamations and Recognitions**

- a. Proclamation recognizing Touch of Life Chiropractic Appreciation Day. **(Rowell and Gumbs)**

Minutes:

**PRESENTED**

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- b. Proclamation recognizing The Old National Day Stop the Violence Community Festival - #CeaseFireSunday, September 2, 2018. **(khalid)**

Minutes:

**PRESENTED**

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**7. Public Comment**

Minutes:

**Councilmember khalid requested a point of personal privilege to recognize Ms. Carol Lamar and Ms. Ashlee Wright (Legislative Specialists) in honor of their birthdays.**

**The following citizens offered public comment:**

- **Mr. Tamahn Jamison (District 7) - on behalf of fellow business owners who live/reside in the city and would like to do business with the city, he recommends that they have first rights to opportunities. In the cases where no CoSF business owner is available, he recommends identifying vendors who have demographics similar to the makeup of the City.**
- **Mr. Keith Perry (District 2) - thank you for hitting the reset button on the sanitation project. The City can now look for a different way of providing sanitation services without the liability, burden or responsibility, e.g. City can set ordinances to allow multiple vendors to operate, and individual homeowners can select their own sanitation services, like they did in Sandy Springs. He recommends charging the sanitation companies a 5% surcharge on all gross receipts. Use the 5% to manage the contract and pay for illegal dumping.**
- **Ms. Glenda Collins (District 5) - thanked Councilmember Jackson for inviting Chief Meadows to their HOA. Regarding people who were affected by the dump truck that tore up utility wires, residents can contact AT&T for an**

adjustment on their bill, even if you must provide a police report.

- **Mr. David Callahan (District 6)** - asked for caution regarding an arbitrary minimum wage for City employees that goes against the market. \$15 is a very high wage and counterproductive for a high school graduate with no vocational skills, trying to get into the market as a first-timer. It may cause a morale problem for an established employee, who is paid near the same wage.

**The public comment period was closed.**

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## 8. Business

### a. Rezoning, Modifications, Variances (Public Hearings)

#### i. Request for modification - **M18-003 Applicant. (District 7)**

Modification to replace previously approved 20 single-family and 302 multifamily dwelling units with 216 townhouses, and increase the minimum heated floor area per unit to 1,100 square feet within the Renaissance at South Park residential subdivision. **DEFERRED** at 6/16/18 Council Meeting.

Motion (Approve as Amended): Mayor Pro Tem Baker

Second: Councilmember Jackson

[Motion Passed]

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

Nay: 0

Abstain: 0

Not Voting: 0

Minutes:

**Staff presented M18-003 Applicant (District 7), a request for modification.**

**Support:**

- **Mr. Pete Hendricks** representing the applicant, with **Mr. Tim Jenkins** also present.
- **Gregory Wright**, advisory board member

**A motion was made to approve M18-003 (District) based on staff recommendation and under the conditions of the parking lot and the pond moving forward. The motion passed unanimously.**

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#### ii. Request for modification - **M18-004 Applicant. (District 4)**

Modification to reduce the site yard setback from 7.5' to 3.5' at 4644 Marching Lane.

Motion (Continue): Councilmember Gilyard

Second: Councilmember Gumbs

[Motion Passed]

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

Minutes:

**Staff recommends hearing the case of M18-004 (District 4), although the Applicant requests a deferral.**

**Motion a.**

**A motion was made to not defer (continue) and hear the case of M18-004 (District 4). The motion passed unanimously.**

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Motion (Withdraw): Councilmember Gilyard

Second: Mayor Pro Tem Baker

[Motion Passed]

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

Minutes:

**Staff presented M18-004 Applicant (District 4), a request for modification.**

**Support:**

- **Ms. Michelle Macauley, representing DR Horton**

**Motion b.**

**A motion was made to withdraw case M18-004 (District 4), as requested by the applicant. The motion passed unanimously.**

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- iii. Request for use permit - **U18-001 Applicant. (District 6)**  
Use permit for a private school at 6600 Old National Hwy.

Motion (Approve as Amended): Councilmember khalid

Second: Mayor Pro Tem Baker

[Motion Passed]

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

Minutes:

**Staff presented U18-001 Applicant (District 6), a request for use permit.**

**Support:**

- **Mr. Herbert Humphrey, representing the applicant Ms. Edweana Majors.**

Mr. Humphrey indicated that the planning commission did not make the condition of a 5' sidewalk. It was approved to have no more than 50 students. Sidewalks present a problem for the owner and the sidewalks would be an island to themselves. The private school is for 4-6 year old's and would not use the sidewalk because their parents will drop them off and pick them up after school, or transportation will be provided by the school.

A motion was made to approve U18-001 (District 6) as amended, based on staff recommendation and without the condition/inclusion of the sidewalks. The motion passed unanimously.

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- iv. Request for modification - **M18-005 Applicant. (District 1)**  
Modification of three conditions identified in 1985 zoning case Z85-014 so that the applicant may comply with the traditional building height and freestanding signage regulations of the zoning district and amend the adopted site plan at 3900 Cascade Road.

Motion (Defer): Councilmember Rowell  
Second: Councilmember Gilyard  
[Motion Passed]

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

Minutes:  
**Staff presented M18-005 Applicant (District 1), a request for modification.**

**Support:**  
• Mr. Jason Sommer, representing the applicant.

**Applicant recommended deferring the case to the next City Council Meeting to allow an opportunity to talk to residents/neighbors regarding the project.**

**A motion was made to defer the case M18-005 (District 1), in order to allow the applicant an opportunity to speak with residents. The motion passed unanimously.**

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- v. Request for variance - **V18-005 Applicant. (District 1)**  
Concurrent variance request to (I) reduce the minimum parking space requirement and (II) for relief from 34.5.10.D at 3900 Cascade Road.

Motion (Withdraw): Councilmember Rowell  
Second: Mayor Pro Tem Baker  
[Motion Passed]

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

Not Voting: 0

Minutes:

**Staff indicated that V18-005 Applicant (District 1), requests to withdraw their variance application which is no longer needed.**

**A motion was made to withdraw case V18-005 (District 1), as requested by the applicant. The motion passed unanimously.**

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b. Resolutions

- i. Resolution to amend the City's Holiday Schedule to recognize Election Day as an annual, official City Holiday and for other lawful purposes. **(khalid - Res2018-047)**

Motion (Hold): Councilmember Willis

Second: Councilmember Jackson

[Motion Failed]

Yea: 3 Jackson, Rowell, Willis

Nay: 4 Baker, Gilyard, Gumbs, khalid

Abstain: 0

Not Voting: 0

Minutes:

**Motion a.**

**A motion was made to hold Res2018-047 (Election Day as an annual holiday) to the next meeting, and give staff time to provide a Financial Impact Statement (FIS). The motion failed, 3-4-0.**

**Councilmember Willis requested information on the impact to the municipal court calendar, and on the fiscal impact of adding a new holiday.**

**Councilmember Rowell requested for the process of placing agenda items on the agenda and developing FIS documents be tightened up and revisited.**

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Motion (Approve): Councilmember khalid

Second: Mayor Pro Tem Baker

[Motion Passed]

Yea: 4 Baker, Gumbs, khalid , Willis

Nay: 3 Gilyard, Jackson, Rowell

Abstain: 0

Not Voting: 0

Minutes:

**Motion b.**

**A motion was made to approve Res2018-047 (Election Day as an annual holiday). The motion passed, 4-3-0.**

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- ii. Resolution to encourage compliance with state human trafficking notice requirements, to enhance public safety and for other lawful purposes. **(Willis - Res2018-050)**

Motion (Approve): Councilmember Willis

Second: Mayor Pro Tem Baker

[Motion Passed]

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

Nay: 0

Abstain: 0

Not Voting: 0

Minutes:

**A motion was made to approve Res2018-050 (Human Trafficking notice requirements). The motion passed unanimously.**

**Councilmember Willis showed an example of a sign that has been developed. A campaign will be launched in concert with Police Chief Meadows.**

**As requested by Councilmember Gumbs, the word will get out beginning with a PSA and other means yet to be developed.**

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- iii. Resolution promoting economic growth and employee morale, establishing an increased minimum wage for City of South Fulton employees and for other lawful purposes. **(Baker and khalid - Res2018-051)**

Motion (Approve): Mayor Pro Tem Baker

Second: Councilmember khalid

[Motion Failed]

Yea: 3 Baker, Gumbs, khalid

Nay: 4 Gilyard, Jackson, Rowell, Willis

Abstain: 0

Not Voting: 0

Minutes:

**A motion was made to approve Res2018-051 (Increased minimum wage). The motion failed, 3-4-0.**

**Councilmember Rowell requested to not look at issues in a vacuum and requested the City Manager to bring back a process/plan for presenting legislation.**

**Councilmember Willis offered a friendly amendment to hold Res2018-051, until we get more information from the Pay & Class study.**

**Councilmember khalid stressed sustainability and affordability, and he indicated that the City should be affordable for the people who built it.**



Mayor Edwards indicated that a lack of consistent data for each person asked is the reason why we need a FIS.

Mayor Pro Tem Baker indicated that the picture is still being painted for how we (the City) treat the least of these. He also accepts the City Manager's recommendation to do our best by the employees now and send a message to businesses to be prepared to provide quality wages for the citizens/residents. This effort will move the City towards \$15 minimum for wages.

Councilmember Gilyard indicated that we need HR to be more involved (thorough) in the process to see the full impact, and to review the financial impact statement that was previously approved/provided.

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- iv. Resolution to cause for a voter referendum on the authorization of the sale of alcoholic beverages for on-premises consumption on Sundays from 11:00 A.M. until 12:30 P.M. at certain licensed establishments; to regulate and provide for the calling of a special election and to call a special election thereon; and for other purposes. **(Rowell and Gumbs - Res2018-052)**

Motion (Approve): Councilmember Gumbs  
Second: Mayor Pro Tem Baker  
[Motion Passed]

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

Minutes:

**A motion was made to approve Res2018-052 (re: sale of alcoholic beverages - Sunday brunch bill). The motion passed unanimously.**

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c. Ordinances

- i. **[SECOND READING]** Ordinance amending Title 1, Administration with respect to the employment of city department heads and directors and for other lawful purposes. **(Ord2018-031)**

Minutes:

**HELD during the adoption of the agenda, as requested by Councilmember Gumbs.**

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- ii. **[SECOND READING]** Ordinance to regulate the use of City of South Fulton purchasing and credit cards, enhance operational efficiency and for other lawful purposes. **(Rowell, Willis & Jackson - Ord2018-032)**

Motion (Approve): Councilmember Rowell  
Second: Councilmember Gumbs

[Motion Passed]

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

Minutes:

**A motion was made to approve Ord2018-032 (re: purchasing and credit cards). The motion passed unanimously.**

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- iii. **[SECOND READING]** Ordinance establishing the City of South Fulton Public Arts Commission and for other lawful purposes, as amended. **(Edwards, Rowell & Baker - Ord2018-033)**

Motion (Approve): Councilmember Rowell  
Second: Mayor Pro Tem Baker  
[Motion Passed]

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

Minutes:

**A motion was made to approve Ord2018-033 (Public Arts Commission), 3% of the hotel/motel tax collections. The motion passed unanimously.**

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- iv. **[FIRST READING]** Ordinance amending Title 12, Licenses, Permits and Business Regulations, of the City Code of Ordinances to discourage human trafficking, preserve the health and welfare of the City and for other lawful purposes. **(Willis - Ord2018-034)**

Minutes:

**PRESENTED FOR FIRST READING (HEARD).**

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d. Action Items

- i. Request approval of Georgia Department of Transportation (GDOT) Local Maintenance & Improvement Grant (LMIG) presented by Fulton County Department of Public Works.

Motion (Approve): Councilmember Rowell  
Second: Councilmember Gumbs  
[Motion Passed]

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

Nay: 0  
Abstain: 0  
Not Voting: 0

Minutes:

**Mr. Antonio Valenzuela of Fulton County Public Works gave a presentation and requested the City Council approve the GDOT LMIG grant request.**

**Councilmember khalid requested to receive a copy of the list of all streets that are being paved under TSPLOST for future years, a copy of those being paved this year are on his website. Councilmember khalid also requested information regarding GDOT's maintenance responsibility for our right-of-ways after the November transition, as it relates to the City of South Fulton. Mr. Valenzuela indicated that cities are responsible for maintaining anything outside of the road. Councilmember khalid asked the City Manager to factor in the cost for maintaining this extra grass.**

**In response to Mayor Edwards' request regarding Butner Road resurfacing, Mr. Valenzuela indicated that it would be done under TSPLOST. He also indicated that the resurfacing of Derrick Road would occur this year.**

**A motion was made to approve the GDOT LMIG submission request on behalf of the City of South Fulton, thereby authorizing the Mayor to sign the Memorandum of Agreement (MOA). The motion passed unanimously.**

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## 9. City Manager's Report

### a. Monthly City Manager Report to Elected Officials - July 2018

Motion (Authorize): Councilmember Gilyard

Second: Councilmember Gumbs

[Motion Passed]

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

Nay: 0

Abstain: 0

Not Voting: 0

Minutes:

**Councilmember Gumbs requested the status of OpenGov. The City Manager indicated that he will follow up with everyone tomorrow regarding OpenGov, including the status of SeeClickFix.**

**CFO Milazi presented the Mayor's and City Council's budgets, carried over from the Work Session presentations.**

**Councilmember Gumbs indicated her concerns with the presentation not aligning with prior conversations.**

**Councilmember Willis asked the City Manager to take a holistic approach for**

determining the budget needed for the City Council in consideration of all the training that is needed.

The City Manager indicated that there is a need within the FY18 budget as well. He will right size it for FY18 and FY19.

Councilmember khalid suggested opening a SharePoint document for Council to consider and present what is needed, then present a budget at the special called meeting, tailored to each one of the districts.

Mayor Pro Tem Baker is concerned about staff presenting the documents prematurely.

City Clerk Massey presented the City Clerk's budget.

City Manager Donald presented the City Manager's budget.

A motion was made to authorize the City Manager to write a letter to Fulton County, pertaining to the City's intent to transition Public Works/Transportation, officially on November 5, 2018, or possibly sooner on October 29, 2018. The motion passed unanimously.

Councilmember khalid asked if the 311 operators will be in place prior to the transition of sanitation services. The City Manager indicated that once the budget passes, staff will be prepared to issue an RFP for a system. Councilmember khalid also asked for the personnel budget for the City Manager's office, it was not presented during the budget presentation. Councilmember khalid also indicated that they should have further conversation to explore splitting the CFO and Treasurer roles.

Councilmember Rowell requested a transparent process prior to the anticipated budget approval on September 11, to include a special meeting in the interim if necessary.

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## 10. City Attorney's Report

Motion (Authorize): Councilmember Rowell

Second: Councilmember Gilyard

[Motion Passed]

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

Nay: 0

Abstain: 0

Not Voting: 1 khalid

Minutes:

**City Attorney Walker gave a report regarding the following matters:**

- **Trucking Ordinance;**
- **LOST proceeds; and,**
- **Special Meeting with presentation of proposals and options.**

In conclusion, the City Attorney recommended a special meeting be held, prior to the next standing meeting scheduled for September 11, to consider the following:

- Budget discussion pertaining to FY2019 reallocations;
- Consideration of a revised trucking ordinance; and,
- Sanitation services options, documents and discussion.

Consensus was reached to utilize a survey (polling) to set a date for a Special Meeting before the September 11 meeting.

A motion was made to authorize the City Attorney to bring back a revised truck ordinance, based on amendments agreed to in a meeting with Fulton County earlier in the day. The motion passed, 6-0-0.

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11. Mayor and City Council Comments (Two minutes each)

Minutes:

**NO COMMENTS.**

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12. Executive Session (CLOSED), if necessary

Minutes:

**NO EXECUTIVE SESSION WAS HELD.**

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13. Adjournment

Motion (Adjourn): Councilmember Gilyard

Second: Councilmember Rowell

[Motion Passed]

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

Nay: 0

Abstain: 0

Not Voting: 0

Minutes:

**A motion was made to adjourn the regular meeting. The motion passed unanimously.**

**The meeting was adjourned at 9:55pm.**

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Mark Massey, City Clerk



**CITY OF SOUTH FULTON**

**COUNCIL AGENDA ITEM**

**COUNCIL REGULAR MEETING**



**SUBJECT:** Meeting Minutes - August 24-25, 2018, Special Called

**DATE OF MEETING:** 9/11/2018

**DEPARTMENT:** Attorney

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**ATTACHMENTS:**

| Description                         | Type       | Upload Date |
|-------------------------------------|------------|-------------|
| Minutes_Special Called_2018_8_24-25 | Cover Memo | 9/6/2018    |



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

## **Two-Day Strategic Planning Session (Aug 24 & 25)**

### **SPECIAL MEETING AGENDA**

**1. Friday, August 24 - Council-Staff Relationships**

**a. Welcome, Overview, and Getting Started**

**Facilitators Mr. Phil Boyle and Ms. Mara Shaw welcomed the council and staff of the City of South Fulton and expressed their excitement in assisting in the development of a workable strategic plan for the City.**

**Mr. Boyle divided the attendees into teams to work on the topics below to achieve harmony and common goals for the City as it relates to Council responsibilities and how they align with staff. The teams worked through written and verbal means throughout the afternoon detailing how Council can demonstrate positive leadership attributes for staff and the public.**

- b. Exploring Our Beliefs, Obligations, Expectations, and Motivations**
- c. What We Believe about Council and Staff Roles, Responsibilities, and Relationships**
- d. Connecting Political and Professional Leadership**



- e. What Experienced Public Leaders Say about Leadership and Governing Their Communities
- f. Modeling the Way: Aligning Leadership and Relationship
- g. Building Your Leadership and Governing Team
- h. Closing Thoughts, Observations, and Reflections

**The meeting closed on Friday at 5:30pm and there was a social gathering from 5:30pm to 6:00pm and dinner with all attendees at 6:30pm. Mr. Boyle asked Council and staff for a prompt continuation on Saturday morning of 9:00am.**

2. Saturday, August 25 - Visioning, Planning, and Navigating Our Future!

- a. Welcome and Getting Started

**The meeting began at 9:30am with a welcome by Mr. Boyle and Ms. Shaw. The teams continued to work on the added topics below in working toward developing a strategic plan for the City.**

- b. Visioning South Fulton's Future
- c. Planning the Future of South Fulton
- d. Navigating South Fulton's Future
- e. Wrapping Up
- f. Closing Remarks

**A detailed report with compiled results are being developed by the strategic planning session facilitators.**

3. Adjournment

**The Meeting adjourned on Saturday, August 25, 2018 at 3:15pm.**



## Essential Characteristics or Building Blocks of Satisfying Leadership Team Relationships

1. To be treated as an individual, to make one's own choices and decisions
2. To be recognized as a person of worth, to be allowed to express one's thoughts and feelings, to get an empathetic response to problems, not to be judged
3. To model (inclusive membership and democratic deliberation) balancing equal and adequate opportunities to speak (rights) with ability and willingness to listen (responsibilities)
4. To not withhold information other members are entitled to or verbally manipulate one another
5. To participate in leadership team planning, problem solving and decision making as you can and wish
6. To keep information about oneself secret; to protect one's rights to privacy and confidentiality

## Tips and Techniques for Creating High-Performing and High-Satisfying Leadership and Governing Teams

1. Be willing to **succeed or fail as a team**. Create a “WAITT” attitude – “We’re all in this together.” The critical point comes when you commit to do things as a team and live with the results – good or bad! This sense of cohesiveness acts as a “social glue” that holds the team together when things get tough.
2. Use **peer pressure** ~ **avoid playing “one-on-one.”** People are more likely to behave badly when they think they’re anonymous or won’t be held accountable. Make it easier to hold them responsible for their own actions. It may seem silly when everyone knows each other, but using name tags in a group setting, or having speakers introduce themselves by name before speaking can change the demeanor of the meeting.
3. Create a **climate of trust** - relationships within the team are mutually dependent. Members are able to trust each other, and others trust them. Members perceive each other as capable, dependable, and as acting with integrity. Members act with the group’s interest in mind at all times.
4. Discuss **expectations**, both one-to-one and as a group. Conflict often arises from unmet or unrealistic expectations, and produces hurt, betrayal, and anger. Misplaced hurt and anger manifest themselves in behavior detrimental to the success and satisfaction of the team. Make sure expectations are realistic, and make all expectations explicit!
5. Pay attention to **how you do things** as well as what you do. It pays to monitor your processes (communication, meetings, decision making, etc.) because when you make them more effective, you increase the group’s effectiveness and productivity. Set aside formal time to monitor relationships, processes, and outcomes.
6. Think **long-term**. This investment in managing the team won’t produce quick fixes or short-term results. But it will strengthen the team over the long-term. Members should assume that they will be living with the

outcomes of behaviors and decisions a long time, and the team should work to build norms that benefit members over the long haul.

7. Self-managing means “**self-correcting**” – most important problems and challenges are open-ended, meaning that a perfect decision or solution is impossible. Sometimes members and the team must take their “best shot” – then solicit feedback from everyone affected. High-performing teams do make mistakes – but they correct them. This is what continuous improvement and lifelong learning mean.
8. Practice **leveling** – this is the open, frank discussion of problems, issues, and concerns. Members are willing to speak up about problems and willing to listen to other members’ perceptions of the problem. This is the core of trust. People make themselves vulnerable when they speak out about what they perceive or how they feel – trust is created when others accept these feeling and perceptions as real and important to the member who expresses them.
9. **Move from “problem” to “problem-solving.”** Don’t point fingers! Ask “what” is the problem, not “who” is the problem? Focusing on the who creates defensiveness and mistrust. To fix problems, separate them from personalities. Make the problem belong to the team, not to an individual.
10. Create a team **contract** – a living document that outlines members’ agreements about roles, responsibilities, and expectations. Your contract should address at least four key areas: internal management (e.g., setting up meetings, developing an agenda, etc.); managing boundaries (handling problems, issues, and responsibilities that cut across departments); information access (who has what, who gets what, who should share what with whom, etc.); and mutual support (adopt ground rules, then agree to abide by them - good ground rules help prevent problems and help you use your time more efficiently and effectively).

## WHAT DO WE VALUE IN WORK?

1. Rank the following job characteristics from 1 to 9 in order of their importance to you.
2. Share and compare your rankings.
3. Report out your findings.

| Characteristics                                                 | My Rank |
|-----------------------------------------------------------------|---------|
| 1. Is respected by other people.                                |         |
| 2. Encourages continued development of my knowledge and skills. |         |
| 3. Provides job security.                                       |         |
| 4. Provides a sense and feeling of accomplishment.              |         |
| 5. Provides the opportunity to earn a high income.              |         |
| 6. Is intellectually stimulating.                               |         |
| 7. Rewards good performance with recognition.                   |         |
| 8. Provides comfortable working conditions.                     |         |
| 9. Permits advancement to positions of higher responsibility.   |         |

# Life and Career Anchors: What Do We Want and Value in Our Life's Work?

1. Read the descriptions below.
2. Select the two most important and the two least important to you.
3. Share and compare your selections.
4. Report out your group's findings.

## **1. Technical/Functional Competence**

- You like being good at something and will work to become a guru or expert. You like to be challenged and use your skills to meet the challenge, doing the job properly and better than almost anyone else.

## **2. General Managerial Competence**

- You want to be a leader. You like problem-solving and dealing with other people. You thrive on responsibility, being accountable for total results, and integrating the efforts of others.

## **3. Autonomy/Independence**

- You have a primary need to work under your own rules. You prefer to avoid rules and standards whenever possible and often prefer to work independently or alone.

## **4. Security/Stability**

- You seek stability and continuity as a primary factor in your life, including geography. You want to achieve a sense of "having made it" in your career.

## **5. Entrepreneurial Creativity**

- You like to create or invent new things, overcome obstacles, take risks, and run your own operations or businesses. You find ownership very important. You desire personal prominence in whatever you accomplish, but are often easily bored.

## **6. Service/Dedication to a Cause**

- You are driven by how you can help other people more than using your own talents. You often dedicate yourself to a particular value or cause, such as making the world a better place, improving harmony among people, or serving others.

## **7. Pure Challenge**

- You are driven by challenge and seek constant stimulation. You often seek out seemingly unsolvable problems, insurmountable obstacles, and relish tough competition. You tend to change jobs when the current one gets boring and your career can be very varied.

## **8. Lifestyle Integration**

- You focus most on lifestyle and look at the whole pattern of living and weigh all the sectors of your life. You not so much balance work, family, and community as integrate it. You may take long periods off work in which to indulge in passions such as sailing or traveling.

### **My Two Most Important Life/Career Anchors:**

1. \_\_\_\_\_

2. \_\_\_\_\_

### **My Two Least Important Life/Career Anchors:**

1. \_\_\_\_\_

2. \_\_\_\_\_

# **What Experienced Public Leaders Say about Leading and Governing Their Communities**

## **1. Being in the Public Eye**

- No boundaries. People talk to you at church or anywhere about city issues. The job is 24/7. Need to understand basic services and role of city government. Public image is important. Need to talk and carry yourself well. You need to look the part. How to be an effective speaker. You have one chance to make a good impression. People hang on your words. You speak for your council and the city.
- Most important thing to understand is that you are in the public eye in the grocery store or anywhere. I was surprised to have people approach me at church for political discussions. There used to be some boundaries, but they are no longer there.
- Your relationship to people changes in social settings—people who have been your friend for 30 years won't look at you the same way. I've had to work hard to maintain contacts. Adapting to the shock of being a council member. Not being aware of the magnitude of the office and the responsibility that went with it. Being a voice for the city, the tremendous public visibility, and the relentless press.
- Give up your ability to be the one who questions things. You can't be the lone ranger anywhere. Can't be beat up too many times in front of the public. You have to be the grown up. You have to be in control. Council members need to understand themselves and their purpose in this job. They need to do the right thing. Need to be aware of why they are doing things. Some council members love to be the center of attention, wouldn't think twice about what they are doing.

## **2. Time Commitment**

- Time to do the job. An understanding of what is too much time. It doesn't take 24 hours to be a good member. It shouldn't be all encompassing. You are not the paid professional staff person. You don't need to help the professionals do their job. Time spent for ceremonial things associated with being member.
- Being a council member is a lot of work. You have to be a good time manager. Learn to say no or send someone else. Willing to be flexible and attend lots of meetings; also represent city at ceremonial functions. How much time it takes. Personal and professional ramifications. Hard to have a life. I am a writer and work from my home. As member, had to decide for this year this is what I am doing. Very hard. I have a lot of parts of me that aren't about this. Don't know how other members do it.

### **3. Building Trust and Relationships**

- Building trust. Being open minded and being a good listener. Building consensus. Hearing all sides. Not playing favorites. Getting ready for a meeting – don't surprise staff. Important to keep each other apprised of what is going on. Disarm the Lone Ranger.
- No trust, no respect among colleagues and you won't get anything done. Don't run your mouth in public about your colleagues. It will get back to you. Trust is the bottom line. No credibility will destroy you. Respect the rank, not the person. Keep your enemies out in front. They will work to discredit you. There is a lot of jealousy in this business. Trust and communication are key. You build trust by telling the truth and not stabbing people in the back. Your handshake is your contract. Your word is your bond. If you can't do something, tell them.
- You have to be an effective communicator. If people think you are lying, it will kill you. Some council members don't understand the legislative process, don't understand the art of compromise. Everything is black and white/ win or lose. Ability to relate effectively with all council members—get things on the table and allow everyone to have input. You are not necessarily the decision-maker, but you need to bring out all opinions.

### **4. Council Building and Council Leadership**

- Helping the council keep their eye on the big picture. How to accomplish things with a group that has a mixture of priorities. How to be a good listener. Good communicator. Be less abrasive and to listen better. Not going to get things done without it. It pays to be even tempered. People remember if you embarrass them or you are always confrontational.
- Open to ideas. It shouldn't be "my way or the highway." Not judgmental. Willing to listen to what people have to say. Need to have information to make decisions. Open to information. Integrity. Being fair and open. Need to treat everyone with respect and dignity. Everyone is human. Deal with folks who have a 7th grade education. They deserve respect too. Willing to collaborate. You don't have to know everything about every issue. You just need to be able to get that information when you need it. There's always a "flavor of the month" issue that you have to learn about. Need to have fellow council members see you as a leader and know where you stand.
- A good leader gets things done. Builds consensus. Not volatile. Not looking for a fight. Not a finger-pointer. Don't run someone down publicly. Consensus builder and leadership are the keys. Work out your issues before the meeting. Need to calm down the infighting before the meeting. Let's not air things publicly. You will always have a gunslinger. You can see when things are getting personal. You can call for a motion and refer things



to committee. Tell them you are not going to deal with the issue tonight. You can recommend the manager get back to you with some more information.

- Remember if you don't have 4 or 5 votes, you have nothing. If you don't know how to relate to your colleagues, they won't vote for you. You need to treat them with respect. The council member is not always the heavy. Need to know how to build consensus. This takes a long time to learn. You need to learn to call people before the meeting and talk. Don't surprise manager or colleagues at the meeting. Talk with the member of committee before you air things in public. Face to face communication is better. I send a birthday card to manager, clerk, and council members as a way to build relationships. You've got to be an adult in this business. You can't have a pity party when you lose. Participate in development activities – council training. Some members think they know everything. Ability to work and play with others. This is a given for a good member. Work with different personality types. Blend them into a cohesive unit.

## **5. Working with the Executive**

- Help each other. Make sure both know about “hot button” issues that can come up. Two-way communication. Executives and staff can share institutional memory. Important for executive to be aware of policies and legal things to make sure they are complying with rules and regulations. Not micromanage the city. Executives and clerks are the front line – learn about problems first. Don't get sucked into trying to solve every citizen concern.
- Work together to set the agenda. Use the executive to run the meeting effectively. Ask the manager for suggestions on how to handle things. The manager helps members by being truthful, honest, sharing all information, and building trust. People don't trust politicians because of the lack of trust. Members have a responsibility to work with the executive. A lot of the problem is that paid professional staff often don't appreciate the responsibilities of the council member. Know how and when to utilize staff input—can help you get out of a bind!
- Know how to utilize city manager and clerk in working with other council members and the public. The public has multiple contacts with the council. Managers have access to a lot of information—they and clerks are the first point of contact and usually know about a problem before you do. Managers can serve council members well if they are sensitive to things that could blossom into bigger issues and give council a heads-up. This can be a formal or informal process. Relationship between manager and members is important. Manager has to be someone who knows how to get out there and implement things. Put the council's priorities into action.

## **6. Using and Managing Public Meetings**

- Parliamentary procedure/general meeting rules. "It is the primary resource a member has to address surprising issues that surface in a meeting." Give everyone an opportunity to be heard. Public input as well as giving council members a chance. Think on your feet. Respect fellow council members; allow opportunity to speak, but be in control of the meeting. To preside effectively, you need to know Robert's rules of order and your own city's rules—take a refresher course if necessary. When you are in the public eye, it's a different ball game; i.e., you may have membered other meetings, but you will be under much greater scrutiny as city council member.
- Dealing with conflicting public input—good to have hearings even when not legally required. Good thing in the long run, but tough to sort through at first. Be able to communicate effectively with the public. Hearings are not effective. People are leery of trying anything differently. Get bogged down in trivia or things we don't have any control over or vent. We've had hearings when no one came. Unless we have a hot issue, people don't come. Those who come have an axe to grind. Don't get a good cross section. It is a challenge to know your community and how to communicate.
- Always hear from those don't want taxes to increase or who are personally impacted. How do you get a cross section of the community to participate? Need to know what the average person is thinking. Brevity is key; many do not know when to stop talking. The focus should be on the whole council, not you—you should always be building collaboration. Ability to listen—create an environment where each member feels like they're being heard. Requires even-handedness—don't be the first to express your opinion; don't monopolize or dominate.

## **7. Working with the Media**

- Being a spokesperson for the city. The challenge of increased media attention. Creating relationships with reporters. Many new council members underestimate the challenge of the increased media attention. Press comes to you first. Need to know about the issues. If you don't know, it's best just to say you don't know. Build relationships with reporters. People hang on every word you say. When the camera is on raise your hand when voting.
- You don't have to respond to the media immediately if you need more time to process their question or gather more information. It's ok to tell them you don't know and need to look into it, etc. Nothing is ever off the record. The press often calls a member first and no one else. It is a major role for the council member. The press will call you anywhere/any time. Work with the press. No foot in the mouth. The press can trap you in a minute. They will say that someone says this and ask you to comment. They can embarrass you and your council. You should always qualify your statements by saying, "I don't speak for the entire council, I am speaking for myself."

- You need to get back to the press when you say you will. They will accept the fact that you don't know and will you give you time. You don't have to say anything. Can't blast the press at meetings. You have to understand that they only have a few column inches to print your story and sometimes they don't get it all in. You have to realize they don't write it like you want it. The media's lack of understanding of issues. Things get sensationalized. How to build and manage the relationship.

## **8. Recruiting Quality Candidates**

- Getting quality people to run. Need to get people to take on public service who have an open mind who aren't one-issue candidates and who have the ability to look at things long term. One of the things stopping people from running is how the media beats up on public officials. It is a thankless job.
- Quality of people serving on the council. I've seen other councils. I believe anyone who is elected should be able and willing to serve. Some of our councils are too old and too slow. Makes it hard when you are the person who is getting shot at all the time. You get burnt out. We don't have people running who are just regular people. All we have are retirees. They are the only ones who will run.
- Folks my age or younger won't run anymore. They aren't willing to get beat up by the media. The media has gotten to be really awful. No matter what you do, it is always wrong. Don't know where this will lead us. Council is made up primarily of retirees with some members that "work for a living." There is a disconnect between the two.

## **9. Visioning, Planning, and Evaluating**

- Council members have to have the long view. Keep everyone together. If no vision, then you get big fights. Will get bogged down in the smaller issues. Start letting the issues manage you rather than you manage them.
- Build consensus on the council. You can't get too far ahead of the council. Being able to communicate the long vision. For example, pick a theme with the manager and do a retreat, e.g., strategic planning, economic development – give the council a focus, some place to go.
- Goal setting – how to set goals and how to measure goals. More important than anything else. Remember that a council member may know what he or she wants to do, just doesn't know how to get there. Need to help get everyone there. Manager evaluation tools and process, strategic planning tools and processes. Emphasis on collaborative decision-making and styles. Team building is valuable. Hard when people run on an axe to grind. What can be done to deal with this? How to blunt this and make it less distracting? How to get those people to take a broader view?

## 10. Retreating and Advancing

- What issues have led to this retreat – why have one now? The disharmony that is among the council, relationships with other jurisdictions, breakdown of trust between the council members and the city manager. Lack of honesty and lack of respect. Philosophical shift on council v/v role of government. This is a reflection of a completely different philosophy around the role of government. It is real fundamental difference. It reflects a different approach to governing – the role of city government. Growth vs. anti-growth factions who disagree about what role planning and zoning should play in land development. Being against things rather than be for anything. Right now, it is about power and control. It is not about what is best for our city. Our community is growing so fast that decisions have to be made
- How are these issues affecting you, the council, the staff and your community? It is making my life heck. It is causing us stress, Makes you wonder who you can trust. I am very frustrated at times. We need to get the conflict resolved and not hang it out in public. I get angry at times when I hear a council member lash out at our staff and our manager and members of the community. Stressful on staff. There is fear among the staff to say anything. People from surrounding communities see and hear about this and it reflects on our community. Some people say that it is entertaining. They say, "I watched the council members meeting on the TV and it was a hoot." This saddens me. Most of the people I talk with say that we should get our act together and put a good face on our community to others. It is making it difficult things accomplished. It sucks the energy out of the council and makes us non-productive.
- What is the purpose of this retreat? This is more of a personal type thing. Focus on getting us more productive. Less stress on everyone. Restore trust and confidence in the manager and members of the council. I would like to see a better relationship with other council members. Want to get to know one another. I want to learn how to better express myself. Explore council dynamics and how we get along. Explore who we are personally and who we are as a council. We need to learn to operate as a council. It is important for us to get the election behind us. We are elected to govern and not to campaign. I would like to be able to work together. There are things we agree on. What are we passionate about? Create a sense of direction, a clear vision of where we want to take this city in the coming years. We need to represent our city as a unified council and not as a divided council. I want to walk away a better leader for this city. A good working relationship among council members and a commitment among the council and the importance of governing. A better working council – one that can set a vision.

## **Norms, Operating Principles and Ground Rules**

1. Share all relevant information ~ communicate pros and cons, and costs and benefits openly in a way that enhances trust.
2. Explain your statements, questions, and positions ~ be specific, use examples whenever possible ~ invite questions and comments from other members.
3. Focus on interests, not positions ~ share your feelings, positions and convictions with each other, explain the reasons behind them, and treat others' perceptions and feelings as facts.
4. Keep the discussion focused and to the point. Respect each other by listening when others speak – not talking when others talk – give every member sufficient time to speak.
5. Participate to the degree you are comfortable and capable.
6. Make decisions by consensus by being inclusive and representative.
7. Build on existing efforts. Seek short-term results but use a long-term framework. Success builds commitment and capital for the future
8. Support each other by not taking cheap shots, calling each other names, labeling someone or their behavior, attacking each other, using hurtful language, or engaging in other behavior that distracts or derails the meeting.
9. Disagree with any member, but disagree openly ~ acknowledge members' positions and their right to take their position. Work with each other to try to frame problems as opportunities.
10. Debate problems, choices, and solutions as much as you need to, but accept the decision once it is made.

# Council and Staff Governing Roles, Responsibilities, and Relationships

## What Do We Believe and Expect

| <i>Mark each statement according to whether you think it is always, mostly, sometimes, or never true.</i>                                         | <i>Always True</i> | <i>Mostly True</i> | <i>Sometimes True</i> | <i>Never True</i> |
|---------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|--------------------|-----------------------|-------------------|
| 1. Members have equal authority.                                                                                                                  |                    |                    |                       |                   |
| 2. Members have equal power and influence.                                                                                                        |                    |                    |                       |                   |
| 3. The mayor is the leader of the council.                                                                                                        |                    |                    |                       |                   |
| 4. The council is responsible for policy, the manager for administration.                                                                         |                    |                    |                       |                   |
| 5. The council should not get involved in issues that are within the manager's authority.                                                         |                    |                    |                       |                   |
| 6. The manager should not be involved in policymaking.                                                                                            |                    |                    |                       |                   |
| 7. Staff should present only information and options expressly requested by the council.                                                          |                    |                    |                       |                   |
| 8. Staff should never argue for a particular position or decision.                                                                                |                    |                    |                       |                   |
| 9. All members should be consulted on all decisions.                                                                                              |                    |                    |                       |                   |
| 10. The council should consult the manager on all decisions.                                                                                      |                    |                    |                       |                   |
| 11. Members in the minority on a council vote are not obligated to support the majority decision.                                                 |                    |                    |                       |                   |
| 12. Members in the majority on a council vote are not obligated to respond to the concerns of minority members.                                   |                    |                    |                       |                   |
| 13. Members in the minority on a council vote are justified in taking the issue outside the council in order to build support for their position. |                    |                    |                       |                   |
| 14. Members are justified in soliciting support for their positions from staff.                                                                   |                    |                    |                       |                   |
| 15. Members are elected to vote their conscience.                                                                                                 |                    |                    |                       |                   |
| 16. The council shouldn't worry about reaching consensus; that's why each member has a vote.                                                      |                    |                    |                       |                   |

## **Best Practices of High-Performing and High-Satisfying Leadership Teams**

- 1. Shared Purpose** ~ Members are aligned on purpose as to why the county and its leadership team exist, thereby creating a sense of common purpose. Conflicts and differences are seen and used as creative opportunities rather than as problems or obstacles to develop alternative solutions and inform decisions. Members act with the county's interest in mind at all times, and are willing to succeed or fail together.
- 2. Explicit Expectations** ~ Members recognize that relationships within the leadership team are mutually dependent. Members discuss expectations to make sure they are both realistic and explicit. Conflict often arises from unmet or unrealistic expectations, and can result in feelings of hurt, anger, and betrayal. Leadership teams work to meet individual member expectations within the context of the team as a whole.
- 3. Mutual Responsibility** ~ All members feel responsible for the team's results. Meetings and activities focus on results. Members share responsibility for both process and outcomes. Members establish a "WAITT" attitude – "We're all in this together." The critical point comes when they commit to do things as a team and live with the results – good or bad! This sense of cohesiveness acts as a "social glue" that holds the team together when things get tough.
- 4. High Communication** ~ Teams create a climate of trust and open, honest communication. Members practice leveling, the open and frank discussion of problems, issues, and concerns. Members are willing to speak up about problems and willing to listen to other members' perceptions of the problem. This is the core of trust. People make themselves vulnerable when they speak out about what they perceive or how they feel. Trust is created when others accept these feelings and perceptions as real and important to the member who expresses them. When members trust each other, they perceive each other as capable, dependable, and as acting with integrity.
- 5. Norms, Operating Principles, and Ground Rules** ~ Teams adopt a set of norms, operating principles, and ground rules and agree to abide by them. Good ground rules help prevent problems and help members use their time more efficiently and effectively. Be willing to use and accept peer pressure to direct the behavior and performance of members. Peer pressure is most effective when members feel connected, and feel that their individual success is tied to the team's success. Norms, operating principles, and ground rules are explicit, tangible, operational, and are revisited regularly by both check-in and check-up.

6. **Participative Leadership** ~ Teams practice horizontal leadership, not vertical. Teams remove barriers to full and effective participation by all members, allowing them to participate equally to the best of their interests and abilities. Participative leadership helps create interdependency among members empowering them to find ways to apply their individual talents and creativity to the purpose of the team as a whole.
7. **Focused on Solving Problems, Not Pointing Fingers** ~ Leadership teams focus on tasks, challenges, and problems – not on people. They don't point fingers! Members ask "what" is the problem, not "who" is the problem? Focusing on the "who" creates defensiveness and mistrust. Separate problems from personalities. Make the problem belong to the team, not to an individual. High-performing teams deal with problems right away, and don't let them fester or linger. They make sure meetings and activities focus on results.
8. **Future Forward** ~ Leadership teams are optimistic, opportunistic and focused on the future, not the past. Members see change as an opportunity for growth. They do not allow obstacles to keep it from identifying and acting on opportunities. They think long-term, avoiding the temptation of quick fixes or short-term results. Members understand that they and their community will be living with the outcomes of decisions a long time.
9. **Create a Team Contract** ~ Members create a living document that outlines agreements about roles, responsibilities, and expectations. The contract addresses at least four key areas: internal management (setting up meetings, developing an agenda); managing boundaries (handling problems, issues, and responsibilities that cut across board and staff boundaries); information access (who has what, who gets what, who should share what with whom); and mutual support (adopt ground rules, then agree to abide by them). The team monitors its processes (communication, meetings, decision making) because more effective processes make the team more effective.
10. **Model Democracy** ~ To govern, leadership teams must manage both tasks and relationships. In terms of tasks, teams must decide what they are going to do and how they will do it. In terms of relationships, members must be able to (1) relate to each other personally, as individuals, and as fellow citizens; (2) relate to one another consistent with and conducive to the democratic process by recognizing the competency and legitimacy of each member; and (3) relate to citizens and other public officials in a way that strengthens and supports representative democracy. One key way leadership teams model and practice democracy is by honoring both speaking rights and listening responsibilities.



## **Leadership Skills and Behaviors**

1. Listen and acknowledge without agreeing or arguing. Ask for specifics, take notes. Ask open-ended questions to help them identify possible solutions to their problem, e.g., ask them how they would like the discussion to end; what results do they want to achieve.
2. Turn "us and them" into "we." Highlight the similarities between you and the other person. Use partnership words such as "we" and phrases like "Let's gather the information," or "Would you please help me understand the exact details?" Help them identify possible solutions to their problem.
3. Reflect how the person is feeling. Offer an empathetic response that verifies the person's real feeling, such as, "You seem to be very angry."
4. Restate what you heard so the other person knows you were listening. Rephrase it to make sure you understand it.
5. Listen attentively through body language and posture. They may just provide information that's important to you. Acknowledge what they are saying, e.g., "You could be right about that, but we need to hear from others at today's meeting."
6. Reframe. Ask them what is going on, what they were thinking, why they did what they did. This can help a person feel heard, listened to, understood and fairly treated. We usually react not to what somebody does, but to our interpretation of why they did it. The fact is that people's behavior is mostly about them, not you. It's an important perspective to keep in mind.
7. Don't argue blindly for your position.
8. Don't change your mind just to reach agreement.
9. Explore differences, underlying assumptions, and expectations. Turn unrealistic expectations into realistic ones.
10. Don't assume that it must be a "win-lose."

# **Checking-In and Checking-Up**

## **Questions High-Performing and High-Satisfying Leadership Teams Ask**

1. Are we clear about our purpose?
2. Do we agree on our goals and priorities?
3. How satisfied are we with the quality of our communication?
4. What's our level of trust?
5. Do disagreements become personal?
6. Do we ignore minority viewpoints?
7. Have we stopped listening to some members?
8. Is there less tolerance for those who disagree?
9. Do we play "win-lose" and "us and them?"
10. Do we share responsibility for leading meetings and facilitating discussions?



# CITY OF SOUTH FULTON



## COUNCIL AGENDA ITEM

### COUNCIL REGULAR MEETING

**SUBJECT:** Proclamation - Rev. Paul H. Easley, Sr. Appreciation Day, Friday, September 7, 2018

**DATE OF MEETING:** 9/11/2018

**DEPARTMENT:** Mayor

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#### ATTACHMENTS:

| Description                             | Type       | Upload Date |
|-----------------------------------------|------------|-------------|
| Proclamation - Rev. Paul H. Easley, Sr. | Cover Memo | 9/7/2018    |



## **City of South Fulton**

**WHEREAS**, Rev. Paul H. Easley, Sr. is known affectionately as the, “Ultimate Pastor of Visitation” who uses his gift of laughter to ease the challenges of those he visits;

**WHEREAS**, his gifts have been shared beyond the local church in organizations that include Former Executive Secretary of the Branch YMCA, Charleston, West Virginia; Counselor, Bethlehem Youth Center, Atlanta, Georgia; Boy Scouts of America Program Leader for Branch Gray-Y Programs, Atlanta, Georgia; P.T.S.A. Past President, Therrell High School, Atlanta, Georgia;

**WHEREAS**, after retirement from the United Methodist Church in 1980, Rev. Easley became campus minister at Clark College/Clark Atlanta University and served faithfully in that position from 1980 until 2001;

**WHEREAS**, Rev. Easley has served as an active supply at several Methodist churches in Atlanta, Red Oak and Griffin, Georgia and faithfully served Ben Hill United Methodist Church from 2000-2007 as Associate Pastor of Care and Visitation;

**WHEREAS**, Rev. Easley, although still in active retirement is, once again, serving the congregation of Ben Hill United Methodist Church through the Jewels and Partners Ministry and Care and Visitation;

**WHEREAS**, his military assignments include, Hospital and Assistant Post Chaplain, Fort Chaffee, Arkansas; two tours in the Republic of Korea; Brigade Chaplain, Assistant Post Chaplain, Garrison Chaplain, Provisional Training Brigade Chaplain, Big Red One Division, Fort Riley, Kansas. He is the Second Chaplain and first African-American appointed as “Colonel” of the Regiment of the United States Army Chaplain Corps; and

**WHEREAS**, Rev. Easley is the recipient of numerous awards, some of which are: The Bronze Star Medal (Vietnam) twice; Army Commendation Medal (twice); Legion of Merit Award, Meritorious Service Medal, Vietnam Honor Medal 1<sup>st</sup> Class; Omega Psi Phi Distinguished Student, and Distinguished Alumni Illif School of Theology, University of Denver, Colorado.

**NOW THEREFORE, BE IT RESOLVED**, that the Mayor and City Council recognizes Rev. Dr. Paul H. Easley (Retired Colonel), for his many accomplishments and sacrifice of service to the United States of America, joins with family and friends in the celebration of his 88<sup>th</sup> Birthday and does hereby proclaim **Friday, September 7, 2018 as REV. PAUL H. EASLEY, SR. DAY in the City of South Fulton.**



**CITY OF SOUTH FULTON**

**COUNCIL AGENDA ITEM**

**COUNCIL REGULAR MEETING**



**SUBJECT:** Public Comment

**DATE OF  
MEETING:** 9/11/2018

**DEPARTMENT:** Attorney

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**CITY OF SOUTH FULTON**

**COUNCIL AGENDA ITEM**

**COUNCIL REGULAR MEETING**



**SUBJECT:** Public Hearing on Budget

**DATE OF  
MEETING:** 9/11/2018

**DEPARTMENT:** Attorney

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**CITY OF SOUTH FULTON**

**COUNCIL AGENDA ITEM**

**COUNCIL REGULAR MEETING**



**SUBJECT:** Alcohol License

**DATE OF MEETING:** 9/11/2018

**DEPARTMENT:** City Manager

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**ATTACHMENTS:**

| Description                      | Type       | Upload Date |
|----------------------------------|------------|-------------|
| Public Hearing - alcohol license | Cover Memo | 9/10/2018   |

# GOVERNMENT OF THE CITY OF SOUTH FULTON

ODIE DONALD II  
CITY MANAGER



SHAYLA REED  
INTERIM DIRECTOR  
COMMUNITY DEVELOPMENT SERVICES

## MEMORANDUM

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

**FROM:** Community Development Services

**SUBJECT:** **AL18-001 for a request by First T&S Enterprises, LLC for an Alcohol License for on-site consumption of malt beverage, wine, and distilled spirits at 5495 Old National Hwy, College Park, GA 30349**

**DATE:** September 11, 2018

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The applicant, First T&S Enterprises, LLC, seeks an Alcohol License for on-site consumption of malt beverage, wine, and distilled spirits at 5495 Old National Highway, Suites B11 and B12.

**STAFF RECOMMENDATION: APPROVAL**

cc: Mark Massey, City Clerk



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## APPLICATION INFORMATION

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|                                   |                                                                                                                                                                                                                                                                                            |
|-----------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Applicant Information:            | Tarryn Rutherford<br>2154 Wylmoor Way, SE<br>Smyrna, GA 30080                                                                                                                                                                                                                              |
| City Council District(s):         | 5                                                                                                                                                                                                                                                                                          |
| Parcel ID Number:                 | 13 0093 LL1505                                                                                                                                                                                                                                                                             |
| Square Footage:                   | 2,760 sq. ft.                                                                                                                                                                                                                                                                              |
| Existing Zoning:                  | C-2 (Commercial District) with conditions pursuant to<br><i>Case No. Z85 -113</i>                                                                                                                                                                                                          |
| Current/Past Use of the Property: | Developed                                                                                                                                                                                                                                                                                  |
| History                           | This location currently does not have an Alcohol and Beverage License. This request serves as their first request. The property will house Harold's Chicken and Ice Bar, which received a City of South Fulton Business License on February 16, 2018 to operate a full-service restaurant. |

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### Facts & Issues:

1. The alcoholic beverage license application was submitted by new owner Tarryn Rutherford.
2. The applicant proposes the following hours and has been advised of the *Zoning Resolution's* permitted hours for alcohol sales (displayed in parentheses):
  - a. Monday-Wednesday, 11:00 a.m. – 12:00 a.m. (sales permitted 9:00 a.m. – 3:55 a.m.)
  - b. Thursday, 11:00 a.m. – 2:00 a.m. (sales permitted 9:00 a.m. – 3:55 a.m.)
  - c. Friday, 11:00 a.m. – 4:00 a.m. (sales permitted 9:00 a.m. – 3:55 a.m.)
  - d. Saturday, 11:00 a.m. – 3:00 a.m. (sales permitted 9:00 a.m. – 2:55 a.m.)
  - e. Sunday, 11:00 a.m. – 4:00 a.m. (sales permitted 12:30 p.m. – 3:55 a.m.)
3. The following departments and agencies recommended approval:
  - a. Police Department
  - b. Fire Department
  - c. Fulton County Health Department
  - d. Code Enforcement
  - e. Zoning
4. No deficiencies were outlined in the application. However, please make note of a finding indicated in Staff's review. Applicant was once charged with the serving to a minor. As result, the alcohol license was suspended for five days and the owner incurred a fine. Since disciplinary actions were taken and it

being a one-time offense, **staff recommends approval of the alcohol license.**

5. The annual license fee is \$5,150.00.

**APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE  
FULTON COUNTY, GEORGIA**

11

1. TYPE OF LICENSE:
- |                                                            |                                                                 |
|------------------------------------------------------------|-----------------------------------------------------------------|
| <input checked="" type="checkbox"/> Wine and Malt Beverage | <input type="checkbox"/> Retail                                 |
| <input type="checkbox"/> Malt Beverage                     | <input type="checkbox"/> Wholesale                              |
| <input type="checkbox"/> Wine                              | <input checked="" type="checkbox"/> Consumption on the Premises |
| <input checked="" type="checkbox"/> Distilled Spirits      | <input type="checkbox"/> Manufacturer                           |
| <input type="checkbox"/> Brew Pub                          | <input type="checkbox"/> Manufacturer                           |

2. Arnold's Chicken & Ice Bars Old National  
Business or Trade Name

3. Pick of T & S Enterprises, LLC  
Corporate Name

4. 5495 Old National Hwy B11/B12  
Address Suite or Unit Number

5. College Park GA 30349  
City State Zip Code

6. 541 10th St NW 3/E, 385  
Mailing Address Suite or Unit Number

7. Atlanta GA 30318  
City State Zip Code

8. 2,760 478 93 13  
Square Footage Parking Spaces Location Land Lot District

9. If owned as a corporation, where and when chartered:  
Where When

President Vice President

Secretary Treasurer

Principal Stockholders (20% or more of the stock of the corporation, if none so state)

Name % Name %

Name % Name %

10. The following information must be furnished for each owner, partner or principle stockholder:  
(Attach additional sheets if necessary)

Full Name of Owner TARVIN L. Rutherford

Residence Address of Owner 2154 Wilmore Way SE Smyrna, GA 30080

Phone 773-962-1355  
Cellular or Residence Business Fax

Date of Birth Social Security Number

Place of Birth Length of Residence (Fulton County, Georgia)

Is owner an American Citizen? ☒ YES ☐ NO



Is owner an Alien lawfully admitted for the permanent resident status? [ ] YES ☒ NO

Is owner, spouse or minor child employed by Fulton County? [ ] YES ☒ NO

Is owner related to a Fulton County employee? [ ] YES ☒ NO If yes, give name and relationship:

Name

Relationship

Present occupation of owner

Self Employed (RESTAURATEUR)

Prior business(es) of owner for preceding 10 years:

Self Employed (mortgage broker)

Name and address of persons who have known owner for 10 years:

Wendy Harris

Name

8804 Staghorn Dr. Louisville, Ky. 40242

Address

Winston Atwater

Name

12615 ANN St. Blue Island, IL 60406

Address

Barbara McNeal

Name

8323 Fleetwood Dr. Jackson, MS 39212

Address

Felicia Magee

Name

16422 Lakewood Field Dr. Tomball, TX 77307

Address

Britt Dunams

Name

4247 Ivy Lane Ellenwood, GA 30294

Address

41. If person other than the owner will be the license holder, the following information must be submitted:

Full Name of proposed license holder

N/A

Residence Address of proposed license holder

Phone

Residence

Business

FAX

Date of Birth

Social Security Number

Place of Birth

Length of Residence (Fulton County/ Georgia)

Is proposed license holder an American Citizen? [ ] YES

[ ] NO

Is proposed license holder an Alien lawfully admitted for the permanent resident status? [ ] YES [ ] NO

Is proposed license holder, spouse or minor child employed by Fulton County? [ ] YES [ ] NO

Is proposed license holder related to a Fulton County employee? [ ] YES [ ] NO

If yes, give name and relationship:

Name

Relationship

Present occupation of proposed license holder

Prior business(es) of proposed license holder for preceding 10 years: \_\_\_\_\_

Name and address of 5 persons who have known proposed license holder for 10 years:

Name

Address

Name

Address

Name

Address

Name

Address

Name

Address

12. Is owner or proposed license holder, or relative thereof by blood or marriage associated in any way with any other retail, wholesale or manufacturer of alcoholic beverages in the State of Georgia? ☒ YES ☒ NO

If yes, give particulars: \_\_\_\_\_

13. Has owner or proposed license holder previously held a license to sell alcoholic beverages? ☒ YES ☐ NO  
If yes, has owner or proposed license holder violated law, regulation or ordinance relating to such business or had an alcoholic beverage license suspended or revoked? ☒ YES ☐ NO

If yes, give particulars: \_\_\_\_\_

*A bartender did not care and was going to sell to a minor. We were suspended for 5 days and had to pay a fine.*

14. Has owner or proposed license holder ever been arrested, charged, convicted, pled guilty or entered a plea or nolo contendere for any felony misdemeanor or violation of any ordinance (except traffic violations) in any Municipal, County, State or Federal Court? ☐ YES ☒ NO

If yes, give particulars: \_\_\_\_\_

15. Bank to be used by business; include branch address:

*Chase Bank  
4490 South Cobb Drive SE Ste C Smyrna GA 30080*

16. Name and address of any person, firm, or corporation other than owner which has any interest in the business for which this license is requested. Give the nature and amount of interest:

*N/A*

| Name | Address | Nature | Amount |
|------|---------|--------|--------|
|------|---------|--------|--------|

| Name | Address | Nature | Amount |
|------|---------|--------|--------|
|------|---------|--------|--------|

17. Is there an existing agreement for the sale or transfer of this license, if granted, to another person, firm or corporation? ☐ YES ☒ NO



If yes, give particulars: \_\_\_\_\_

18. Are finances for the proposed business owned or borrowed? Owned

If borrowed, give the name of the lender: \_\_\_\_\_

#### CERTIFICATION

The undersigned hereby certifies that he/she is the Owner of  
First T+S Enterprises LLC DBA Howell's Chicken & ICE Cream  
Business Name and is authorized to sign this application on behalf of the applicant. Old Nation

The undersigned further certifies that:

I have read the Fulton County Alcoholic Beverage Ordinance and a copy will be maintained on the premises, and each and every employee will be required to be familiar with said regulation.

I will comply with all laws, rules and regulations of the United States, the State of Georgia, and Fulton County, now in force or which may hereafter be promulgated or enacted, regulating and governing the sale of distilled spirits, wine and malt beverages.

I understand that any license issued shall cover the period of one year commencing the 1<sup>st</sup> day of January and expiring December 31, and that no license shall be assignable or transferable, nor am I entitled to a rebate of the license fee or any portion thereof by reason of the revocation of said license, or for any other reason.

I further understand that making false or fraudulent statements and/or representations may subject me to criminal and/or civil penalties including a fine and/or imprisonment.

Submitted herewith is the sum of \$ N/A to cover the ESTIMATED cost of the newspaper advertising on behalf of this application. Any remainder will be paid prior to the issuance of the license. Any coverage in excess of \$1.00 will be refunded.

Submitted herewith in either check or money order payable to Fulton County, Georgia is the sum of \$ \_\_\_\_\_ as payment in full for the license fee and to include the amount of \$855.00 to cover investigation costs and \$75.00 for a fire inspection.

I understand that if for any reason a license should not be granted, the sum of \$ \_\_\_\_\_ (license fee) tendered hereunder shall be refunded, but that advertising costs which have been expended and the sum of \$930.00 will be retained by Fulton County to defray investigation expenses and fire inspection expenses.

I solemnly swear that the facts stated in the above and foregoing application for a license in unincorporated Fulton County, Georgia, are true and correct.

Signature of Applicant

Sworn to and subscribed before me this 18<sup>th</sup> day of April, 2017.

Notary Public.

My commission expires: 7-27-17

**APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE  
FULTON COUNTY, GEORGIA**

1. TYPE OF LICENSE:

|                                                            |                                                                 |
|------------------------------------------------------------|-----------------------------------------------------------------|
| <input checked="" type="checkbox"/> Wine and Malt Beverage | <input type="checkbox"/> Retail                                 |
| <input type="checkbox"/> Malt Beverage                     | <input type="checkbox"/> Wholesale                              |
| <input type="checkbox"/> Wine                              | <input checked="" type="checkbox"/> Consumption on the Premises |
| <input checked="" type="checkbox"/> Distilled Spirits      | <input type="checkbox"/> Manufacturer I                         |
| <input type="checkbox"/> Brew Pub                          | <input type="checkbox"/> Manufacturer II                        |

2. Business or Trade Name \_\_\_\_\_

3. Corporate Name \_\_\_\_\_

4. Address \_\_\_\_\_ Suite or Unit Number \_\_\_\_\_

5. City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

6. Mailing Address \_\_\_\_\_ Suite or Unit Number \_\_\_\_\_

7. City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

8. Square Footage \_\_\_\_\_ Parking Spaces \_\_\_\_\_ Location \_\_\_\_\_ Land/Lot \_\_\_\_\_ District \_\_\_\_\_

9. If owned as a corporation, where and when chartered: \_\_\_\_\_ Where \_\_\_\_\_ When \_\_\_\_\_

President \_\_\_\_\_ Vice President \_\_\_\_\_

Secretary \_\_\_\_\_ Treasurer \_\_\_\_\_

Principal Stockholders (20% or more of the stock of the corporation, if none so state)

Name \_\_\_\_\_ % \_\_\_\_\_ Name \_\_\_\_\_ % \_\_\_\_\_

Name \_\_\_\_\_ % \_\_\_\_\_ Name \_\_\_\_\_ % \_\_\_\_\_

10. The following information must be furnished for each owner, partner or principal stockholder:  
(Attach additional sheets if necessary)

Full Name of Owner: Ernie Collins

Residence Address of Owner: 1884 Creststone Oaks Way Atlanta GA 30345

Phone: 404-644-1620

Cellular or Residence \_\_\_\_\_

Business \_\_\_\_\_

Fax \_\_\_\_\_

Date of Birth \_\_\_\_\_

Social Security Number \_\_\_\_\_

Place of Birth \_\_\_\_\_

Length of Residence (Fulton County, Georgia) \_\_\_\_\_

Is owner an American Citizen? ☒ YES

☐ NO



Is owner an Alien lawfully admitted for the permanent resident status? ☐ YES ☒ NO

Is owner spouse or minor child employed by Fulton County? ☐ YES ☒ NO

Is owner related to a Fulton County employee? ☐ YES ☒ NO If yes, give name and relationship:

Name

Relationship

Present occupation of owner:

Prior business(es) of owner for preceding 10 years:

Name and address of 5 persons who have known owner for 10 years:

Clayton Bolds

Name

229 Lettewood Dr. SW Atlanta, GA 30047

Address

Willie Epps

Name

2777 Heron Court Norcross, GA 30071

Address

Kimberly Cross

Name

10625 Serenbe Lane Chantilly, GA 30088

Address

Stephen Brown

Name

6756 Devon Trace Stone Mountain, GA 30087

Address

Kristy Little

Name

310 Albion Dr NE Atlanta GA 30342

Address

11. If person other than the owner will be the license holder, the following information must be submitted:

Full Name of proposed license holder:

Residence Address of proposed license holder:

Phone

Residence

Business

Fax

Date of Birth

Social Security Number

Place of Birth

Length of Residence (Fulton County/ Georgia)

Is proposed license holder an American Citizen? ☒ YES ☐ NO

Is proposed license holder an Alien lawfully admitted for the permanent resident status? ☐ YES ☐ NO

Is proposed license holder spouse or minor child employed by Fulton County? ☐ YES ☐ NO

Is proposed license holder related to a Fulton County employee? ☐ YES ☒ NO  
If yes, give name and relationship:

Name

Relationship

Present occupation of proposed license holder:



Prior business(es) of proposed license holder for preceding 10 years: \_\_\_\_\_

Name and address of 5 persons who have known proposed license holder for 10 years:

Name: \_\_\_\_\_ Address: \_\_\_\_\_

Name: \_\_\_\_\_ Address: \_\_\_\_\_

Name: \_\_\_\_\_ Address: \_\_\_\_\_

Name: \_\_\_\_\_ Address: \_\_\_\_\_

Name: \_\_\_\_\_ Address: \_\_\_\_\_

12. Is owner or proposed license holder, or relative thereof by blood or marriage associated in any way with any other retail, wholesale or manufacturer of alcoholic beverages in the State of Georgia? ☐ YES ☒ NO

If yes, give particulars: \_\_\_\_\_

13. Has owner or proposed license holder previously held a license to sell alcoholic beverages? ☐ YES ☒ NO  
If yes, has owner or proposed license holder violated law, regulation or ordinance relating to such business or had an alcoholic beverage license suspended or revoked? ☐ YES ☒ NO

If yes, give particulars: \_\_\_\_\_

14. Has owner or proposed license holder ever been arrested, charged, convicted, pled guilty or entered a plea of nolo contendere for any felony misdemeanor or violation of any ordinance (except traffic violations) in any Municipal, County, State or Federal Court? ☐ YES ☒ NO

If yes, give particulars: \_\_\_\_\_

15. Bank to be used by business, include branch address: Bank of America  
2223 North Druid Hills Rd. NE Atlanta GA 30329

16. Name and address of any person, firm, or corporation, other than owner, which has any interest in the business for which this license is requested. Give the nature and amount of interest:

N/A  
Name: \_\_\_\_\_ Address: \_\_\_\_\_ Nature: \_\_\_\_\_ Amount: \_\_\_\_\_

Name: \_\_\_\_\_ Address: \_\_\_\_\_ Nature: \_\_\_\_\_ Amount: \_\_\_\_\_

17. Is there an existing agreement for the sale or transfer of this license, if granted, to another person, firm or corporation? ☐ YES ☒ NO

If yes, give particulars: \_\_\_\_\_

18. Are finances for the proposed business owned or borrowed? Quited

If borrowed, give the name of the lender: \_\_\_\_\_

### CERTIFICATION

The undersigned hereby certifies that he/she is the \_\_\_\_\_ of \_\_\_\_\_

First T&S Enterprises, LLC and is authorized to sign this application on behalf of the applicant.  
Business Name

The undersigned further certifies that:

I have read the Fulton County Alcoholic Beverage Ordinance and a copy will be maintained on the premises; and each and every employee will be required to be familiar with said regulation;

I will comply with all laws, rules and regulations of the United States, the State of Georgia, and Fulton County, now in force or which may hereafter be promulgated or enacted, regulating and governing the sale of distilled spirits, wine and malt beverages.

I understand that any license issued shall cover the period of one year commencing the 1<sup>st</sup> day of January and expiring December 31, and that no license shall be assignable or transferable, nor am I entitled to a rebate of the license fee or any portion thereof by reason of the revocation of said license, or for any other reason.

I further understand that making false or fraudulent statements and/or representations may subject me to criminal and/or civil penalties including a fine and/or imprisonment.

Submitted herewith is the sum of \$ N/A to cover the ESTIMATED cost of the newspaper advertising on behalf of this application. Any remainder will be paid prior to the issuance of the license. Any overage in excess of \$1.00 will be refunded.

Submitted herewith in either check or money order payable to Fulton County, Georgia is the sum of \$ \_\_\_\_\_ as payment in full for the license fee and to include the amount of \$855.00 to cover investigation costs and \$75.00 for a fire inspection.

I understand that if for any reason a license should not be granted, the sum of \$ \_\_\_\_\_ (license fee) tendered hereunder shall be refunded, but that advertising costs which have been expended and the sum of \$900.00 will be retained by Fulton County to defray investigation expenses and fire inspection expenses.

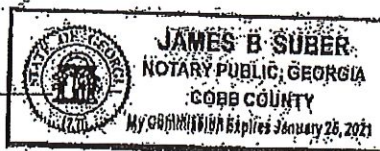
I solemnly swear that the facts stated in the above and foregoing application for a license in unincorporated Fulton County, Georgia, are true and correct.

[Signature]  
Signature of Applicant

Sworn to and subscribed before me this 18 day of April, 20 17.

[Signature]  
Notary Public

My commission expired: 04/01/2021







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City of South Fulton  
5440 Fulton Industrial Blvd SW

Atlanta, GA 30336

(470)809-7700

INVOICE #

18003017

ACCOUNT ID: HAROL010 PIN: 6453

INVOICE DATE: 07/23/18

DUE DATE: 08/23/18

Harold's Chicken & Ice Bar  
Tarryn Rutherford  
5495 Old National Hwy  
Unit B11/12  
College Park, GA 30349

| QUANTITY/UNIT | SERVICE ID | DESCRIPTION                    | UNIT PRICE  | AMOUNT      |
|---------------|------------|--------------------------------|-------------|-------------|
|               |            | Alcohol License                |             |             |
| 1.0000/1      | ABLAPPL    | Alcohol Lic - Application fee  | 150.00000   | 150.00      |
|               |            | Alc. Application Fee           |             |             |
| 1.0000/1      | ABLADV     | Alcohol Lic Advertising Fee    | 500.00000   | 500.00      |
|               |            | Alc. Adv. Fee                  |             |             |
| 1.0000/1      | ABL-BEER   | Alcohol Lic Retail Bar Beer    | 650.00000   | 650.00      |
|               |            | Alc. License Fee               |             |             |
| 1.0000/1      | ABL-WINE   | Alcohol Lic - Retail bar Wine  | 650.00000   | 650.00      |
|               |            | Alc. License Fee               |             |             |
| 1.0000/1      | ABLIQUO    | Alcohol Lic -Retail Bar Liquor | 3,200.00000 | 3,200.00    |
|               |            | Alc. License Fee               |             |             |
|               |            | TOTAL DUE:                     |             | \$ 5,150.00 |
|               |            |                                |             | <hr/>       |
|               |            |                                |             | -5,150.00   |
|               |            | Prn Payment: 07/23/18 CK 2292  |             |             |
|               |            | BALANCE:                       |             | \$ 0.00     |
|               |            |                                |             | <hr/>       |

PAYMENT COUPON - PLEASE DETACH AND RETURN THIS PORTION ALONG WITH YOUR PAYMENT

City of South Fulton  
5440 Fulton Industrial Blvd SW  
  
Atlanta, GA 30336

Harold's Chicken & Ice Bar  
Tarryn Rutherford  
5495 Old National Hwy  
Unit B11/12  
College Park, GA 30349

INVOICE #: 18003017  
DESCRIPTION: Alcohol License  
ACCOUNT ID: HAROL010 PIN: 6453  
DUE DATE: 08/23/18  
TOTAL DUE: \$ 0.00





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## Sec. 6-201. - Application for license; investigations.

- (a) Persons desiring to engage in the manufacture, distribution, sale by the package and/or sale by the drink for consumption on the premises of alcoholic beverages must make written application to the board of commissioners for such license which must be filed on forms provided by and submitted to the Fulton County Police Department. Applications must be accompanied by a non-refundable investigation fee. The non-refundable investigation fee shall be according to a fee schedule adopted by the board of commissioners. All information required by the application form must be provided and subscribed to by the applicant under oath. Failure to furnish all information required by the application within 30 days from the date of such application must automatically serve to dismiss the application.
- (1) *Notice of application.* Notice of such application by advertisement in the form prescribed by the police department will be published by the police department at least two times on different days not less than ten days prior to the date of consideration by the board of commissioners in one of the newspapers published in Fulton County at least six days a week, circulated in the locality of the proposed business, which notice will contain a particular description of the location or of the street number of the proposed alcoholic beverage business and give the name of the owner, and, if a partnership, the name of the partners, and if a corporation, the name of the president and secretary and treasurer of such corporation. The applicant must pay the cost of said advertisement. In every case of application hereafter made for a license for consumption on the premises of alcoholic beverages in the unincorporated area of Fulton County, in addition to other advertisement required by law, the applicant must, at his expense, post on the premises where the business of manufacture or sale is to be conducted, continuously for a period of not less than ten days prior to consideration of the application by the Board of Commissioners of Fulton County, a notice of the pending application, meeting the following minimum specifications: This notice must be painted or printed in black letters three inches or more in height, against a white background, on a board or metal sign, and having a surface of not less than 12 square feet, and must be placed with the foot or bottom of the sign not more than three feet from the ground on the most conspicuous part of the premises, facing the most frequently traveled road, street or highway abutting same, and not more than ten feet therefrom. The sign must state clearly the nature and purpose of the application, the date and hour and place of hearing, and the name of the person, partnership, firm, or corporation, as owner, making the application.
- (2) *Order of consideration.* All applications filed with the police department must be noted as to the date and exact time of filing, and such applications must be presented, heard and considered by the board of commissioners in the order of their filing, unless otherwise notified of any delay in the consideration process.
- (3) *Citizenship of applicant.* No license hereunder will be granted to any applicant who is not a citizen of the United States or an alien lawfully admitted for permanent residence.
- (4) *Plat or drawing of area.* All applications for the original license for a particular location, except those licensed in the preceding year, must include a certificate from a registered surveyor showing a scale drawing of the location of the proposed premises and the straight line distances required under section 6-211 of this article.
- (b) The police department will review the application and send a copy to all affected departments of Fulton County Government to determine compliance with county regulations and laws. Each department notified will submit a report within 30 days to the police department. If no report is received, it will also be concluded that there is no objection. At a minimum, the police department will investigate the criminal history of the applicant.
- (c) Upon receiving any and all reports from county departments and completing its investigation, the police department will make a recommendation to the board of commissioners to grant or deny the application.
- (d) If the police department recommends denial of the application, applicant will be afforded a hearing in accordance with sections 6-204 and 6-205 of this article.
- (Ord. No. 05-1249, 11-2-05; Res. No. 11-0075, 1-19-11)



## **Sign Posting Instructions 6-201 (a)(1)**

It is very important to have your sign advertising the public hearing posted at least 15 days before the hearing. Failure to do so will result in a delay of the hearing and an additional advertising fee. Notify a member of the Alcoholic Beverage License Unit when the sign is erected. (404) 613-5719.

Suggested wording for the sign:

Public Hearing  
Burn Lounge, LLC, whose Pres. S. Crocker (licensee) and VP, D. Hodge, has applied to the Board of Commissioners for the Consumption on Premise Sell of Beer/Wine/Liquor at 3435 Roosevelt Hwy, Ste. 15, College Park, GA.  
Hearing to be held at South Fulton Service Center Auditorium, 5600 Stonewall Tell Rd., Atlanta, GA on 7/10/18 at 7pm.

This notice shall be painted or printed in black letters 3 inches or more in height, against a white background, on a board or metal sign and having a surface of not less than 12 square feet, and must be placed with the foot or bottom of the sign not more than three feet from the ground on the most conspicuous part of the premises, facing the most frequently traveled road, street or highway abutting same, and not more than 10 feet therefrom. The sign must state clearly the nature and purpose of the application, the date and hour and place of hearing and the name of the person, partnership, firm or corporation, as owner, making the application. (See Article IV Sec 6-201). Do not attach the sign to any County poles or local telephone poles.

Fulton County Business License Department, Alcoholic Beverage License Division, 5440 Fulton Industrial Blvd., Atlanta, GA 30331; Phone: (470) 809-7725.

## ALCOHOL LICENSE FEE WORKSHEET

DATE 07/10/18

NAME OF BUSINESS: Harold's Chicken & Ice Bar Old National

|                       |             |
|-----------------------|-------------|
| LICENSE FEE           | \$ 4,500.00 |
| APPLICATION FEE       | \$150.00    |
| ADVERTISEMENT FEE     | \$ 550.00   |
| FIRE INSPECTION FEE   | \$          |
| POLICE BACKGROUND FEE | \$          |
| FINGER PRINT FEE      | \$          |
| TOTAL FEES            | \$          |

TOTAL C OLLECTED: \$ 5,150.00

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## INTER-OFFICE MEMORANDUM

TO: CoSF (Lashayne Taylor)

FROM: Fulton County Police Department / Det. P. Smith

DATE: January 25, 2018

SUBJECT: Background Check/Fingerprints-6-201 (b)

HEADQUARTERS: 55440 FULTON INDUSTRIAL BLVD • ATLANTA, GEORGIA 30336 • 404-613-5700 • FAX 404-893-6571

Business info/Location

Harold's Chicken and Ice Bar  
Tarryn L. Rutherford  
5495 Old National Hwy  
College Park, Ga 30349  
770-962-1355

Mailing Address

Same

Applicant: Ms. Tarryn L. Rutherford

Check all that apply:

☒ Applicant has met background and fingerprint requirements.

☐ Applicant does not meet background and fingerprint requirements.

Reason for  
Denial \_\_\_\_\_

Investigator *P. Smith*

Date 1/25/18

Detective P. Smith, Fulton County Police Department, Alcoholic Beverage License Unit 141 Pryor Street  
Atlanta, GA 30303, Phone (404) 613-5700 / (404) 613-5719  
FAX (404) 893-6571



## INTER-OFFICE MEMORANDUM

**TO:** Lt. Marlin Salamanca (send via e-mail & hand deliver)

**FROM:** Business License Dept./Lashayne Taylor

**DATE:** May 14, 2018

**SUBJECT:** Fire Department Inspection 6-177(c) / 6-201(b)

BUSINESS LICENSE DEPARTMENT • 5440 FULTON INDUSTRIAL BLVD. • ATLANTA, GEORGIA 30336 • 4708097725 • E-MAIL: [LASHAYNE.TAYLOR@CITYOFSOUTHFULTONGA.GOV](mailto:LASHAYNE.TAYLOR@CITYOFSOUTHFULTONGA.GOV)

**Type of License:**

☒ Malt Bev      ☐ Wine      ☐ Distilled      Retail ☒ Consumption  
☐ Wholesale

**Business info/Location**

Harold's Chicken and Ice Bar  
5495 Old National Hwy Suite B11/B12  
College Park, Ga 30349  
Tarryn L. Rutherford  
773-962-1355

**Mailing Address**

SAME

**Check One:**

☐ Existing Building  
☐ Under Construction / Renovation  
☒ Meets All *City of South Fulton* Fulton County Fire Department Requirements  
☐ Does Not Meet Fulton County Fire Department Requirements

Reviewer *LS Salamanca*

Date *5/04/18*

Please return completed memo to: Lashayne Taylor, Business License Dept., Alcoholic Beverage License Unit, 5440 Fulton Industrial Blvd., Atlanta, GA 30336. Phone (470) 809-7725.



## INTER-OFFICE MEMORANDUM

TO: James Lipscomb

FROM: Business License Dept. / Lashayne Taylor

DATE: May 14, 2018

SUBJECT: Health Department Inspection

POLICE HEADQUARTERS • 5440 FULTON INDUSTRIAL BLVD. • ATLANTA, GEORGIA 30303 • 404/780-5700 • FAX 404/730-5758

### Type of License:

☒ Malt Bev      ☒ Wine      ☒ Distilled      ☐ Retail  
☒ Consumption

### Business Info/Location

### Mailing Address

Harold's Chicken and Ice Bar  
5495 Old National Hwy Suite B11/B12  
College Park, Ga 30349  
Tarryn L. Rutherford  
773-962-1355

Same

### Check One:

☒ Meets all Fulton County Health Department Requirements

☐ Does not meet Fulton County Health Department Requirements

Reason For  
Denial \_\_\_\_\_

Reviewer

*James Lipscomb*

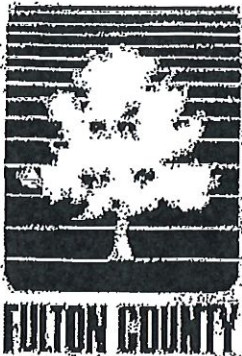
Date

5-14-18

Please return completed memo to: Lashayne Taylor, City of South Fulton Business License Department, Alcoholic Beverage, 5440 Fulton Industrial Blvd, Room 102, Atlanta, Ga. 30303. Phone: (470) 809-7726; E-mail: Lashayne.Taylor@cityofsouthfultonga.gov



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## INTER-OFFICE MEMORANDUM

TO: Maria Connally (Connallym@fultonschools.org)

FROM: Police Department / Corporal P. Smith

DATE: May 19, 2017

SUBJECT: School Board Inspection (6-211(a)(5))/6-201(b)

POLICE HEADQUARTERS: 5430 FULTON INDUSTRIAL BLVD • ATLANTA, GEORGIA 30338 • (404) 513-2700 • FAX (404) 593-6571

### Type of License:

☒ Malt Bev ☒ Wine ☒ Distilled ☐ Retail ☒ Consumption  
☐ Wholesale

### Business Info/Location

### Mailing Address

Harold's Chicken and Ice Bar  
5495 Old National Highway Suite B11/B12  
College Park, Ga 30349  
Taryn L. Rutherford  
773-962-1355

Same

### Check One:

- ☒ This location is 200 feet from a school bus stop.  
☐ This location is less than 200 feet from a school bus stop.  
☐ This location is 1000 feet from a school bus stop. (adult entertainment)  
☐ This location is less than 1000 feet from a school bus stop. (adult entertainment)

Reviewed Maria Connally Date 05-23-2017

Please return completed memo to: Corporal P. Smith, Fulton County Police Department, Alcohol & Beverage License Unit 141 Pryor Street, Atlanta, GA 30303 Phone (404) 613-5700 / (404) 613-5710 FAX (404) 893-6571.



## INTER-OFFICE MEMORANDUM

TO: Morgan Ellington

DATE: April 24, 2017

FROM: Police Department / Cpl. P. Smith

SUBJECT: Zoning Review

11

POLICE HEADQUARTERS • 5440 F.I.B. • ATLANTA, GEORGIA 30303 • (404) 730-5700 • FAX (404) 730-5759

### Type of License:

☒ Malt Bev ☒ Wine ☒ Distilled ☐ Retail  
☒ Consumption  
☐ Wholesale

### Business info/Location

Harold's Chicken & Ice Bar  
5495 Old National Hwy Suite B11/B12  
College Park, Ga. 30349  
Taryn L. Rutherford  
773-962-1355

### Mailing Address:

Same

which is a  
restaurant and bar

Parcel ID 13-0093-LL-150-5

Land Lots 93

District 13

Current Zoning C-2 B32-13

Business similar to above: ☒ allowed ☐ not allowed in this category

Reviewer: Morgan Ellington Date: 4/25/17

Please return completed memo to: Cpl. P. Smith, Fulton County Police Department, Alcoholic Beverage License 141 Pryor St, SW Atlanta, GA 30303 Phone (404) 613-5719 / (404) 613-5700 FAX (404) 893-6671

They have a current business license per  
Lashae Taylor.



## INTER-OFFICE MEMORANDUM

TO: Maria Abdulghani (Code Enforcement)

FROM: Business License Department

DATE: June 28, 2018

SUBJECT: Code Enforcement Inspection 6-201(b) / 6-177(d)

Type of License:

☒ Malt Bev    ☒ Wine    ☒ Distilled    ☐ Retail    ☒ Consumption  
☐ Wholesale    ☐ Manufacturer

Business info/Location

Mailing Address

SAME

Harold's Chicken and Ice Bar  
5495 Old National Hwy  
College Park, Ga 30349  
Tarryn L. Rutherford  
773-962-1355

Check One:

☒ Currently meets Fulton County Code Enforcement Requirements.  
☐ Does **not** meet Fulton County Code Enforcement Requirements

Reason For  
Denial \_\_\_\_\_

Reviewer

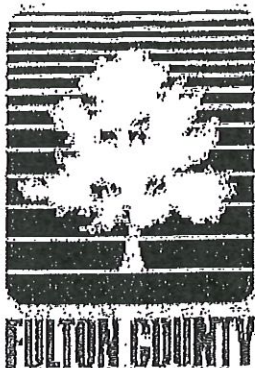
M. Abdulghani

Date

7/2/18

Please return completed memo to: Lashayne Taylor, Business License Dept., Alcoholic Beverage License Unit, 5440 Fulton Industrial Blvd., Atlanta, GA 30336. Phone (470) 809-7725.





## INTER-OFFICE MEMORANDUM

5

TO: Legal Department

FROM: Police Department / Detective P. Smith

DATE: April 10, 2017

SUBJECT: Survey Review

POLICE HEADQUARTERS • 5440 FULTON INDUSTRIAL BLVD., ATLANTA, GEORGIA 30336 • 404/730-5700 • FAX 404/893-6571

### Type of License:

☒ Malt Bev ☒ Wine ☒ Distilled ☐ Retail ☒ Consumption  
☐ Wholesale

### Consumption on the Premises - Liquor, Wine and Malt Beverages

|                                      |             |
|--------------------------------------|-------------|
| Nearest Private Residence - Building | 1,103 feet  |
| Nearest Public Library Building      | 23,760 feet |
| Nearest Church Building              | 2,450 feet  |
| Nearest School Property Line         | 3,541 feet  |
| Nearest School Bus Stop              | 1,700 feet  |

### Consumption on the Premises - Wine and/or Malt Beverages

|                                      |             |
|--------------------------------------|-------------|
| Nearest Private Residence - Building | 1,103 feet  |
| Nearest Public Library - Building    | 23,760 feet |
| Nearest Church - Building            | 2,450 feet  |
| Nearest School Property Line         | 3,541 feet  |
| Nearest School Bus Stop              | 1,700 feet  |

### Wholesale and Retail Liquor

|                                           |             |
|-------------------------------------------|-------------|
| Nearest Private Residence - Building      | 1,103 feet  |
| Nearest Public Library - Building         | 23,760 feet |
| Nearest Church - Building                 | 2,450 feet  |
| Nearest School Property Line              | 3,541 feet  |
| Nearest School Bus Stop                   | 1,700 feet  |
| Nearest Retail Package Store (State Req.) |             |
| Nearest government owned (State Req.)     |             |
| alcohol treatment center                  |             |

### Wholesale and Retail Wine and Malt Beverage

|                                       |             |
|---------------------------------------|-------------|
| Nearest Private Residence - Building  | 1,103 feet  |
| Nearest Public Library - Building     | 23,760 feet |
| Nearest Church Building               | 2,450 feet  |
| Nearest School Property Line          | 3,541 feet  |
| Nearest School Bus Stop               | 1,700 feet  |
| Nearest government owned (State Req.) |             |
| alcohol treatment center              |             |

Print Date: 7/20/2018  
Print Time: 12:26

## Summary CAD Statistics

For Period of Time from 7/1/2017 to 7/20/2018.

User Name:  
Terminal #:

| CAD Number    | Event | Event Location / Location Info                                 | Municipality | Caller Location               | Caller Name   | ESN                   | Created               | Closed       |
|---------------|-------|----------------------------------------------------------------|--------------|-------------------------------|---------------|-----------------------|-----------------------|--------------|
| 2017 - 203717 | 98    | 5495 OLD NATIONAL HWY / GROWN<br>FOLKS CAFE                    | SOUTH FULTON |                               | 0033          | 7/1/2017 11:11:36 PM  | 7/2/2017 9:02:26 AM   | 000-000-0000 |
| 2017 - 204663 | 98    | 5495 OLD NATIONAL HWY / GROWN<br>FOLKS CAFE                    | SOUTH FULTON |                               | 0033          | 7/2/2017 11:27:38 PM  | 7/3/2017 4:24:42 AM   | 000-000-0000 |
| 2017 - 204683 | 41    | 5495 OLD NATIONAL HWY / GROWN<br>FOLKS CAFE                    | SOUTH FULTON | 5495 OLD NATIONAL HWY         | MO12          | 0033                  | 7/3/2017 12:09:39 AM  | 7/3/2017 1   |
| 2017 - 205801 | 29    | 5495 OLD NATIONAL HWY / CROWES<br>NEST                         | SOUTH FULTON | 5495 OLD NATIONAL HWY         | LC CROW       | 0033                  | 7/4/2017 12:51:04 AM  | 7/4/2017 1   |
| 2017 - 207527 | 90B   | 5495 OLD NATIONAL HWY                                          | SOUTH FULTON |                               | 0033          | 7/5/2017 2:32:45 PM   | 7/5/2017 2:42:31 PM   | - -          |
| 2017 - 208453 | 87    | 5495 OLD NATIONAL HWY / 5495 ONH                               | SOUTH FULTON |                               | 0033          | 7/6/2017 10:58:06 AM  | 7/6/2017 11:02:12 AM  | - -          |
| 2017 - 210333 | 98    | 5495 OLD NATIONAL HWY / GROWN<br>FOLKS CAFE                    | SOUTH FULTON |                               | 0033          | 7/7/2017 11:08:06 PM  | 7/8/2017 4:47:20 AM   | 000-000-0000 |
| 2017 - 211231 | 98    | 5495 OLD NATIONAL HWY / GROWN<br>FOLKS CAFE                    | SOUTH FULTON |                               | 0033          | 7/8/2017 11:02:09 PM  | 7/9/2017 5:53:44 AM   | 000-000-0000 |
| 2017 - 211258 | 64    | 5495 OLD NATIONAL HWY / GROWN<br>FOLKS CAFE                    | SOUTH FULTON | 5495 OLD NATIONAL HWY         | RON           | 0033                  | 7/8/2017 11:35:46 PM  | 7/9/2017 AI  |
| 2017 - 217757 | 98    | 5495 OLD NATIONAL HWY / GROWN<br>FOLKS CAFE                    | SOUTH FULTON |                               | 0033          | 7/14/2017 11:10:55 PM | 7/15/2017 4:11:46 AM  | 000-000-0000 |
| 2017 - 217830 | 45    | 5495 OLD NATIONAL HWY / grow's nest                            | SOUTH FULTON |                               | 0033          | COURTNEY WATSON       | 7/15/2017 1:41:18 AM  | 7/15/2017 AI |
| 2017 - 219434 | 98    | 5495 OLD NATIONAL HWY / CROWES<br>NEST                         | SOUTH FULTON | 5570 OLD NATIONAL HWY<br>CELL | 0033          | 7/16/2017 11:08:30 PM | 7/17/2017 4:22:36 AM  | - -          |
| 2017 - 222397 | 29    | 5495 OLD NATIONAL HWY / COOL<br>SMILES                         | SOUTH FULTON | 5495 OLD NATIONAL HWY         | MRS. MCANDLER | 0033                  | 7/19/2017 2:14:41 PM  | 7/19/2017 PI |
| 2017 - 225198 | 98    | 5495 OLD NATIONAL HWY / CROWES<br>NEST                         | SOUTH FULTON |                               | 0033          | 7/21/2017 11:18:46 PM | 7/22/2017 4:00:55 AM  | - -          |
| 2017 - 225518 | 2     | 5495 OLD NATIONAL HWY Bldg C-3 /<br>HAROLDS CHICKEN SHACK      | SOUTH FULTON | 5495 OLD NATIONAL HWY         | VIVINT.M949   | 0033                  | 7/22/2017 11:19:40 AM | 7/22/2017 AI |
| 2017 - 226220 | 45    | 5495 OLD NATIONAL HWY / GROWN<br>FOLKS CAFE                    | SOUTH FULTON | 5570 OLD NATIONAL HWY<br>CELL | STEVEN COCKS  | 0033                  | 7/23/2017 1:42:04 AM  | 7/23/2017 AI |
| 2017 - 227144 | 2     | 5495 OLD NATIONAL HWY Apt STE A1 /<br>GROWN FOLKS              | SOUTH FULTON | 5495 OLD NATIONAL HWY         | ADT OPER WPO  | 0033                  | 7/24/2017 5:14:24 AM  | 7/24/2017 AI |
| 2017 - 227213 | 2     | 5495 OLD NATIONAL HWY Bldg 11-12 /<br>HAROLD CHICKEN & ICE BAR | SOUTH FULTON | 5495 OLD NATIONAL HWY         | MONL.SUSAN    | 0033                  | 7/24/2017 7:23:04 AM  | 7/24/2017 AI |
| 2017 - 227273 | 45    | 5495 OLD NATIONAL HWY / GROWN<br>FOLKS CAFE                    | SOUTH FULTON | 5570 OLD NATIONAL HWY<br>CELL | MR DANIEL     | 0033                  | 7/24/2017 8:31:25 AM  | 7/24/2017 AI |
| 2017 - 228067 | 90B   | 5495 OLD NATIONAL HWY / OLD                                    | SOUTH FULTON |                               | 0033          | 7/24/2017 8:49:02     | 000-000-0000          |              |



# COMMUNICATIONS

| Call Time     | Event ID   | Rpt #      | Street                 | Nature                   | Additional  |
|---------------|------------|------------|------------------------|--------------------------|-------------|
| 05/24/2018 08 | 2018147738 |            | 5495 OLD NATIONAL HWY  | 40 INVESTIGATE           | DIST: 475.8 |
| 05/24/2018 12 | 2018148175 |            | 5495-A1 OLD NATIONAL H | 2 ALARM (RECEIV          |             |
| 05/25/2018 09 | 2018149372 |            | 5495 OLD NATIONAL HWY  | 2 ALARM (RECEIV          |             |
| 05/25/2018 10 | 2018149473 |            | 5495-A8 OLD NATIONAL H | 90B BUSINESS CH          |             |
| 05/25/2018 23 | 2018150415 |            | 5495-B13 OLD NATIONAL  | 98 WORKING EXTR          |             |
| 05/26/2018 00 | 2018150454 | 2018203073 | 5495-B13 OLD NATIONAL  | 45 INVESTIGATE           | DIST: 364.3 |
| 05/26/2018 00 | 2018150465 |            | 5495 OLD NATIONAL HWY  |                          | GROWN FOLKS |
| 05/26/2018 00 | 2018150477 | 2018000171 | 5495-B13 OLD NATIONAL  | UNCO31DE                 |             |
| 05/26/2018 00 | 2018150478 |            | 5495-B13 OLD NATIONAL  | UNCO31DE                 |             |
| 05/26/2018 00 | 2018150479 | 2018013866 | 5495-B13 OLD NATIONAL  | UNCO31DE                 |             |
| 05/26/2018 00 | 2018150481 |            | 5495-B13 OLD NATIONAL  | UNCO31DE                 |             |
| 05/26/2018 00 | 2018150491 | 2018203074 | 5495-B13 OLD NATIONAL  | UNCO31DE                 |             |
| 05/26/2018 01 | 2018150516 | 2018203075 | 5495-B13 OLD NATIONAL  | 45 INVESTIGATE           | DIST: 372.6 |
| 05/26/2018 02 | 2018150579 | 2018203079 | 5495-B13 OLD NATIONAL  | 90B BUSINESS CH          |             |
| 05/26/2018 02 | 2018150586 | 2018203078 | 5495-A8 OLD NATIONAL H | 25 DISCHARGING           |             |
| 05/26/2018 03 | 2018150614 |            | 5495-9 OLD NATIONAL HW | 29 FIGHT OR DOM          | DIST: 632.8 |
| 05/27/2018 16 | 2018152221 |            | 5495 OLD NATIONAL HWY  | 2 ALARM (RECEIV          | GROWN FOLKS |
| 05/28/2018 00 | 2018152693 |            | 5495-B11B12 OLD NATION | 37 ILLEGAL PARK SUIT C-3 |             |
| 05/28/2018 03 | 2018152759 |            | 5495-B13 OLD NATIONAL  |                          | DIST: 588.3 |
| 05/28/2018 04 | 2018152786 |            | 5495 OLD NATIONAL HWY  | 45 INVESTIGATE           | GROWN FOLKS |
| 05/30/2018 16 | 2018155975 |            | 5495-A1 OLD NATIONAL H | 2 ALARM (RECEIV          | STE A1      |
| 06/01/2018 17 | 2018159060 |            | 5495 OLD NATIONAL HWY  | 2 ALARM (RECEIV          | SUITE A1    |
| 06/01/2018 23 | 2018159397 |            | 5495 OLD NATIONAL HWY  | 98 WORKING EXTR          |             |
| 06/04/2018 03 | 2018161643 | 2018203516 | 5495 OLD NATIONAL HWY  | 71 PUBLIC INDEC          | GROWN FOLKS |
| 06/09/2018 03 | 2018168398 | 2018203773 | 5495-B13 OLD NATIONAL  | 45 INVESTIGATE           |             |
| 06/15/2018 05 | 2018175767 |            | 5495 OLD NATIONAL HWY  | 2 ALARM (RECEIV          | STE B10     |

|            |    |            |                                                   |             |
|------------|----|------------|---------------------------------------------------|-------------|
| 06/17/2018 | 03 | 2018178094 | 5495 OLD NATIONAL HWY                             | DIST: 393.5 |
| 06/19/2018 | 23 | 2018181345 | 5495-A8 OLD NATIONAL H 90B BUSINESS CH            |             |
| 06/25/2018 | 05 | 2018187403 | 5495 OLD NATIONAL HWY 2 ALARM (RECEIV GROWN FOLKS |             |
| 06/25/2018 | 08 | 2018187528 | 5495 OLD NATIONAL HWY 29 FIGHT OR DOM COOL SMILES |             |
| 06/26/2018 | 16 | 2018189402 | 5495 OLD NATIONAL HWY 2 ALARM (RECEIV             |             |
| 06/26/2018 | 20 | 2018189617 | 5495-103 OLD NATIONAL 43 INVESTIGATE              | DIST: 333.8 |
| 06/29/2018 | 08 | 2018192855 | 5495-B11B12 OLD NATION TRAUM30A                   | DIST: 298.0 |
| 06/29/2018 | 08 | 2018192856 | 5495-B11B12 OLD NATION TRAUM30A                   | DIST: 298.0 |
| 07/02/2018 | 05 | 2018195920 | 5495 OLD NATIONAL HWY 2 ALARM (RECEIV             |             |
| 07/02/2018 | 14 | 2018196555 | 5495-A8 OLD NATIONAL H 87 TRAFFIC STOP            |             |

2018002322





Main Event Type Codes

Suffix "G" denotes "Go To"  
\*No longer in use  
\*\*Medical Call used with NAEEMD

- |                                                  |                                            |                                                    |
|--------------------------------------------------|--------------------------------------------|----------------------------------------------------|
| Abandoned Vehicle                                | 31. Electrical Wires Down                  | 61. Money Transfer                                 |
| Alarm (received from alarm co.)                  | 32. Escaped Prisoner                       | 62. O.B. Pregnancy Call**                          |
| Alarm Ringing (audible)                          | 33. Fire (specify type)                    | 63. OFFICER NEEDS HELP                             |
| Ambulance                                        | 34. Gambling                               | 64. Panhandling                                    |
| Breaking Street Lights                           | 35. Call Palmetto Precinct                 | 65. PBA Alarm (Private Business/Drill in Progress) |
| Burglar in House                                 | 36. Hold Up in Progress                    | 66. Peeping Tom                                    |
| Burglar in Business/School /TLD Sch. Lockdown    | 37. Illegal Parking                        | 67. Person Down**                                  |
| Call North Precinct*                             | 38. Illegal Whiskey or Drugs               | 68. Person Screaming                               |
| Call South Precinct                              | 39. Information for Officer                | 69. Person Armed                                   |
| Call Chief of Police                             | 40. Investigate or Kill Animal             | 70. Prowler                                        |
| Call Northeast Precinct*                         | 41. Investigate Auto Accident              | 71. Public Indecency                               |
| Call Home                                        | 42. Investigate Burglary                   | 72. Reckless Driving/Speeding                      |
| Call Major Case Division                         | 43. Investigate Hit & Run (Vehicle)        | 73. Rush Call                                      |
| Call Records & ID Section                        | 44. Investigate Hold Up                    | 74. Selling Beer or Liquor on Sunday               |
| Call Emergency Communications                    | 45. Investigate Larceny                    | 75. Shooting Air Rifle                             |
| Cancel Present Call                              | 46. Investigate Person Hit By Automobile** | 76. Sick Call**                                    |
| Switch Radio Channels                            | 47. Investigate Person Injured**           | 77. Snatch Theft                                   |
| Call Radio Shop                                  | 48. Investigate Person Dead**              | 78. Description (Stand by for Lookout)             |
| Call South Magistrate Court                      | 49. Investigate Person Raped**             | 79. Stealing Auto or From Auto                     |
| Call North Magistrate Court*                     | 50. Investigate Person Shot**              | 80. Stray Animal School/Building                   |
| Call Cascade Road Precinct                       | 51. Investigate Person Stabbed**           | 81. Street or Sidewalk Obstruction                 |
| Vandalism or Malicious Mischief                  | 52. Recovered Stolen Goods (GCIC)          | 82. Wagon Call (Jail Run)                          |
| Disorderly Children                              | 53. Investigate Suicide or Attempt         | 83. Wanted Person Located (GCIC)                   |
| Demented Person                                  | 54. Investigate Suspicious Person or Veh   | 84. Work Traffic                                   |
| Discharging Firearms                             | 55. Investigate Trouble Unknown            | 85. Wrecker Needed or En route                     |
| Discharging Fireworks                            | 56. Lost Person or Child                   | 86. Bomb Threat                                    |
| Dog(s) Barking                                   | 57. Loud Party or Music                    | 87. Traffic Stop                                   |
| Intoxicated Person                               | 58. Man Beating Woman                      | 88. Call DUI Task Force                            |
| Fight or Domestic Dispute/29CT Criminal Trespass | 59. Meet Officer (Law Enforcement)         | 89. Welfare Check                                  |
| Drunk in Automobile                              | 60. Molestation                            | 90. (B,M,R) Busn/Resd/Marta Welfare Check          |
|                                                  |                                            | 98. Part Time/Extra Job                            |

Full in Disposition Codes

- |                |                        |                               |
|----------------|------------------------|-------------------------------|
| 1e on: Arrival | 4-Miscellaneous Report | 11-Officer Needs Assistance   |
| founded        | 5-Incident Report      | 12-False Alarm                |
| Action Taken   | 6-Accident Report      | 26-Arrived On Scene           |
|                |                        | 40-OFFICER BEING HELD HOSTAGE |





EXPIRATION DATE:  
September 3, 2018

The City of South Fulton, Georgia  
Business License Department  
(NON-TRANSFERABLE)

DATE ISSUED:  
July 3, 2018

ACCOUNT NUMBER: BA18-

**CONSUMPTION ON THE PREMISE— WINE/MALT/DISTILLED SPIRITS**

# TEMPORARY LICENSE

FOR OPERATION IN THE CITY OF SOUTH FULTON AREA  
VALID ONLY FOR BUSINESS LISTED BELOW  
SUBJECT TO ZONING RESTRICTIONS AND ALL  
OTHER RESOLUTIONS OF THE CITY COUNCIL  
ISSUED BY:

Community Development Services  
BUSINESS LICENSE DEPARTMENT  
5440 FULTON INDUSTRIAL BOULEVARD  
ATLANTA, GA. 30336

**VALID ONLY FOR BUSINESS LISTED BELOW**

Harold's Chicken and Ice Bar Old National  
5495 Old National Hwy Ste. B11/B12  
Tarryn L. Rutherford (LICENSEE)  
College Park, GA 30349

**POST IN A CONSPICUOUS LOCATION**



EXPIRATION DATE:  
September 3, 2018

The City of South Fulton, Georgia  
Business License Department  
(NON-TRANSFERABLE)

DATE ISSUED:  
July 3, 2018

ACCOUNT NUMBER: BA06-0081

**CONSUMPTION ON THE PREMISE— WINE/MALT/DISTILLED SPIRITS**

# TEMPORARY LICENSE

FOR OPERATION IN THE CITY OF SOUTH FULTON AREA  
VALID ONLY FOR BUSINESS LISTED BELOW  
SUBJECT TO ZONING RESTRICTIONS AND ALL  
OTHER RESOLUTIONS OF THE CITY COUNCIL

ISSUED BY: Community Development Services  
Business License Department  
5440 FULTON INDUSTRIAL BOULEVARD  
ATLANTA, GA. 30336

**VALID ONLY FOR BUSINESS LISTED BELOW**

Harold's Chicken and Ice Bar Old National  
5495 Old National Hwy Ste. B11/B12  
Tarryn L. Rutherford (LICENSEE)  
College Park, GA 30349

**POST IN A CONSPICUOUS LOCATION**

City of South Fulton | September 11, 2018



# CITY OF SOUTH FULTON - OCCUPATIONAL TAX CERTIFICATE

COSF Business License  
5440 Fulton Industrial Blvd  
Atlanta, GA 30331



**License Id:** 18000100  
**Effective Date:** 02/16/18  
**License Type:** Full-Service Restaurants

**Issued Date:** 02/16/18  
**Expiration Date:** 12/31/18

**Business Name:** Harold's Chicken & Ice Bar  
**Business Location:** 5495 Old National Hwy

Harold's Chicken & Ice Bar

Tarryn Rutherford  
5495 Old National Hwy  
Unit B11/12  
College Park, GA 30349

## 2018

NON-TRANSFERABLE

TO BE PLACED IN A CONSPICUOUS PLACE

**License Id:** 18000100  
**Effective Date:** 02/16/18  
**License Type:** Full-Service Restaurants

**Issued Date:** 02/16/18  
**Expiration Date:** 12/31/18

## 2018

**Business Name:** Harold's Chicken & Ice Bar  
**Business Location:** 5495 Old National Hwy

Harold's Chicken & Ice Bar

Tarryn Rutherford  
5495 Old National Hwy  
Unit B11/12  
College Park, GA 30349

# FILE COPY



Application acts as temporary license for 30 days.

From Date: 2/15/18

Official Signature: Damian E. Hill

**TEMPORARY BUSINESS LICENSE  
CITY OF SOUTH FULTON  
DEPARTMENT OF FINANCES  
(NON-TRANSFERABLE)**

(2018)

**DATE:** FEBRUARY 15, 2018

**BUSINESS NAME:** HAROLDS CHICKEN AND ICE BAR OLD  
NATIONAL

**NAICS CODE:** 722110

**DESCRIPTION OF BUSINESS:** FULL SERVICE RESTAURANTS

SIGNATURE

## Public Notice Order Confirmation

Ad Order # 0000341205 PO # Ordered By Detective Parlrena Smith  
Account # 9035933 Name CITY OF SOUTH FULTON Address 5539 OLD NATIONAL HWY, ATLANTA, GA 30349  
Phone 470-809-7320 Fax Email

### Daily Report

Placement: Business Position: Alcoholic Beverage License County:  
Run Dates: 08/30, 08/31 # of Ins: 2 Ad Size: 62 Words  
Subject: Harold's Chicken & Ice Bar

| Gross Amount | Affidavit Fee | Amount Due |
|--------------|---------------|------------|
| 500.00       | 5.00          | 505.00     |

Ad Text

Corrections

Please review and provide corrections as needed.

HAROLD'S CHICKEN & ICE BAR OLD NATIONAL  
WHOSE OWNER/LICENSEE TARRYN L.  
RUTHERFORD HAS APPLIED TO THE CITY OF  
SOUTH FULTON,CITY COUNCIL FOR CONSUMP-  
TION ON THE PREMISE SALE OF BEER/  
WINE/DISTILLED SPIRITS AT 5495 OLD NATIONAL  
HWY., ATL. GA 30349 HEARING TO BE HELD IN  
THE SOUTH FULTON SERVICE CENTER AUDITORI-  
UM AT 5600 STONEWALL TELL RD., ATL. GA.30349  
ON 9/11/2018 AT 7 P.M.  
#0000341205:8/30-2KM

|                        |              |                       |  |
|------------------------|--------------|-----------------------|--|
| Payment By Credit Card |              | () Visa () MC () Amex |  |
| Credit Card #:         | Exp. Date: / | Security Code:        |  |
| Card Holder Name:      | Signature:   | Pmt Amount:           |  |



**CITY OF SOUTH FULTON**

**COUNCIL AGENDA ITEM**

**COUNCIL REGULAR MEETING**



**SUBJECT:** Res2018-058 Adopt FY2019 Budget

**DATE OF  
MEETING:** 9/11/2018

**DEPARTMENT:** Finance

---



**CITY OF SOUTH FULTON**

**COUNCIL AGENDA ITEM**

**COUNCIL REGULAR MEETING**



**SUBJECT:** Ord2018-034 Human Trafficking

**DATE OF MEETING:** 9/11/2018

**DEPARTMENT:** Attorney

---

**ATTACHMENTS:**

| Description                     | Type       | Upload Date |
|---------------------------------|------------|-------------|
| Ord2018-034 - Human Trafficking | Cover Memo | 9/6/2018    |



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

5 **ORDINANCE NO 2018-034**  
6

7 **AN ORDINANCE AMENDING TITLE 12, LICENSES, PERMITS AND BUSINESS**  
8 **REGULATIONS, OF THE CITY CODE OF ORDINANCES TO DISCOURAGE HUMAN**  
9 **TRAFFICKING, PRESERVE THE HEALTH AND WELFARE OF THE CITY AND FOR**  
10 **OTHER LAWFUL PURPOSES.**  
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**, O.C.G.A. § 16-5-47 requires the posting of model notices in certain  
21 locations and establishments to enable persons who are subject of human trafficking to  
22 obtain help and services;  
23

24 **WHEREAS**, those locations and establishments specified in the law include adult  
25 entertainment establishments, bars, and hotels, which may be inspected and regulated  
26 for health, safety and other lawful purposes by the City;  
27

28 **WHEREAS**, the failure of subject establishments to post the National Human  
29 Trafficking Resource Center hotline number is a misdemeanor under O.C.G.A. § 16-5-  
30 47, punishable by a fine of not more than \$500.00;  
31

32 **WHEREAS**, the City Council is empowered by City Charter Section 1.12(13) "to  
33 define, regulate, and prohibit any act, practice, conduct, or use of property which is  
34 detrimental to the health, sanitation, cleanliness, welfare, and safety of the inhabitants  
35 of the city and to provide for the enforcement of such standards;"  
36

37 **WHEREAS**, the human trafficking creates conditions detrimental to the health  
38 welfare and safety of the inhabitants of the City;  
39

40 **WHEREAS**, City employees enter upon the premises of adult entertainment  
41 establishments, bars, hotels, and restaurants from time to time in order to inspect  
42 compliance with permitting and other City and regulatory requirements; and  
43

44 **WHEREAS**, the City desires to safeguard and promote the public health, safety,  
45 and general welfare of all citizens through the adoption of this Resolution.  
46

47       **THE MAYOR AND COUNCIL OF THE CITY OF SOUTH FULTON HEREBY**  
48 **ORDAINS** as follows:

49  
50       **Section 1:** The City of South Fulton Code of Ordinances, Title 12, Licenses,  
51 Permits and Business Regulations, is hereby amended by creating a new Chapter 2,  
52 Human Trafficking Notice Requirements, which shall read as follows:

53  
54 **TITLE 12 – LICENSES, PERMITS AD BUSINESS REGULATIONS**

55  
56 **CHAPTER 2 –HUMAN TRAFFICKING NOTICE REQUIREMENTS**

57  
58 **Sec. 12-2001. Posting model notice to enable persons who are subject of human**  
59 **trafficking to obtain health and services.**

60  
61 (a) **Definitions.** As used in this Chapter section, the term:

62  
63       (1) "Adult entertainment establishment" means any place of business or commercial  
64 establishment wherein:

65  
66       (A) The entertainment or activity therein consists of nude or substantially nude  
67 persons dancing with or without music or engaged in movements of a sexual  
68 nature or movements simulating sexual intercourse, oral copulation, sodomy,  
69 or masturbation;

70  
71       (B) The patron directly or indirectly is charged a fee or required to make a purchase  
72 in order to view entertainment or activity which consists of persons exhibiting  
73 or modeling lingerie or similar undergarments; or

74  
75       (C) The patron directly or indirectly is charged a fee to engage in personal contact  
76 by employees, devices, or equipment, or by personnel provided by the  
77 establishment.

78  
79 Such term shall include, but shall not be limited to, bathhouses, lingerie modeling studios,  
80 and related or similar activities. Such term shall not include businesses or commercial  
81 establishments which have as their sole purpose the improvement of health and physical  
82 fitness through special equipment and facilities, rather than entertainment.

83  
84       (2) "Agricultural products" means raising, growing, harvesting, or storing crops;  
85 feeding, breeding, or managing livestock, equine, or poultry; producing or storing  
86 feed for use in the production of livestock, including, but not limited to, cattle,  
87 calves, swine, hogs, goats, sheep, equine, and rabbits, or for use in the production  
88 of poultry, including, but not limited to, chickens, hens, ratites, and turkeys;  
89 producing plants, trees, Christmas trees, fowl, equine, or animals; or producing

aquacultural, horticultural, viticultural, silvicultural, grass sod, dairy, livestock, poultry, egg, and apiarian products.

(3) "Bar" means an establishment that is devoted to the serving of alcoholic beverages for consumption by guests on the premises and in which the serving of food is only incidental to the consumption of those beverages, including, but not limited to, taverns, nightclubs, cocktail lounges, and cabarets.

(4) "Day hauler" means any person who is employed by a farm labor contractor to transport, or who for a fee transports, by motor vehicle, workers to render personal services in connection with the production of any farm products to, for, or under the direction of a third person; provided, however, that such term shall not include a person who produces agricultural products.

(5) "Farm labor contractor" means any person who, for a fee, employs workers to render personal services in connection with the production of any farm products to, for, or under the direction of a third person, or who recruits, solicits, supplies, or hires workers on behalf of an employer engaged in the growing or producing of farm products, and who, for a fee, provides in connection therewith one or more of the following services: furnishes board, lodging, or transportation for those workers; supervises, times, checks, counts, weighs, or otherwise directs or measures their work; or disburses wage payments to such persons; provided, however, that such term shall not include a person who produces agricultural products.

(5.1) "Government building with public access" means a building or portion of a building owned or leased by the City.

(6) "Hotel" means any hotel, inn, or other establishment which offers overnight accommodations to the public for hire.

(7) "Food service establishment" means any public or private establishment which prepares and serves meals, lunches, short orders, sandwiches, frozen desserts, or other edible products directly to the consumer either for carry out or service within the establishment. The term includes restaurants; coffee shops; cafeterias; short order cafes; luncheonettes; taverns; lunchrooms; places which retail sandwiches or salads; itinerant restaurants; industrial cafeterias; catering establishments; and similar facilities by whatever named called, except those food service establishments that do not offer public restroom facilities shall be exempt from this Chapter.

(8) "Massage therapist" means a person licensed pursuant to Chapter 24A of Title 43 of the Official Code of Georgia.

(9) "Primary airport" shall have the same meaning as set forth in 49 U.S.C. Section 47102(16).

(10) "Substantially nude" means dressed in a manner so as to display any portion of the female breast below the top of the areola or displaying any portion of any person's pubic hair, anus, cleft of the buttocks, vulva, or genitals.

(11) "Truck stop" means a privately owned and operated facility that provides food, fuel, shower or other sanitary facilities, and lawful overnight truck parking.

(b) **Businesses Required to Post Notice.** The following businesses and other establishments shall post the notice described in subsection (c) of this Chapter, or a substantially similar notice, in English, Spanish, and any other language deemed appropriate by the director of the Georgia Bureau of Investigation, in each public restroom for the business or establishment and either in a conspicuous place near the public entrance of the business or establishment or in another conspicuous location in clear view of the public and employees where similar notices are customarily posted:

(1) Adult entertainment establishments;

(2) Bars;

(3) Primary airports;

(4) Passenger rail or light rail stations;

(5) Bus stations;

(6) Truck stops;

(7) Emergency rooms with general acute care hospitals;

(8) Urgent care centers;

(9) Farm labor contractors and day haulers;

(10) Privately operated job recruitment centers;

(11) Safety rest areas located along interstate highways in this City;

(12) Hotels;

(13) Food service establishments;

(14) Businesses and establishments that offer massage or bodywork services

by a person who is not a massage therapist; and

(15) Government buildings; provided, however, that in the case of leased property, this paragraph shall only apply to public restrooms that are a part of such lease for exclusive use by the City.

(c) The model notice shall be downloaded from the Georgia Bureau of Investigation's Internet website. Such notice shall be at least 8 ½ inches by 11 inches in size and

174 printed in a 16 point font in English, Spanish, and any other language that has been  
175 deemed appropriate by the director of the Georgia Bureau of Investigation. Such  
176 model notice shall provide information giving individuals a method to contact the  
177 National Human Trafficking Hotline and the Statewide Georgia Hotline for Domestic  
178 Minor Trafficking.

179  
180 (d) (1) A law enforcement officer shall notify, in writing, any business or establishment  
181 that has failed to comply with this Chapter that it has failed to comply with the  
182 requirements of this Chapter and if it does not correct the violation within 30 days from  
183 the date of receipt of the notice, the owner of such business or establishment shall be  
184 charged with a violation of this Chapter and may be punished by a fine of not more  
185 than \$500.00 for the first offense; but the provisions of Chapter 11 of Title 17 of the  
186 Official Code of Georgia and any other provision of law to the contrary  
187 notwithstanding, the costs of such prosecution shall not be taxed nor shall any  
188 additional penalty, fee, or surcharge to a fine for such offense be assessed against an  
189 owner for conviction thereof. Upon a second or subsequent conviction within a one  
190 year period, the owner shall be punished by a fine not to exceed \$1,000.00. The notice  
191 required by this subsection may be hand delivered to the noncomplying business or  
192 establishment or mailed to it at the address of such business or establishment.

193  
194 (2) This subsection shall not apply to the City.  
195  
196

197 \*\*\*\*\*  
198

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

203 (b) To the greatest extent allowed by law, each and every section, paragraph, sentence,  
204 clause or phrase of this Ordinance is severable from every other section, paragraph,  
205 sentence, clause or phrase of this Ordinance. No section, paragraph, sentence, clause  
206 or phrase of this Ordinance is mutually dependent upon any other section, paragraph,  
207 sentence, clause or phrase of this Ordinance.

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



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

217        **Section 4.** The effective date of this Ordinance shall be the date of adoption unless  
218 provided otherwise by the City Charter or state and/or federal law.  
219

220        **Section 5. *Instruction to City Clerk.*** Unless vetoed, the City Clerk is hereby directed  
221 to forward a copy of this ordinance to the Chief of Police and Municipal Court Judge(s),  
222 Solicitor(s) and Public Defender(s).  
223

224 The foregoing **ORDINANCE No. 2018-034**, adopted on \_\_\_\_\_ was  
225 offered by Councilmember \_\_\_\_\_, who moved its approval. The motion was  
226 seconded by Councilmember \_\_\_\_\_, and being put to a vote, the result was  
227 as follows:

228  
229 **“SECOND READING”**

|     |                               |       |       |
|-----|-------------------------------|-------|-------|
| 230 |                               |       |       |
| 231 |                               |       |       |
| 232 |                               |       |       |
| 233 |                               | AYE   | NAY   |
| 234 | William “Bill” Edwards, Mayor | _____ | _____ |
| 235 | Mark Baker, Mayor Pro Tem     | _____ | _____ |
| 236 | Catherine Foster Rowell       | _____ | _____ |
| 237 | Carmalitha Lizandra Gumbs     | _____ | _____ |
| 238 | Helen Zenobia Willis          | _____ | _____ |
| 239 | Gertrude Naeema Gilyard       | _____ | _____ |
| 240 | Rosie Jackson                 | _____ | _____ |
| 241 | khalid kamau                  | _____ | _____ |

242  
243  
244

THIS ORDINANCE adopted this \_\_\_\_\_ day of \_\_\_\_\_ 2018. CITY OF SOUTH  
FULTON, GEORGIA.

**“SECOND READING”**

\_\_\_\_\_  
WILLIAM “BILL” EDWARDS, MAYOR

ATTEST:

\_\_\_\_\_  
MARK MASSEY, CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
EMILIA C. WALKER, CITY ATTORNEY



**CITY OF SOUTH FULTON**

**COUNCIL AGENDA ITEM**

**COUNCIL REGULAR MEETING**



**SUBJECT:** Ord2018-037 Procurement Policies

**DATE OF MEETING:** 9/11/2018

**DEPARTMENT:** Attorney

---

**ATTACHMENTS:**

| Description                      | Type       | Upload Date |
|----------------------------------|------------|-------------|
| Ord2018-037 Procurement Policies | Cover Memo | 9/7/2018    |

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

5 ORDINANCE NO. 2018-037  
6

7 AN ORDINANCE PROVIDING PROCUREMENT POLICIES AND FOR OTHER  
8 LAWFUL PURPOSES.  
9

10 (Sponsored by Councilwoman Willis and Jackson)  
11

12 WHEREAS, the City of South Fulton ("City") is a municipal corporation duly  
13 organized and existing under the laws of the State of Georgia;  
14

15 WHEREAS, the duly elected governing authority of the City is the Mayor and  
16 Council thereof ("City Council");  
17

18 WHEREAS, Section 6.31 of the City Charter authorizes the City Council to  
19 "prescribe procedures for a system of centralized purchasing for the City";  
20

21 WHEREAS, the City wishes to prescribe such procedures by way of this  
22 Ordinance; and  
23

24 WHEREAS, the City desires to safeguard and promote the public health, safety,  
25 and general welfare of all citizens through the adoption of this Ordinance.  
26

27 THE MAYOR AND COUNCIL OF THE CITY OF SOUTH FULTON HEREBY  
28 ORDAINS as follows:  
29

30 Section 1: The City of South Fulton Code of Ordinances, Title 1, Administration,  
31 is hereby revised by adding the following new sections to Chapter 9, Purchasing,  
32 contracting and Disposition of Property, which shall read as follows:  
33

34 TITLE 1 – ADMINISTRATION  
35

36 CHAPTER 9. - PURCHASING, CONTRACTING AND DISPOSITION OF PROPERTY.  
37

38 Sec. 1-9004. Purchasing, Generally.  
39

40 A. Title. This chapter shall be known as the City "Purchasing Ordinance."  
41

42 B. Purpose. The purpose of this Ordinance is to:  
43

- 44 1. Provide a uniform system for procurement;
- 45 2. Ensure a system of quality and integrity in procurement;



3. Simplify, clarify, and modernize methods for governing procurement, encouraging advance planning, reducing small purchases and/or emergency purchases, and reducing paperwork where feasible;
4. Maximize open and fair competition, assuring the best value is received for the tax dollars expended;
5. Obtain the best value for the usage of public funds, taking into consideration such factors as, but not limited to, product safety, environmental impact, total cost of ownership, product performance, compatibility issues, and availability of goods/services;
6. Encourage the use of environmentally preferable and economically sustainable goods and services to reduce the City's environmental impact;
7. Enhance public confidence in the City's procurement;
8. Promote the fair and ethical treatment of all suppliers of goods/services;
9. Encourage active participation by local and locally owned businesses; and
10. Encourage active participation of all the nation's diverse human and business resources.

**C. Exceptions.** This Ordinance shall not apply where:

1. A good is available from only one (1) source or supply, or when standardization or compatibility is the overriding consideration.
2. The purchase is pursuant to a contract with:
  - a. the United States of America or an agency thereof or
  - b. any government unit or agency thereof within the United States for the purchase, lease, or other acquisition of goods.
3. The purchase is regulated by Federal and State laws, i.e., O.C.G.A §36-91-1, *et seq.*;
4. An emergency exists in any capacity involving the health and safety of the City, including City residents, property, businesses and visitors; or
5. The purchase is for:
  - a. Land, artistic work, or other goods whose inherent nature is unique and cannot be competitively compared to other goods within its class.
  - b. Printed copyright material including published books, maps, periodicals and technical pamphlets (not including software for computer systems), except where a greater savings can be realized by a quantity purchase.
  - c. Real property, real estate brokerage and appraising, abstract of titles for real property, title insurance for real property and other related costs of acquisition of real property.
  - d. Subscriptions, dues, and memberships and board member fees established during the budget process.
  - e. services provided directly to individual citizens and employees including reimbursements and other miscellaneous payments.
  - f. Utilities, including but not limited to electricity and telephone service.
  - g. Employee benefits and health related services procured through a quotation and negotiating process conducted by an expert in the field, or to maintain continuity of employee-health records.

- h. Travel, conferences, training, speakers, instructors, facilitators, and meeting expenses, or other expenditures covered by another City policy.
- i. Items for resale that require a particular manufacturer to enhance their marketability.
- j. Legal advertisements.
- k. Legal services, litigation, and legal expenses.
- l. goods or services required for confidential and secure investigations, apprehensions and detentions of individuals suspected of or convicted of criminal offenses by law enforcement personnel.
- m. Persons appointed by the mayor and council pursuant to the City Charter.
- n. Seized property included in a Court Order authorizing disposal.

#### **D. Ethics in Purchasing.**

1. *Prohibitions.* All City employees, officials, or agents shall comply with the prohibitions of City Charter Section 2.15 when participating in the solicitation for a procurement contract. Disciplinary actions may be taken against employees for violating these requirements as set forth in City Human Resources Policies and Procedures and other City ordinances, policies and regulations.
2. *Gratuities.* It shall be unethical for any person to offer, give, or agree to give any City employee, official, or agent, or for any City employee, official, or agent to solicit, demand, accept, or agree to accept from another person, a gratuity, rebate or gift as an inducement for any award, decision or action under this Ordinance. It shall further be unethical for any person involved with procurement under this Ordinance to act in any manner inconsistent with the State of Georgia's Department of Administrative services Gratuity Policy.
3. *Kickbacks.* It shall be unethical for any payment, gratuity, or offer of employment to be made by or on behalf of a subcontractor under a contract to the prime contractor or higher tier subcontractor, or any person associated therewith, as an inducement for the award of a subcontract and/or order involving a City contract. Additionally, an official, employee, or agent shall not accept free travel from the vendor outside the state of Georgia or free lodging in or out of the state of Georgia.
4. *Rebates.* It shall be unethical for any rebate to be offered for the sole purpose of inducement of a City contract or procurement action. Rebates normally or routinely offered to all customers for the purchase of their goods and services are acceptable and are the property of the City of South Fulton.
5. *Permissive Conduct.* Nothing in this Ordinance shall preclude an official, employee or agent of the City from:
  - a. Engaging in conduct authorized under State regulations and law, including election and campaign laws.

- 138 b. Attending seminars, courses, lectures, briefings, or similar functions at any  
139 vendor's facility or at any other place if any such seminar, course, lecture,  
140 briefing, or similar function is for the purpose of furnishing the official,  
141 employee, or agent with knowledge and information relative to their official  
142 duties. In connection with any such seminar, course, lecture, briefing, or  
143 similar function, nothing shall preclude the official, employee, or agent from  
144 receiving meals from a vendor.
- 145 c. Receiving educational materials and business related items of nominal value  
146 from a Vendor such as free samples, pens, cups, or notepads.

147  
148 **E. Disclaimer of Responsibility for Improper Purchasing.** The City may disclaim  
149 responsibility and liability for any purchase, expenditure, or agreement for  
150 expenditure arising from a purchase made in its name, or in the name of any  
151 governmental body under its authority, by an unauthorized person or any person  
152 acting outside this Ordinance or the authorization or delegation as provided in this  
153 Ordinance. The expense of any such disclaimed transaction will become the  
154 personal liability of the individual who acted improperly.

155  
156 **F. Quiet Period.**

- 157  
158 1. *Contact by Vendor.* No person or business entity responding to a request for bids  
159 or proposals shall initiate or continue any verbal or written communication  
160 regarding such request with any City officer, elected official, employee, or  
161 designated City representative, between the date such business and/or person  
162 received and/or had knowledge of the solicitation through the date of the  
163 Purchasing Manager's recommendation to the City Council for award of the  
164 subject contract, except for communications with the Purchasing Manager, City  
165 Manager and City Attorney, or as may otherwise be specifically authorized by the  
166 terms and conditions of the request for bids or proposals.
- 167 2. *Prohibited Contact by City.* Between the date of the issuance of any request for  
168 bids or proposals for City contracts and the date of the Purchasing Manager's  
169 recommendation to the City Council for award of such contract, no City officer,  
170 elected official, employee, or designated City representative, except in the course  
171 of carrying out legal and official duties in connection with this section, shall  
172 initiate or continue any verbal or written communications regarding the  
173 solicitation with any person, firm or business entity, who the officer, elected  
174 official, employee, or representative knows or should have known has obtained a  
175 copy of the solicitation and either has submitted or may submit a bid or proposal.  
176 To help ensure compliance, the day prior to the issuance of each solicitation of  
177 bids or proposals, the purchasing agent shall notify the City Council, the City  
178 Manager, the head of each involved user department, of the subject matter and  
179 intended issuance date of the solicitation.
- 180 3. This Ordinance shall not be construed to prohibit communication with a vendor  
181 which is unrelated to a pending request for bids or proposals. If determined by  
182 the City that a vendor communication has compromised the competitive process,

the offer submitted by the individual, firm or business may be disqualified from consideration for award.

## **G. Freedom of Information.**

Interested persons shall have access to information regarding procurement transactions of the City of South Fulton in accordance with State law, including the Georgia Open Records Act, O.C.G.A. §50-18-70 et seq. All meetings of the City's Council are duly noticed public meetings and all documents submitted to the City as a part of or in connection with a proposal may constitute public records under Georgia law regardless of any person's claim that proprietary or trade secret information is contained therein. Proposals and all related correspondence are governed by the Georgia Open Records Act and shall be provided to anyone properly requesting same, after contract award. The City cannot protect proprietary data submitted in vendor proposals unless required by law. In the event the proposer deems certain information to be exempt from the disclosure requirements, the proposal must provide the Purchasing Manager and City Attorney an exemption statement identifying what content is considered exempt, with citation to the applicable provision of the law supporting such assessment.

## **H. Definitions.**

For purposes of this manual, the following terms, phrases, words, and their derivations shall have the meanings given herein.

1. Addendum: A change, clarification or correction in the solicitation documents.
2. Annual contract: An agreement or contract, typically for a specified duration, between a supplier and the City, to furnish goods or services usually of an indefinite quantity and delivery schedule, at unit prices provided for under the terms of the contract. Also known as a term contract, annual agreement or requirements contract.
3. Agent: An official, employee, contracted or subcontracted person who is authorized to act on behalf of the City of South Fulton and represent their interests. The City Manager is the official Purchasing Agent for the City.
4. Appeal: A specific written objection by an interested person to a request for qualifications, a request for quotations, an invitation for bid, an invitation to negotiate, a request for proposal, or an award or proposed award of a contract.
5. Apparent low bidder: Vendor that submits the lowest monetary bid.
6. Bid: An offer submitted in response to public notice of an intended sale or purchase.
7. Bid bond: A bond that legally binds the bidder to execute a contract and to provide required post award documents, such as a certificate of insurance and/or performance and payment bonds, or forfeit the amount of the bond.
8. Bidder: One who submits an offer in response to public notice of an intended sale or purchase.
9. Bid opening: The act of publicly opening the bid envelopes and making the bids available for public inspection.

- 229 10. Bond: A form of financial protection against damages; a binding agreement  
230 executed by a bidder or vendor and another party to guarantee the performance  
231 of certain obligations or duties to the purchaser.
- 232 11. Buyer: Purchaser; the buying agency or government.
- 233 12. Buying cooperative or alliance: A group of public entity purchasers organized for  
234 the purpose of creating contracts or pricing agreements in order to take  
235 advantage of group or quantity buying discounts or special pricing from which  
236 members of the group can benefit.
- 237 13. Capital asset: A purchase of land, equipment, infrastructure, buildings, or  
238 improvements with a value of or greater than \$5,000.00 with at least a two (2)  
239 year useful life as defined by the Capital Asset Policy.
- 240 14. Capital expenditure: An expenditure that results in the acquisition of or an  
241 addition to a capital asset.
- 242 15. Centralized purchasing: The system under which the Finance Department and  
243 Purchasing Department are authorized to enter into contracts for goods and  
244 services on behalf of the City.
- 245 16. Change order/amendment: An agreed upon addition to, deletion from, correction  
246 or modification of a contract.
- 247 17. City: The City of South Fulton, Georgia
- 248 18. City Chief Financial Officer (Treasurer): The City Treasurer.
- 249 19. Commodities: Supplies, apparatus, materials, equipment, and other forms of  
250 tangible personal property that can be mass produced and used by a City  
251 department in the accomplishment of its responsibilities.
- 252 20. Competitive award: A procurement based upon the outcome of one of the  
253 competitive processes set forth in this Ordinance, where award is made based  
254 on the lowest quotation or bid submitted by a responsible and responsive bidder  
255 or to the most qualified or advantageous proposer based on the qualitative  
256 and/or quantitative factors identified for the procurement. A competitive award  
257 can be made even if only a single bid or proposal has been received from a  
258 bidder or proposer who is determined to be responsible and responsive.
- 259 21. Construction: The process of building, altering, improving or demolishing any  
260 public structure or building, or other public improvements of any kind to any  
261 public real property. The term "construction" does not include the routine  
262 operation, repair and/or maintenance of existing structures, buildings, or real  
263 property.
- 264 22. contract: A legally binding mutual agreement between two parties. Any City  
265 agreement, regardless of form or title, for the procurement or disposition of goods  
266 or services. contracts also include change orders, modifications, amendments,  
267 supplemental agreements with respect to any of the foregoing. Every contract  
268 must be duly authorized and approved prior to execution.
- 269 23. contract extension: An amendment to a contract that includes an increase in the  
270 term of a contract, for which no options to renew the contract beyond the current  
271 expiration date exists.
- 272 24. contract renewal: An exercise of an approved, existing option to increase the  
273 term of a contract. Options to renew a contract are often done in annual  
274 increments.

25. contractor: Any person or business having a contract with the City.
26. Department: An organizational unit within City government that is responsible to the City Manager, or designee.
27. Division: An organizational unit within a City department that is responsible to the head of a department, or designee.
28. Emergency purchase: The purchase of supplies and/or services whose immediate procurement is essential to protect life or property.
29. Encumbrance: A financial commitment for unperformed or unpaid contracts for goods or services.
30. goods: Supplies, apparatus, materials, equipment, and other forms of tangible personal property used by a City department in the accomplishment of its responsibilities.
31. Invitation to bid: A formal request to prospective vendors soliciting quotations or bids; contains, or incorporates by reference, the specifications or scope of work and all contractual terms and conditions.
32. Letter of intent: A written statement detailing the preliminary understanding of parties who plan to enter a contractual arrangement.
33. Local vendor (business): A vendor which operates and maintains a brick and mortar business within the corporate limits of the City of South Fulton; has a current City Occupation Tax Certificate; and has paid in full all real and personal taxes owed the City.
34. Locally owned vendor (business): A business with at least one owner, partner or officer residing within the City of South Fulton.
35. Local and locally owned vendor preference: A two percent evaluation preference will be applied to any sealed competitive process for goods, supplies, equipment, materials, services, or professional services from a business designated as a local business. And additional four percent evaluation preference will be applied to any sealed competitive process for goods, supplies, equipment, materials, services, or professional services from a business designated as a locally owned business. Applies to all sealed competitive procurements excluding construction projects; federally funded projects; and online/electronic sealed bid/reverse auctions. A local vendor's bid will be awarded if the bid is within two percent (2%) or six percent (6%) of the non-local vendor's bid who otherwise would have received the award of the contract.
36. May: Denotes the permissive.
37. Payment bond: A bond which assures payments, as required by law, to all persons supplying labor or material for the completion of work under the contract.
38. Performance bond: A bond provided in connection with a contract which guarantees the performance and fulfillment of all the terms, conditions, and agreements contained in the contract.
39. Practicable: Sufficient in performance and available at a reasonable cost.
40. Price preference: A percentage of increase in price an entity will pay to obtain a designated product. No price preferences are recognized by the City.
41. Procurement: Purchasing, renting, leasing or otherwise acquiring any equipment, supplies, services or construction projects



- 320 42. professional services: Those services which are defined by statute as a  
321 "profession" or "professional service" and require a license or accreditation,  
322 including, but not limited to, certified public accountants, actuarial services,  
323 architecture, landscape architecture, interior design, licensed or accredited  
324 appraisers or licensed or accredited financial analysts providing opinions of  
325 value, chiropractic, dentistry, professional engineering, podiatry, pharmacy,  
326 veterinary medicine, registered nursing, harbor piloting, land surveying, law,  
327 psychology, medicine and surgery, optometry, and osteopathy. professional  
328 services include but are not limited to evaluations, consultations, management  
329 systems, management consulting, compiling statistical data, support of planning  
330 and operating activities, appraisal services, and research and development  
331 studies or reports.
- 332 43. Project Manager: The Department head which may be assigned by the City  
333 Manager with duties and responsibilities with respect to a project, such as a  
334 consulting, design and engineering or capital project involving new construction  
335 and/or maintenance or repairs.
- 336 44. Protest: A formal appeal of a process or decision in writing.
- 337 45. Protester: An actual bidder who is aggrieved in connection with the bid process,  
338 including contract award, and who files a protest in writing in accordance with this  
339 Ordinance.
- 340 46. Purchase order: A document authorizing a City of South Fulton employee  
341 contracting with a seller to deliver goods with payment to be made later.
- 342 47. Purchasing agents: The Purchasing agents for the City of South Fulton shall be  
343 the City Manager and City Treasurer.
- 344 48. Purchasing Manager: The designee of the City Manager to manage the day to  
345 day operations of the Purchasing Department.
- 346 49. Purchasing Department: The department responsible for procurement for the  
347 City.
- 348 50. Registered business: A business that has a valid City Occupation Tax Certificate.
- 349 51. Reasonable cost: Cost that by its nature or amount does not exceed what would  
350 normally be incurred by an ordinarily prudent person in the conduct of  
351 competitive business.
- 352 52. Request for Informal Quote (RFIQ): A document used in an informal solicitation  
353 for an offer to be submitted in writing that will result in a purchase contract.
- 354 53. Request for Information (RFI): A document used in an informal, noncompetitive  
355 solicitation where vendors provide feedback on industry standards and  
356 procedures which allows purchasing to decide and implement a procurement  
357 strategy.
- 358 54. Request for Proposal (RFP): A document used in purchasing complex services  
359 when the competitive sealed bid is neither practical nor advantageous, the RFP  
360 process considers both quality of the solution offered and price to obtain the best  
361 overall value.
- 362 55. Request for Qualifications (RFQ): A document used in purchasing complex  
363 services when the competitive sealed bid is neither practical nor advantageous,  
364 the RFQ process considers both contractor qualifications and price to obtain the  
365 best overall value.

- 366 56. Requisition: An internal document, provided by a department to the Purchasing  
367 Department that contains the fund source, approvals, descriptions, quantities,  
368 and other information about the goods, services, or professional services, in  
369 order to proceed with the procurement.
- 370 57. Responsible bidder: A vendor who has the capability in all respects to perform  
371 fully the contract requirements; and the experience, integrity, perseverance,  
372 reliability, capacity, facilities, equipment and credit which will assure good faith  
373 performance.
- 374 58. Responsive bidder: A vendor who has submitted a bid that conforms in all  
375 administrative and material respects to the requirements stated in the invitation to  
376 bid.
- 377 59. Sealed bid: An offer submitted in response to a formal procurement solicitation in  
378 a closed envelope to be opened at a specific time and place.
- 379 60. Sealed proposal: An offer submitted in response to a formal procurement  
380 solicitation in a closed envelope where the technical response and cost are  
381 separated to be opened and the participant's names read aloud at specific time  
382 and place.
- 383 61. Services: Any performance of effort or labor, for which the City has contracted  
384 other than professional services or services classified as construction.
- 385 62. Shall: Denotes the imperative.
- 386 63. Sole Source/Single Source: That only one vendor possesses the unique and  
387 singularly available capability to meet the requirement of the solicitation, such as  
388 technical qualifications, ability to deliver at a particular time, or services from a  
389 public utility.
- 390 64. Specification or scope of work: Specifications are the detailed and exact  
391 description of the requested materials and/or services. They should accurately  
392 describe the physical, functional, and/or performance requirements of the items  
393 and/or services requested.
- 394 65. Statement of Qualification (SOQ): An offer submitted in response to a formal  
395 procurement solicitation in a closed envelope to be opened and the participants'  
396 names read aloud at a specific time and place.
- 397 66. Surplus Property: City-owned property that is no longer required or has no  
398 practical use by the City.
- 399 67. Sustainability: Reducing the amount of resources used as well as reducing the  
400 amount of waste and emissions produced in order to limit the environmental  
401 impact or ecological footprint. The City will improve our sustainability efforts  
402 through an environmentally preferred purchasing program that provides for the  
403 present generation and needs of the organization while honoring our past and  
404 allowing for the needs of future generations.
- 405 68. User department/division: The City department which has the responsibility for  
406 determining the need for an item or service, its related specifications, and need  
407 date. The user is responsible for advising the Purchasing Manager of the  
408 approved funding and the specific budget account number for the need.
- 409 69. Vendor: Any individual or business conducting business or seeking to do  
410 business with the City; one who sells goods and/or services; a supplier.

411 **I. Responsibilities, Generally.**

412  
413 1. **Purchasing Agent.** The City Manager and Chief Financial Officer are  
414 responsible for establishing overall policies and procedures to ensure the  
415 integrity of the purchasing program throughout the City. Primary roles and  
416 responsibilities include:

- 417 a. Responsible for overseeing the day to day purchasing activity and ensuring  
418 the City purchasing policies, procedures and ordinances are followed.  
419 b. Reviewing purchasing ordinance violations and determining disciplinary  
420 action based upon the purchasing policies, procedures, and ordinances.  
421 c. Review and approve proposed formal solicitations prior to issuance.  
422 d. Review all requisition and purchasing contracts.  
423 e. Review and approve all purchasing contracts and change orders \$25,000 or  
424 less. (City Manager).

425 2. **Purchasing Department.** The Purchasing Department will:

- 426 a. Conduct business in compliance with the City's ordinances and in accordance  
427 with the principles contained in this section.  
428 b. Serve as a resource for departments in issues of policy and in the day to day  
429 processing of requisitions.  
430 c. Provide information and procure goods and/or services which meet the user  
431 department's requirements, ensuring consideration of life cycle costs and  
432 sustainable goods and services.  
433 d. Provide assistance in the preparation of specifications.  
434 e. Process the auditing and review of requisitions to ensure that the purchasing  
435 policies, procedures and ordinance are being followed.  
436 f. Provide user training on City purchasing policies, procedures and ordinance.  
437 g. Ensure that contract awards are made to responsible contractors possessing  
438 the ability to perform successfully under the terms and conditions of the  
439 proposed procurement.  
440 h. Utilize approved third-party software and train the department's liaisons and  
441 agents to use the software as appropriate.  
442 i. Formally and informally procure goods and services in compliance with  
443 applicable laws.

444 3. **Department Head Responsibilities.** Department heads are responsible for  
445 ensuring the integrity of purchasing within their department by upholding City  
446 policies, procedures, and ordinances. All department heads are responsible for  
447 overseeing purchasing activity and must have an understanding of City  
448 purchasing rules and regulations. While the department head holds the  
449 responsibility of oversight, administration of the day-to-day activity of the  
450 purchasing process will be reviewed through designation of one or more  
451 department liaisons. Department head responsibilities include:

- a. Maintain knowledge of City purchasing policy and procedures and ordinances to effectively oversee purchasing activity within their department.
- b. Delegate responsibility within their department to assist with the purposes of this Ordinance.
- c. Review and approve requisitions as part of the purchasing process.
- d. Review, approve and participate in any formal solicitation process for the department as needed.
- e. Approve sole source/single source procurements.
- f. Designate project manager for departmental projects that require procurement.
- g. Provide written determinations for the basis of an emergency purchase.
- h. Keeping the Purchasing Department informed when staff changes are made that will require training in regard to purchasing policies and procedures.
- i. Review requisitions in a timely manner in order to facilitate the purchasing process.
- j. Review all documentation to ensure:
  - i. The appropriate back up for the purchase is attached to the requisition.
  - ii. The correct purchase/object allocations are used based on the approved budget.
  - iii. An e-verify affidavit form is attached where required.
  - iv. A sole source form is attached where required.
- k. Submit all requests for goods and services in a timely manner in order to allow for timely response from vendors and to eliminate extra charges for rush items.
- l. Strive to provide full and accurate descriptions of needed supplies and/or services to avoid misunderstandings.
- m. Inform the Purchasing Department in writing when there are problems or changes to purchase orders or contracts.
- n. Ensure that purchased goods for their department are received, inspected and verified as to condition. Initiate returns as necessary.

## **J. Purchasing Thresholds.**

1. For goods, services, and professional services \$2,501.00 and below, upon approval by the Purchasing Manager, the user department shall obtain goods and services most advantageous to the City through direct purchase through the use of a requisition or p-card.
2. For goods and services between \$2,501 and \$25,000, the user department shall obtain, where possible, at least three written quotes, subject to approval by the City Manager.
3. For professional services between \$2,501 and \$25,000, a quality based selection process will be used, subject to approval of the award by the City Manager. The

department head shall justify the choice in writing to be attached to the requisition.

4. For goods and services \$25,001.00 and above, the Purchasing Department will use a formal procurement process. The Purchasing Manager shall issue the solicitation and make a recommendation to City Council for approval.

5. For professional services \$25,001.00 and above, a quality based selection process will be used. The Purchasing Department will use a formal procurement process. The Purchasing Manager shall issue the solicitation and make a recommendation to City Council for approval.

#### **Goods and services**

| <b>\$Threshold</b> | <b>Purchasing Method</b>   | <b>Responsibility</b> | <b>Approval</b>    |
|--------------------|----------------------------|-----------------------|--------------------|
| >\$25,001          | Formal Procurement Process | Purchasing Department | City Council       |
| \$2,501-\$25,000   | Three (3) Written Quotes   | User Department       | City Manager       |
| <\$2,500           | Non-Competitive            | User Department       | Purchasing Manager |

#### **Professional services**

| <b>\$ Threshold</b> | <b>Purchasing Method</b>               | <b>Responsibility</b> | <b>Approval</b>    |
|---------------------|----------------------------------------|-----------------------|--------------------|
| >\$25,001           | RFQ                                    | Purchasing Department | City Council       |
| \$2,501 - \$25,000  | RFQ with Department head Justification | User Department       | City Manager       |
| <\$2,500            | Non-Competitive                        | User Department       | Purchasing Manager |

**K. Non-competitive Procurements.** The provisions of this Ordinance shall apply to the procurement of goods and services, when determined to be in the best interest of the City and not in conflict with the requirements of state law.

1. *Sole Source/Single Source Procurement.* The City may acquire goods, services, or professional services pursuant to a sole source/single source procurement. Sole source/single source procurement is allowable when goods, services, or professional services are limited to one source, or when they must be obtained from a specific manufacturers' dealer and valid competition among dealers does not exist. A sole source/single source procurement may also be made from one person among others in a competitive market place, which, for justifiable reasons, is found to be most advantageous for the purpose of fulfilling the given purchasing need.

- 525 2. *Sole Brand Procurement.* The Purchasing Agent may elect to purchase particular  
526 brand name goods or services when the goods or services comprise a major  
527 brand system, program or service previously selected by the City for  
528 standardization due to operational effectiveness, future enhancements or  
529 additions, or maintenance or storage of spare parts precludes the mixing of  
530 brands, manufacture, etc. The user must submit the justification for the sole  
531 source/single source procurement for approval to the Purchasing Agent.  
532
- 533 3. *Direct Negotiation Following Competitive Solicitation.* Following the completion of  
534 a competitive award solicitation process that fails to produce a responsible or  
535 responsive bidder or proposer, fails to produce a qualified respondent, or for  
536 which all submissions were rejected for any reason, the City may procure the  
537 goods, services, or professional services that were the subject of such failed  
538 solicitation by direct negotiation with any provider of such failed solicitation.  
539 Direct negotiations shall be facilitated by the Purchasing Manager, with  
540 assistance as necessary by the City Manager and City Attorney. A proposed  
541 contract shall be submitted to the City Council for consideration. The Council  
542 may reject, approve or direct further negotiations of the contract. Direct  
543 negotiations under this paragraph shall commence within ninety (90) days of the  
544 completion of the failed competitive solicitation process.  
545
- 546 4. *Emergency Procurement.* The City and City Manager may acquire goods,  
547 services or professional services under the defined thresholds by direct  
548 negotiation, in lieu of the formal solicitation processes set forth under this  
549 Ordinance, in situations of an emergency. Emergency situations exist where  
550 there is an imminent threat to: a) public health, safety or welfare, b) the  
551 soundness and integrity of public services or property, or c) the delivery of  
552 essential City services. Emergency procurements shall be made with as much  
553 competition as is reasonable or practicable under the circumstances, which may  
554 consist of acquisition of goods and services under the direct negotiation process  
555 outlined in the paragraph above. As soon as practicable, a record of each  
556 emergency procurement shall be made and shall set forth the contractor's name,  
557 the amount and type of the contract, a listing of the item procured under the  
558 contract, the basis for the emergency situation and the identification number of  
559 the contract file.
- 560 Emergency procurements associated with projects utilizing grant funds will  
561 always follow the established procurement procedures of the grant.
- 562 5. *Costs Under the Competitive Threshold.* The user department may acquire  
563 goods, services and professional services by direct negotiation or by some other  
564 non-competitive method, when the dollar value of the purchase does not exceed  
565 \$2,501 and a properly executed and authorized requisition is received. Under this  
566 non-competitive method, the user department shall attempt to obtain the goods,  
567 services or professional services most advantageous to the City, price and other  
568 factors considered.



569  
570 6. *Direct Negotiation and other Public Entities and Co-ops.* The City may acquire  
571 goods, services, and professional services by direct negotiation or other method  
572 involving limited or no competition from a supplier having a requirements  
573 contract/annual agreement with any public entity (e.g., federal, state, county, city,  
574 authority, school board, buying cooperative, etc.) for goods, services, or  
575 professional services described in such contract and at prices or discounts no  
576 less favorable than any set forth in such contracts. Use of state/co-op contracts:  
577 the purchasing agent may, independent of the requirements of bid process of this  
578 article, procure supplies, services or construction items through a contract  
579 established through competitive means by the purchasing department of the  
580 state of Georgia, national co-ops (i.e.-U.S. communities), and collaborative  
581 purchasing agreements with other local governments when deemed to be in the  
582 best interest of the City.  
583

584 Nothing in this Ordinance shall impact and/or limit the City's ability to pursue  
585 purchasing cooperatives and alternatives allowable under State law through the  
586 Georgia Municipal Association and other organizations.

587 **L. Competitive Procurements.** The Purchasing Department will determine the  
588 procurement method to be used based on the type and estimated price of the  
589 purchase. The City reserves the right to reject any or all bids if it determines such  
590 rejection to be in the best interest of the City. Formal solicitations will generally be  
591 solicited on a project-by-project basis. The user will submit the scope of goods  
592 and/or services to the Purchasing Manager, who will then determine which of the  
593 competitive processes best suits the purchase. A performance guarantee, such as a  
594 performance bond or letter of credit, may be required for any solicitation that  
595 includes services to be performed after consultation with the City Manager, and  
596 others, as necessary. Periodically, the City may be given private/public grants and  
597 donations from sources such as the state and federal government and private  
598 corporations. These types of solicitations may be more restrictive and may dictate  
599 the procurement process and methodology that the City is to follow for an award.  
600 Both federal and state procurement policy supersedes City of South Fulton's  
601 purchasing requirements when buying goods and services using federal or state  
602 grant monies. Departments should consult the accounting department regarding the  
603 use of federal and state funds.  
604

605 1. *Invitation to Bids.* Invitation to Bids (ITB) are prepared and issued to prospective  
606 bidders, with the goal of obtaining competitive responses for items costing  
607 \$25,001 and greater.  
608

609 a. Public notice (such as publication in a newspaper of general circulation,  
610 posting on the Purchasing Department's internet web page, posting on State  
611 internet web page, or third party eSourcing platform) of the ITB must be given  
612 a minimum of fourteen (14) calendar days prior to the date set for bid opening  
613 or as required by state and federal law, unless it can be demonstrated that an

614 urgent requirement for goods or services exists, in which instance, the  
615 requirement for public notice may be reduced by the Purchasing Manager.  
616

617 b. Bids shall be opened publicly by the Purchasing Manager, or their designee,  
618 in the presence of one or more witnesses at the time and place designated in  
619 the ITB. All relevant information, including each bid amount and bidder's  
620 name, will be recorded on a summary sheet and signed by the opener and  
621 witness.  
622

623 c. The Purchasing Manager shall evaluate the bids and make a  
624 recommendation to the City Council. A split or partial bid may be awarded if  
625 an ITB is for multiple goods or services, more than one vendor provides a bid  
626 that meets the specifications for the items, and a price comparison can be  
627 made between the items quoted. The award may be split between more than  
628 one vendor by awarding to the lowest cost provider of each item or  
629 reasonable grouping of items if acquisition, delivery, and other requirements  
630 can be reasonably administered. A split or partial bid award shall not be used  
631 under the following conditions:  
632

- 633 i. When the solicitation is for an integrated system and the split of the award  
634 between components or parts of that system would jeopardize  
635 performance; or  
636 ii. If the item is part of a system and the performance of that system would  
637 be jeopardized if another brand was substituted.

638 d. Tie Bids: In the event two or more identical bids are received, the following  
639 procedure will be used when the basis of award is low bid:  
640

- 641 i. To the extent permitted by law, a tie bidder with a registered business  
642 location within the City will be recommended to the City Council for an  
643 award over one without an office in the City, a registered business within  
644 the county limits of Fulton County should be recommended to the City  
645 Council for an award over one without an office in the County, and a  
646 registered business within the state of Georgia will be recommended to  
647 the City Council for an award over one without an office in Georgia.  
648 ii. If the procedures in the paragraph above do not result in an award, then,  
649 the tie bidders will be contacted and advised of the tie bid. bidders will be  
650 given the opportunity to provide a best and final offer in writing submitted  
651 in a sealed envelope to be opened at the time and place stated by City  
652 staff. If one or more of the tied bidders agrees to participate, award will be  
653 made to the new low bid. If none of the tied bidders agree to participate or  
654 if the new bids are tied, then City staff shall break the tie by following the  
655 procedures described below, as necessary.  
656 iii. If the procedures in (i) and (ii) do not result in an award, then, to the extent  
657 permitted by law, a tie bidder deemed in the City's sole discretion to  
658 provide the most environmentally preferable goods would be

- recommended to the appropriate approving authority for an award over one deemed environmentally inferior.
- iv. In the event the above does not result in an award, the City reserves the right to award to both tie vendors when it is feasible and in the best interest of the City to do so.
  - v. Correction or withdrawal of inadvertently erroneous bids is permitted in accordance to the terms indicated within the ITB; however, minor irregularities may be waived by the City. No bid may be withdrawn for a period of one hundred twenty (120) days after the time scheduled for bid opening or as permissible by State law.
- e. Any bid received after the time and date set for receipt of bids is late. Any withdrawal or modification of a bid received after the time and date set for opening of bids, at the place designated for opening, is considered late. Late bids will be rejected and remain unopened.
  - f. Bids will be evaluated based on the evaluation factors set forth in the ITB, which may include criteria to determine acceptability of goods (for example, inspection, testing, quality, workmanship, delivery, and suitability for a particular purpose). Criteria for the acceptability of goods shall be used to determine whether particular goods are responsive to the Invitation to bids, and not to determine the relative desirability between acceptable goods.
  - g. The City reserves the right to waive any informalities or irregularities of bids, to request clarification of information submitted in any bid, to further negotiate with the Responsive and Responsible bidder selected for contract award, or to reject any or all bids for any reason whatsoever.
  - h. If no Responsive and Responsible Bids are received or all bids are rejected, the City may procure such goods and services by direct negotiation.
  - i. The Bid will be awarded, if an award is made, to the Responsible and Responsive bidder offering the lowest price whose bid meets the requirements and criteria set forth in the ITB. The bid may require a contract.
2. *Request for Informal Quotes (RFIQ)*. Request for Informal Quotes are prepared and issued to prospective bidders by the user department, with the goal of obtaining competitive responses for items costing between \$2,501 and \$50,000. The RFIQ shall define the scope of the work and may contain contractual terms and conditions. In most cases, the bid award will be made on best price, but the award may be made on other grounds which are determined to be in the best interest of the City. The RFIQ may require the submission of bid samples, descriptive literature, and technical data and may require inspection or testing of a product before a final award. The user department shall summarize quotes on a summary sheet for use in consideration of an award.

- 704 3. *Request for Proposals (RFP)*. When the Purchasing Manager determines the use  
705 of an ITB is not practical or not advantageous because of existing market  
706 conditions or the type of items required, the City may procure goods, services, or  
707 professional services through receipt of competitive sealed proposals.  
708 Competitive sealed proposals are solicited using an RFP, with the goal of  
709 obtaining competitive responses for items costing more than \$25,001.  
710
- 711 a. Public notice of the RFP shall be given in the same manner as for ITB  
712 procurements.  
713
- 714 b. Proposals shall be opened publicly by the Purchasing Manager, or their  
715 designee, in the presence of one or more witnesses at the time and place  
716 designated in the RFP. A register of proposals shall be prepared that lists  
717 each proposer's name, which will be signed by the opener and the witness.  
718
- 719 c. Correction or withdrawal of proposals is permitted in accordance with any  
720 instructions allowing the same contained within the RFP.  
721
- 722 d. Proposals shall be deemed late in the same manner as the procurement  
723 process for an ITB.  
724
- 725 e. The RFP will identify the criteria to be considered and evaluated as the basis  
726 of award.  
727
- 728 f. Proposals submitted by responsible and responsive proposers shall be  
729 evaluated in writing by the Purchasing Agents and Purchasing Manager  
730 based upon the criteria applicable to the RFP. All proposals will be ranked by  
731 such evaluators in order of their acceptability, giving consideration to the  
732 criteria. The City has no obligation to award the contract to the Proposer who  
733 proposes the lowest price. The evaluations shall be provided to the City  
734 Council for selection of the final award. The contract will be awarded, if  
735 award is made, by the City to the responsive and responsible proposer whose  
736 proposal is determined, in the City's exclusive discretion, to be the most  
737 advantageous to the City, taking into consideration price, qualifications, and  
738 other factors as indicated in the RFP.  
739
- 740 g. The City reserves the right to waive any informalities or irregularities of  
741 proposals, to request clarification of information submitted in any proposal, to  
742 further negotiate with a responsive and responsible proposer who has been  
743 selected for contract award, or to reject any or all proposals for any reason  
744 whatsoever.  
745
- 746 h. If no responsive and responsible proposals are received or all proposals are  
747 rejected, the City may procure such goods, services, and professional  
748 services by direct negotiation.

749 **M. Quality Based Selections (QBS)**

- 750
- 751 1. *Request for Qualifications (RFQ)*. Requests for Qualifications (RFQ) may be
- 752 used when it is determined to be in the City's best interest to evaluate the
- 753 experience and qualifications of a service provider, without regard to price or
- 754 prior to considering price.
- 755
- 756 a. The procedure for soliciting, opening and evaluating statements of
- 757 qualifications shall be the same as described herein for competitive sealed
- 758 proposals. Service providers whose qualifications meet the criteria
- 759 established in the RFQ, at the sole discretion of the City, may be considered
- 760 for contract award by participation in the completion of price negotiation. The
- 761 City shall attempt to negotiate a fee with the highest ranked firm. If no
- 762 agreement is reached, the City shall begin negotiations with the next highest
- 763 ranked firm. Negotiations will proceed in this manner until an agreement is
- 764 reached. Alternatively, the City may, by direct negotiation, finalize terms with
- 765 service providers who are selected for award based on qualifications. The
- 766 City reserves the right to reject any or all responses for any reason.
- 767 Clarification of information may be requested by the City.
- 768
- 769 b. The RFQ process will be the method of procurement when the professional
- 770 services exceed \$25,000 and/or the project costs exceed \$1,000,000 for the
- 771 procurement of services within the scope of architecture, registered interior
- 772 design, professional engineering, land surveying, and landscape architecture.
- 773
- 774 2. *Multi-step Solicitation*. The City may initiate one of the multi-step solicitation
- 775 processes described below when: (a) in the City's discretion, it is impractical to
- 776 prepare an adequate or complete description of the goods or services desired
- 777 (due to insufficient data, uncertain requirements, unfamiliar market options, etc.),
- 778 (b) the City desires to identify a field of qualified bidders, proposers, goods or
- 779 services, out of a broader field of bidders, proposers, goods or services, or (c)
- 780 the City believes a multi-step process would best serve its purposes.
- 781
- 782 a. *Consecutive Multi-Step Process*:
- 783
- 784 i. The City may request statements of qualifications to be evaluated based
- 785 on the criteria in the RFQ for purposes of identifying one or more desirable
- 786 or acceptable goods, services, or professional services or for purposes of
- 787 identifying a field of qualified or most qualified bidders or proposers
- 788 ii. After identifying a field of most qualified bidders or proposers with the
- 789 capability of providing the desirable or acceptable goods, services, or
- 790 professional services, the City may either follow a competitive ITB process
- 791 or by a RFP process among the field of vendors identified as having the
- 792 capability to meet the City's requirements for the procurement.
- 793

- 794 b. *Consecutive Multi-Step Process to Award stand by Purchasing contracts:* A  
795 standby contract is an agreement between the City of South Fulton and an  
796 entity performing a professional or technical service. The use of standby  
797 contracts will be at the discretion of the City Manager. The contract thresholds  
798 are subject to the bidding thresholds established in this Ordinance. The  
799 entities selected through this process are intended to create a pool of  
800 qualified vendors to be used on a rotational basis, or with the informal  
801 procurement process.  
802
- 803 i. When it is in the best interest of the City to have pre-qualified, stand by  
804 purchasing contracts because of the need to provide quick-response,  
805 repetitive services or a range of services or professional services within a  
806 specific field of expertise, the City may use consecutive multi-step  
807 procurement process to identify one or more stand by contractors. The  
808 purpose is to identify one or more stand by contractors that demonstrate  
809 the ability to perform a particular type of service during a specified  
810 contract period.
- 811 ii. Contract award - The multi-step solicitation shall specify the general  
812 types of services required, the selection process to be used, and the  
813 selection criteria for award of the stand by contract.
- 814 iii. Award of a specific scope of work to a stand by contractor - During the  
815 term of the stand by contract(s), specific scopes of work may be  
816 developed and awarded to stand by contractor(s), by amendment to such  
817 stand by contract(s), provided that the specific scope of work is  
818 consistent with the general types of services upon which award of the  
819 continuing contract(s) was made. On an annual basis, the maximum  
820 contract amount shall not exceed \$1,000,000 with task order approval  
821 through the City Manager.
- 822 iv. Except when the stand by contract is for the procurement of services  
823 within the scope of architecture, registered interior design, professional  
824 engineering, land surveying or landscape architecture and when there is  
825 more than one stand by contractor available to perform the specific scope  
826 of work defined, the process for award of the work is set forth below:  
827
- 828 (a) Work may be rotated during the contract period between the stand  
829 by contractor(s) that were selected to perform the general type of  
830 services required; or,
- 831 (b) Quotations, bids or proposals may be requested from the  
832 prequalified Stand by contractors that were selected to perform the  
833 general type of services or professional services required. The City  
834 may select the stand by contractor whose quotation, bid, or  
835 proposal is deemed to be most advantageous to the City to  
836 perform the specific scope of work required.
- 837 v. City departments shall use the list of approved stand by contractors. A  
838 user department may choose to either use a rotation or informal bid



process as referenced above when using a Standby contract. The choice of the department will remain in effect for the term of the contract. This procurement strategy should allow vendors fair and consistent access to projects, improve quality of service delivery and generally increase the efficiency and cost-effectiveness of the procurement process. The vendor rotation process shall include the list of the qualified vendors selected through procurement process to perform the work. The department will maintain a list of the qualified vendors and rotate through each vendor on an established basis.

- vi. The informal bid process shall include the list of the qualified vendors selected through the procurement process to perform the work. This procurement strategy will require the departments to obtain at least three quotes for work above \$2,501 and below the formal bid threshold. If three quotes are not obtained, detailed written explanation is required.
- vii. All qualified vendors should be given equal access to projects, and through transparent monthly reporting a list of projects, vendor(s), awards, and purchase amount shall be maintained. If a vendor declines the project a written record shall be maintained, and the vendor shall be invited the next time the vendor's name is in the rotation.
- viii. For the professional stand by contracts, the department head will be responsible for providing the determination of the professional selection.

#### **N. Protests.**

1. *Submission of Protest.* If a vendor or bidder is aggrieved during pending request for proposals, bids or qualifications, the vendor or bidder can choose to protest in accordance with this section.
  - a. Bidders may protest the contract award in connection with the RFQ/ITB/RFP on which the bidder has submitted a bid/proposal. Any such protest by a bidder must be filed no later than ten (10) calendar days following the date of the notice to award and/or conclusion of the RFQ/ITB/RFP, in order to have the protest considered.
  - b. A written statement of protest pertaining to events or facts arising during a bid solicitation process, signed by a company officer authorized to sign contracts on behalf of the vendor, must be received by the Purchasing Department no later than three (3) calendar days prior to the bid due date, with the exception that actions complained of occurring within three (3) days of the bid due date shall be filed within twenty-four (24) hours of the actions complained of. Failure to file a protest by the time required may be deemed a waiver of any grounds the vendor or bidder has to protest. All inquiries received after the bid award and/or after the conclusion of a RFQ/ITB/RFP will not be considered a formal protest.
2. *Format of Protest:* Protests shall include:

- 884
- 885 a. The name and address of the protester;
- 886 b. Appropriate identification of the solicitation, and, if a contract has been
- 887 awarded, its number;
- 888 c. A statement of reasons for the protest, with supporting legal authority;
- 889 and
- 890 d. Supporting exhibits, evidence, or documents to substantiate any claims
- 891 unless evidence is not available within the filing time; in which case the
- 892 expected availability date shall be indicated.
- 893
- 894 3. *Filing a Protest to Notice of Non-Award.* A written statement of protest to Notice
- 895 of Non-Award by a company officer authorized to sign contracts on behalf of the
- 896 vendor, must be received by the Purchasing Department no later than ten (10)
- 897 calendar days following the date of the notice of non-award. Failure to file a
- 898 protest by the time required may be deemed a waiver of any grounds the vendor
- 899 or bidder has to protest. All inquiries received after the ten (10) day period will not
- 900 be considered a formal protest.
- 901
- 902 4. *Stay of Procurement During Protest.* When a protest pertaining to events or facts
- 903 arising during a pending solicitation under this section (example: protests
- 904 concerning specifications and evaluation criteria) has been filed no later than the
- 905 three (3) business days prior to the bid opening or deadline herein, the
- 906 Purchasing Department shall suspend the award of a contract until a final
- 907 decision has been issued, unless the Purchasing Department makes a written
- 908 determination, after consulting with the issuing department, that awarding the
- 909 contract without delay is necessary to protect the best interests of the City.
- 910
- 911 a. When a protest has been filed in a timely fashion within ten (10) calendar
- 912 days following the issuance of a notice of non-award, the Purchasing
- 913 Department shall consult with the City Manager to determine if performance
- 914 of the contract without delay is necessary to protect the best interests of the
- 915 City.
- 916 b. If it is determined that it is necessary to proceed with a contract without delay,
- 917 the bidder that receives the contingent contract may proceed with
- 918 performance and receive payment for work performed in strict accordance
- 919 with the terms of the contract; however, such bidder shall not be entitled to
- 920 reimbursement for any capital outlay costs, or other up front expenditures
- 921 incurred in performing the contract.
- 922
- 923 5. *Decision by Purchasing Department.* A recommendation will be made by the
- 924 Purchasing Department to the City Attorney as expeditiously as possible after
- 925 receiving all relevant requested information in regard to the protest filed. After
- 926 consultation with the City Attorney, the Purchasing Department will notify the
- 927 bidder in writing of the decision no later than thirty (30) days after all necessary
- 928 paperwork is filed. If a protest is sustained, available remedies may include one
- 929 of the following:

- 930
- 931 a. For a protest sustained prior to an award, modification of the
- 932 solicitation document, including but not limited to specifications, terms
- 933 and conditions and evaluation criteria; and extension of the opening
- 934 date, if appropriate.
- 935 b. For a protest sustained after an award is made, suspension or
- 936 cancellation of the award, re-evaluation and re-award or re-solicitation
- 937 with appropriate changes to the new solicitation document.
- 938
- 939 6. *Appeal*. Decisions from the Purchasing Manager on a solicitation protest may be
- 940 appealed to the City Council. The request for appeal must be filed within seven
- 941 (7) calendar days of the decision complained of. The decisions of the City
- 942 Council shall be appealed as allowed by law.

943 **O. Guidelines for Promoting Sustainability through the Purchasing Process.** The

944 City is a significant consumer of goods and services. The City desires to encourage

945 the procurement of sustainable and environmentally preferred products and

946 services. The City of South Fulton Mayor and Council have resolved that the city will

947 take an active role to promote the analysis of life cycle costs for products and

948 services to encourage protection of the environment by showing preference for the

949 procurement of sustainable products and services for the use in city operations.

- 950
- 951 1. In general, environmentally preferable products and services are those that
- 952 would reduce negative effects on human health and environment when
- 953 compared with the competing products and services. More specifically, this
- 954 comparison would include consideration of all phases of the product's life cycle,
- 955 including raw materials acquisition, production, manufacturing, packaging,
- 956 distribution, operation, maintenance and disposal, including potential for reuse or
- 957 ability to be recycled.
- 958
- 959 2. In practice, the objective is to purchase products that have been environmentally
- 960 certified or eco labeled because they have reduced environmental impact due to
- 961 the way they are made, used, transported, stored, packaged and disposed. It
- 962 means looking for products that do not harm human health, are less polluting and
- 963 that minimize waste, maximize use of bio-based or recycled materials, conserve
- 964 energy and water, and reduce the consumption of and disposal of hazardous
- 965 materials.
- 966
- 967 3. Reports will be provided to City Council on an annual basis to track the success
- 968 of the environmentally preferable purchasing program that accounts for life cycle
- 969 costs and gives preference to products that are recycled, recyclable and
- 970 otherwise more environmentally friendly than traditional products; purchase
- 971 Energy Star rated equipment and appliances when possible to do so and,
- 972 purchase recycled copy, computer, and fax paper with at least thirty percent
- 973 (30%) recycled content whenever the use of the paper makes it possible to do
- 974 so.

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**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, 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 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 this Ordinance.

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

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

**Section 5. *Instruction to City Clerk.*** Unless vetoed, the City Clerk is hereby directed to forward a copy of this Ordinance to the City Finance Department.

1001 The foregoing **ORDINANCE NO. 2018-037**, adopted on \_\_\_\_\_ was  
1002 offered by Councilmember \_\_\_\_\_, who moved its approval. The motion was  
1003 seconded by Councilmember \_\_\_\_\_, and being put to a vote, the result  
1004 was as follows:  
1005  
1006

1007 **“SECOND READING”**  
1008  
1009  
1010

|                                    | AYE   | NAY   |
|------------------------------------|-------|-------|
| 1011                               |       |       |
| 1012 William “Bill” Edwards, Mayor | _____ | _____ |
| 1013 Mark Baker, Mayor Pro Tem     | _____ | _____ |
| 1014 Catherine Foster Rowell       | _____ | _____ |
| 1015 Carmalitha Lizandra Gumbs     | _____ | _____ |
| 1016 Helen Zenobia Willis          | _____ | _____ |
| 1017 Gertrude Naeema Gilyard       | _____ | _____ |
| 1018 Rosie Jackson                 | _____ | _____ |
| 1019 khalid kamau                  | _____ | _____ |
| 1020                               |       |       |
| 1021                               |       |       |
| 1022                               |       |       |

1023 THIS ORDINANCE adopted this \_\_\_\_\_ day of \_\_\_\_\_ 2018. CITY OF SOUTH  
1024 FULTON, GEORGIA.

1025

1026

1027 **“SECOND READING”**

1028

1029

1030

1031

1032

1033 \_\_\_\_\_  
WILLIAM “BILL” EDWARDS, MAYOR

1034

1035

1036

1037

1038 ATTEST:

1039

1040

1041

1042 \_\_\_\_\_  
MARK MASSEY, CITY CLERK

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1049 APPROVED AS TO FORM:

1050

1051

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1053 \_\_\_\_\_  
EMILIA C. WALKER, CITY ATTORNEY

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**CITY OF SOUTH FULTON**

**COUNCIL AGENDA ITEM**

**COUNCIL REGULAR MEETING**



**SUBJECT:** Ord2018-038 Amended Truck Route Ordinance

**DATE OF MEETING:** 9/11/2018

**DEPARTMENT:** Attorney

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**ATTACHMENTS:**

| Description                               | Type       | Upload Date |
|-------------------------------------------|------------|-------------|
| Res2018-038 Amended Truck Route Ordinance | Cover Memo | 9/7/2018    |

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

5  
6 **ORDINANCE No. 2018-038**  
7

8 **AN ORDINANCE AMENDING THE CITY OF SOUTH FULTON TRUCK ROUTES**  
9 **ORDINANCE IN CHAPTER 2 OF TITLE 8 OF THE CITY OF SOUTH FULTON CODE**  
10 **OF ORDINANCES.**  
11

12 **WHEREAS**, the City of South Fulton ("City") is a municipal corporation duly  
13 organized and existing under the laws of the State of Georgia;  
14

15 **WHEREAS**, the duly elected governing authority of the City is the Mayor and  
16 Council thereof ("City Council");  
17

18 **WHEREAS**, the City Council is authorized by O.C.G.A. § 40-6-371 and O.C.G.A.  
19 § 32-4-92 to enact ordinances regulating motor vehicles and traffic with respect to  
20 streets and highways under their jurisdiction;  
21

22 **WHEREAS**, pursuant to City Charter Section 1.12(b)(18), the City is authorized  
23 to regulate the operation of motor vehicles and exercise control over all traffic, including  
24 parking, upon or across the streets, roads, alleys, and walkways of the City; and  
25

26 **WHEREAS**, the City finds it to be in the public interest and for the health, safety,  
27 welfare, comfort, and well-being of the City and its inhabitants to regulate motor vehicles  
28 and traffic within the City.  
29

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

33 **Section 1: Establishment of Truck Routes Ordinance**  
34

35 Chapter 2, Commercial Vehicles/Trucks, of Title 8, Traffic and Vehicles, of the  
36 City of South Fulton Code of Ordinances is hereby amended to read as follows:  
37

38 **Chapter 2: Commercial Vehicles/Trucks**  
39

40 **Sec 8-2001. - Definitions**  
41

42 The following definitions are used in administering this chapter.  
43

- (a) "Restricted Vehicle" means any Commercial Vehicle, Semi-Trailer, Trailer, or Truck heavier than 26,000 pounds.

**Sec 8-2002. – Truck Routes Designated**

- (a) The following streets and portions of streets, as further identified by posted regulatory signs, and as may be revised from time-to-time by the City police department with the approval of the City Council, are designated and established as designated truck routes and restricted routes:

[See attached Exhibits of Designated and Restricted Truck Routes and corresponding map, incorporated herein by reference]

- (b) Appropriate signs shall be erected indicating the streets that have been designated by ordinance as an official truck routes. Such signs shall meet the requirements of state law and all applicable regulations and shall read "TRUCK ROUTES" in letters not less than four inches in height. Signs shall be posted at all intersections of designated truck routes within the boundary of the City, at off-ramps from the Interstate 285 freeway, 20 and 85, and at any intersection where a turning movement is necessary on a designated truck routes.

**Sec. 8-2003. - Prohibition on Commercial Vehicles Traveling off Truck Routes**

When truck routes are established pursuant to this Chapter and designated by appropriate signs, the operator of any Restricted Vehicle shall drive said vehicle only on such routes and none other except for the following:

- (a) Restricted Vehicles coming from a truck routes having ingress and egress by direct routes to and from a restricted street when necessary for the purpose of providing a direct service requiring the utilization of such vehicles or making pickups and deliveries of goods, wares and merchandise from or to any building or structure located on the restricted street or for the purpose of delivering materials to be used in the actual and bona fide repair, alteration, remodeling or construction of any building or structure upon the restricted street for which a building permit has previously been obtained;
- (b) Restricted Vehicles leaving or returning to its customary storage location at the owner or operator's personal residence, or a commercial or industrial location in the City, provided the most direct routes to and from a designated truck routes is utilized.

(c) Vehicles as may be reasonably necessary:

(1) For the operation of authorized emergency vehicles or as otherwise necessary when an emergency has been declared by public officials or public act;

(2) For the purpose of transporting farm or ranch supplies, produce, or animals to and from ranches or farms situated along a street otherwise forbidden to be used by such vehicles,

(3) For the purpose of transporting a trailer used for recreation or noncommercial purposes and/or boat to and from locations along a street otherwise forbidden to be used by such vehicles;

(d) If a delivery or pickup is to be made by a Restricted Vehicle within any area that is not on a designated truck routes; such delivery or pickup shall not be made between the hours of 7:00 a.m. and 7:00 p.m.

**Sec. 8-2004. – Parking of Restricted Vehicles Weighing 26,000 pounds or more**

It shall be unlawful to park any nonmotorized vehicle or conveyance of any motorized Restricted Vehicle designated by the Georgia Department of Public Safety for a license tag in a weight category heavier than 26,000 pounds on the right-of-way of any residential street, ramp, road or highway under the City's jurisdiction or upon residential zoned property, unless said vehicle is making a delivery to said residential property. School buses shall not fall under this section. This section shall not apply to construction vehicles, trailers, or equipment temporarily located within a construction area, provided such vehicles, trailers or equipment are used in connection with dwelling units under construction within such construction area. Any vehicle or conveyance parked in a manner that violates this section shall be considered an abandoned vehicle and a nuisance posing a threat to the public health or safety and shall be subject to removal as otherwise authorized in this Title.

**Sec. 8- 2005. - Overnight parking of vehicles weighing 26,000 pounds or more**

It shall be unlawful for any person to park between the hours of 10:00 p.m. and 6:00 a.m., on the right-of-way of any residential street, ramp, road or highway under the City's jurisdiction, any nonmotorized vehicle or conveyance or any motorized vehicle designated by the Georgia Department of Public Safety for a license tag in any weight

category higher than the 26,000 pounds commercial classification. Any vehicle or conveyance parked in a manner that violates this section shall be considered an abandoned vehicle and a nuisance posing a threat to the public health or safety and shall be subject to removal as otherwise authorized in this Title.

**Sec. 8- 2006. - Parking or storage of unlicensed, inoperable vehicles, trailers or equipment**

Vehicles and trailers of any kind without current license plates shall not be parked or stored on or about any property within a residential zoned district or on the right-of-way of any residential street, ramp, road or highway under the City's jurisdiction. Further, vehicles, trailers or equipment permitted to remain in an inoperable condition for more than 30 days shall not be parked or stored on or about any property within a residential zoned district. Provided, however, this section shall not apply to vehicles, trailers or equipment stored in an enclosed structure or appropriately covered and located in the rear yard area. Any vehicle, conveyance or trailer parked in a manner that violates this provision shall be considered an abandoned vehicle and a nuisance posing a threat to the public health or safety and shall be subject to removal as otherwise authorized in this Title.

**Sec. 8-2007. – Penalties for Violation of Chapter.**

- (a) Any person who violates this Chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished in accordance with Sec. 8-1002.; and each occurrence shall be deemed a separate offense. These penalties shall be separate and apart from any costs associated with the removal, towing, seizure, holding or storage of an offending vehicle authorized elsewhere in this article.
- (b) Except as otherwise provided by law, it is unlawful for the owner or any other person renting or leasing a vehicle to the driver, employing the driver or otherwise directing the driver of any vehicle to require or permit the operation of the vehicle upon a street or highway in any manner contrary to any ordinance contained within this Chapter. Fines for unlawful operation or parking of rented or leased vehicles may be assessed against the company renting or leasing the vehicle to an individual or company.
- (c) Any person authorized by state law or by City Charter, ordinance, or resolution to enforce this Chapter may remove an offending vehicle from any road, right-of-way or other public property or have an offending vehicle that is parked on

any road, right-of-way or other public property towed to an appropriate location immediately upon its discovery. The notice provisions of O.C.G.A. § 40-11-3 shall be followed as to any vehicle so removed. The owner of the offending vehicle so removed shall be responsible for all reasonable costs associated with the removal or towing of the offending vehicle and any required storage thereof. Any person authorized by state law or by City Charter, ordinance, or resolution to enforce this article may seize an offending vehicle from any road, right-of-way or other public property and may hold such vehicle until any and all fines imposed upon the owner of the offending vehicle based on the violation(s) are paid in full and any and all costs associated with the removal or towing of the offending vehicle and any required storage thereof have been satisfied in accordance with O.C.G.A. § 40-11-2. Neither the City nor any person authorized by state law or by City Charter, ordinance, or resolution to enforce this article shall be liable for any damage or loss when an offending vehicle or a vehicle reasonably considered to be offending at the time enforcement action was taken is removed, towed, seized, held or stored in accordance with this provision.

(d) Nothing in this Chapter is intended to allow or shall be interpreted to allow the removal, towing, seizure, holding or storage of any offending vehicle located on private property unless and to the extent such actions are otherwise authorized in state law.

(e) For purposes of enforcing the provisions of this section, any City of South Fulton Municipal Court or courts having jurisdiction over state traffic offenses or other courts having jurisdiction over violations of City ordinances shall be entitled to take such action to ensure compliance, and the person convicted shall reimburse the City for any cost or expense associated with such compliance efforts and the City shall be entitled to place a lien on the property or require a bond from the person to secure payment and reimbursement for these expenses.

\*\*\*\*\*

**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, 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 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 this Ordinance.

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

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

**Section 5.** *Instruction to City Clerk.* Unless vetoed, the City Clerk is hereby directed to forward a copy of this Ordinance to the City Finance Department.

221 The foregoing **ORDINANCE NO. 2018-038**, adopted on \_\_\_\_\_ was  
222 offered by Councilmember \_\_\_\_\_, who moved its approval. The motion was  
223 seconded by Councilmember \_\_\_\_\_, and being put to a vote, the result  
224 was as follows:

225

226 **“SECOND READING”**

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AYE

NAY

232 William “Bill” Edwards, Mayor

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233 Mark Baker, Mayor Pro Tem

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234 Catherine Foster Rowell

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235 Carmalitha Lizandra Gumbs

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236 Helen Zenobia Willis

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237 Gertrude Naeema Gilyard

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238 Rosie Jackson

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239 khalid kamau

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THIS ORDINANCE adopted this \_\_\_\_\_ day of \_\_\_\_\_ 2018. CITY OF SOUTH  
FULTON, GEORGIA

**“SECOND READING”**

\_\_\_\_\_  
WILLIAM “BILL” EDWARDS, MAYOR

ATTEST:

\_\_\_\_\_  
MARK MASSEY, CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
EMILIA C. WALKER, CITY ATTORNEY



**CITY OF SOUTH FULTON**

**COUNCIL AGENDA ITEM**

**COUNCIL REGULAR MEETING**



**SUBJECT:** Enon Road Project - IGA with Fulton County

**DATE OF MEETING:** 9/11/2018

**DEPARTMENT:** City Manager

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**ATTACHMENTS:**

| Description                     | Type       | Upload Date |
|---------------------------------|------------|-------------|
| Enon and Danforth Comdemnations | Cover Memo | 9/6/2018    |



# CITY OF SOUTH FULTON

## COUNCIL AGENDA ITEM



**SUBJECT:** SUBJECT: RESOLUTION TO AUTHORIZE FULTON COUNTY TO USE EMINENT DOMAIN TO ACQUIRE REAL PROPERTY INTERESTS WITHIN THE BOUNDARIES OF THE CITY OF SOUTH FULTON AS PER THE TSPLOST AGREEMENT AND TO AUTHORIZE THE FULTON COUNTY ATTORNEY TO CONDEMN SAID PROPERTY INTERESTS, WHERE NECESSARY; TO AUTHORIZE THE FULTON COUNTY ATTORNEY TO APPROVE ANY NECESSARY DOCUMENTS AS TO FORM AND SUBSTANCE AND MAKE ANY NECESSARY MODIFICATIONS THEREOF TO PROTECT THE INTEREST OF THE COUNTY AND THE CITY OF SOUTH FULTON , PRIOR TO EXECUTION

**DATE OF MEETING:** **TBD**

**BUDGET IMPACT:**

**FUNDING SOURCE**

( ) Annual

(X) Capital - TSPLOST

( ) N/A

Work Session (X)

Regular Session ( )

Recommendation ( )

Policy/Discussion ( )

Report ( )

Other ( )

**CITY ACTION REQUESTED ON:** **TBD**

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### HISTORY, FACTS AND ISSUES:

In accordance with ARTICLE 27 of the Intergovernmental Agreement, Fulton County is currently managing the Transportation Special Local Option Sales Tax (TSPLOST) projects that are located within the boundaries of the City of South Fulton. Two of the current projects are sidewalk improvements along Enon Road and Danforth Road.

The Fulton County Department of Real Estate Asset Management Land Division to date has successfully acquired thirty (30) of the thirty-six (36) parcels for the Enon Road Sidewalk Project and twenty eight (28) of the thirty five (35) parcels for the Danforth Road Sidewalk Project. There are six (6) outstanding parcels for Enon Road and seven (7) outstanding for Danforth Road at this time.

Since mutually acceptable terms of settlement could not be negotiated with the remaining property owners of these 13 parcels, the Fulton County Department of Public Works requests the approval of the City of South Fulton to authorize the use of eminent domain for six (6) parcels on Enon Road Sidewalks and seven (7) parcels on Danforth Road Sidewalks to acquire the necessary real property interests required to construct and complete these sidewalk projects under the TSPLOST program.

The property owners have cited the fair market value being offered and the impact of the proposed sidewalk will have on their remaining property as the most common areas of disagreement and reasons why these property owners are not willing to sell their property for these sidewalk projects.

Upon approval of the use of eminent domain the City of South Fulton Attorney will commence condemnation proceedings, by the Declaration of Taking method found in O.C.G.A. Title 32, Chapter 3, Article 1, in the name of the City of South Fulton, for the condemnation of said easements and right-of-way from those property owners in which mutual terms of settlement could not be reached.

All costs associated with acquiring the outstanding parcels via eminent domain with utilize current TSPLOST funds.

OPTIONS:

1. Approval of the requested action will allow the County to certify the required rights of way so that the projects can be let to construction.
2. The City of South Fulton can continue authorizing staff to negotiate with the property owners to attempt to reach a compromise acquisition. Though this approach will likely delay the construction schedule for these sidewalk improvements.
3. Removal of the unsettled parcels from the project and not constructing a sidewalk along their frontage would negatively impact the intended functionality of the sidewalk for the residents of these communities.

RECOMMENDED ACTION:

Approve resolution to authorize Fulton County to use eminent domain to acquire real property interests within the boundaries of the city of South Fulton , which are necessary for construction of the proposed TSPLOST sidewalk projects that have been planned for the residents of the City South Fulton.

DEPARTMENT:

Fulton County Public Works,  
on behalf of the City of South Fulton

DEPARTMENT HEAD:

David Clark, Public Works Director  
Antonio Valenzuela, Deputy Director, Transportation

ADMINISTRATIVE COMMENTS AND RECOMMENDATION: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
City Manager

Action Taken By Council: \_\_\_\_\_

1 **RESOLUTION TO AUTHORIZE THE USE OF EMINENT DOMAIN TO**  
2 **ACQUIRE REAL PROPERTY INTERESTS NECESSARY TO COMPLETE THE**  
3 **ENON ROAD SIDEWALK PROJECT T-268, TO AUTHORIZE THE COUNTY**  
4 **ATTORNEY TO CONDEMN SAID PROPERTY INTERESTS, WHERE**  
5 **NECESSARY; TO AUTHORIZE THE COUNTY ATTORNEY TO APPROVE**  
6 **ANY NECESSARY DOCUMENTS AS TO FORM AND SUBSTANCE AND**  
7 **MAKE ANY NECESSARY MODIFICATIONS THEREOF TO PROTECT THE**  
8 **INTEREST OF THE COUNTY, PRIOR TO EXECUTION**

9  
10 **WHEREAS,** Fulton County Georgia, is a political subdivision of the State  
11 of Georgia, existing as such under and by the Constitution, statutes, and laws of  
12 the State; and

13 **WHEREAS,** the Board of Commissioners of Fulton County has heretofore  
14 determined that it is in the interest of the public health, safety and welfare, to  
15 construct, install, alter, improve and connect a system of roads and drainage  
16 projects through Fulton County; and

17 **WHEREAS,** the Board of Commissioners of Fulton County has heretofore  
18 determined that the County needs to improve the existing system of roads and  
19 drainage along Enon Road for the residents of this community and the residents  
20 of Fulton County; and

21 **WHEREAS,** a portion of said existing system of roads and drainage lies  
22 along Enon Road, all as shown on the plans and specifications therefore and so  
23 designated on file in the Fulton County Department of Facilities and  
24 Transportation Services as Project No. T-268; and

25 **WHEREAS,** the Board of Commissioners of Fulton County has  
26 determined that it is in the best interest of its citizens to acquire right-of-way land  
27 and permanent and temporary easements for the purpose of improving said  
28 roads and drainage in connection with the construction of the said project known



1 as the Enon Road Sidewalk Improvements Project as described and approved  
2 under the execution of the Resolution to Acquire Realty Interests for the Enon  
3 Road Sidewalks Improvements Project as approved by the Fulton County Board  
4 of Commissioners on July 20, 2016 as Agenda Item #16-0564; and

5 **WHEREAS**, upon the recommendation of the Fulton County Department  
6 of Real Estate and Asset Management, the Board of Commissioners has  
7 concluded that, right-of-way, permanent, and temporary easements are required  
8 on properties located at the following addresses: (1) 3265 Enon Road; Fulton  
9 County Tax Parcel I.D. # 14F-0122-LL-017-3, College Park, Georgia 30349; (2)  
10 3000 Union Road; Fulton County Tax Parcel I.D. # 14F-0122-LL-025-6 and  
11 Fulton County Tax Parcel I.D. # 14F-0121-LL-006-7, College Park, Georgia  
12 30349; and (3) 3000 Union Road, Fulton County Tax Parcel I.D. # 14F-0103-LL-  
13 012-7, College Park, Georgia 30349; (4) 0 Enon Road, Fulton County Tax Parcel  
14 I.D. # 14F-0122-LL-018-1, College Park, Georgia 30349; (5) 0 Enon Road, Fulton  
15 County Tax Parcel I.D. # 14F-0122-LL-034-8, College Park, Georgia 30349 for  
16 the purpose of improving said existing system of roads and drainage and for the  
17 construction of sidewalks; and

18 **WHEREAS**, said proposed project calls for the acquisition of right-of-way,  
19 permanent, and temporary easements from property owned individually by Todd  
20 Landgraf, Michael P. Hayes, Warrior Golf Resources, LLC, and Enon Road  
21 Properties, LLC; and

1           **WHEREAS**, in order to complete construction of the Enon Road  
2 Sidewalks Improvements Project, it is necessary that said right-of-way,  
3 permanent, and temporary easements be acquired for said project; and

4           **WHEREAS**, pursuant to the procedures set forth in O.C.G.A. § 22-1-10,  
5 notice has been published, together with personal service on the property owners  
6 of: (1) 3265 Enon Road; Fulton County Tax Parcel I.D. # 14F-0122-LL-017-3,  
7 College Park, Georgia 30349; (2) 3000 Union Road; Fulton County Tax Parcel  
8 I.D. # 14F-0122-LL-025-6 and Fulton County Tax Parcel I.D. # 14F-0121-LL-006-  
9 7, College Park, Georgia 30349; and (3) 3000 Union Road, Fulton County Tax  
10 Parcel I.D. # 14F-0103-LL-012-7, College Park, Georgia 30349; (4) 0 Enon  
11 Road, Fulton County Tax Parcel I.D. # 14F-0122-LL-018-1, College Park,  
12 Georgia 30349; (5) 0 Enon Road, Fulton County Tax Parcel I.D. # 14F-0122-LL-  
13 034-8, College Park, Georgia 30349, that the Board of Commissioners is to  
14 consider exercising the power of eminent domain to acquire said right-of-way,  
15 permanent, and temporary easements on \_\_\_\_\_, at a public meeting  
16 beginning at 10:00 a.m. at the Assembly Hall located at 141 Pryor Street, S.W.,  
17 Atlanta, Georgia 30303. A Notice of Landowners Rights was also duly served on  
18 the property owners.

19           **NOW, THEREFORE, BE IT RESOLVED**, that the Board of  
20 Commissioners of Fulton County hereby re-affirms that it is in the best interest of  
21 the public health, safety, and welfare, to construct, install, alter and connect an  
22 existing system of roads and drainage through said County as shown and

1 identified on the plans and specifications on file in the Fulton County Department  
2 of Public Works, being designated Project No. T-268; and

3 **BE IT FURTHER RESOLVED**, that the necessity for immediately  
4 acquiring all of the property embraced within the limits established for the right-  
5 of-way, temporary, and permanent easements and identified herein, to serve the  
6 public transportation project known as the Enon Road Sidewalks Improvements  
7 Project is hereby declared, and that the same constitutes a public transportation  
8 use as contemplated by O.C.G.A. § 32-3-4 sufficient to authorize the  
9 condemnation of the necessary right-of-way and easements pursuant to the  
10 Declaration of Taking method of condemnation of the necessary right-of-way and  
11 easements pursuant to the Declaration of Taking method of condemnation found  
12 in O.C.G.A. § 32-3-4; and

13 **BE IT FURTHER RESOLVED**, that the option to purchase the seven  
14 remaining Parcels referenced herein is authorized and approved; and

15 **BE IT FURTHER RESOLVED**, that the right-of-way, permanent, and  
16 temporary easements necessary to implement said Enon Road Sidewalks  
17 Improvements Project are hereby authorized to be purchased by Fulton County  
18 from the various owners for an amount not less than fair market value, as  
19 approved by the Fulton County Land Administrator, and that the Director of  
20 Finance is hereby authorized and directed to expend all necessary and proper  
21 payments for the expenses incurred by the Land Administrator in carrying out the  
22 acquisition and management duties and obligations of this project, upon receipt  
23 of a written request from the Land Administrator for all costs incurred and further

1 that these costs are paid from the approved funded accounting line 509-540-  
2 5400-T268LAN; and

3 **BE IT FURTHER RESOLVED**, that should the Fulton County Land  
4 Administrator be unable to acquire said right-of-way, permanent, and temporary  
5 easements for the above uses by direct negotiations with the owners of the  
6 property, the Legal Department is hereby directed and authorized in each  
7 instance and with respect to each parcel of real property, to institute  
8 condemnation proceedings, by Declaration of Taking method found in O.C.G.A.  
9 Title 32, Chapter 3, Article 1, in the name of Fulton County, for the condemnation  
10 of said easements and right-of-way referenced herein, for the public  
11 transportation uses set forth herein, and as provided by the Constitution and  
12 Laws of Georgia. Said condemnation proceedings may only be instituted after 30  
13 days from the date of this resolution in accordance with O.C.G.A. § 22-1-10.  
14 Once the condemnation proceedings have been filed, and should the opportunity  
15 for settlement between the parties develop, the Fulton County Land  
16 Administrator, with the advice of the Legal Department, is hereby authorized to  
17 enter into settlement negotiations and/or settle the condemnation proceedings.

18 **BE IT FURTHER RESOLVED**, that this Resolution shall become effective  
19 upon its adoption, and that all resolutions and parts of resolutions in conflict with  
20 this Resolution are hereby repealed to the extent of the conflict.

21 **SO PASSED AND ADOPTED**, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

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[SIGNATURES ON NEXT PAGE]

Fulton County Board of Commissioners

By: \_\_\_\_\_  
Robert L. Pitts, Chairman  
Fulton Board of Commissioners

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Tonya Grier, Interim Clerk of Commission      Office of the Fulton County Attorney



**CITY OF SOUTH FULTON**

**COUNCIL AGENDA ITEM**

**COUNCIL REGULAR MEETING**



**SUBJECT:** SFCTP MOA

**DATE OF MEETING:** 9/11/2018

**DEPARTMENT:** City Manager

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**ATTACHMENTS:**

| Description | Type       | Upload Date |
|-------------|------------|-------------|
| SFCTP MOA   | Cover Memo | 9/6/2018    |



# CITY OF SOUTH FULTON

## COUNCIL AGENDA ITEM



**SUBJECT: SUBJECT: RESOLUTION TO AUTHORIZE THE MAYOR TO EXECUTE THE MEMORANDUM OF AGREEMENT BETWEEN THE ATLANTA REGIONAL COMMISSION AND THE CITY OF SOUTH FULTON FOR THE UPDATE OF THE SOUTH FULTON COMPREHENSIVE TRANSPORTATION PLAN (SFCTP)**

**DATE OF MEETING: TBD**

**BUDGET IMPACT:  
FUNDING SOURCE**

- ☐ Annual
- ☐ Capital
- ☐ N/A

Work Session (X)  
Regular Session ( )  
Recommendation ( )  
Policy/Discussion ( )  
Report ( )  
Other ( )

**CITY ACTION REQUESTED ON: TBD**

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### HISTORY, FACTS AND ISSUES:

The cities of South Fulton completed their first joint comprehensive transportation plan (CTP) in 2012. The plan was adopted by Mayors and City Councils in the winter of 2013. The Atlanta Regional Commission (ARC) encouraged that the plan be updated every five years to reflect the latest socio-economic, land use and transportation data; to serve as a guide to develop the latest priorities, funding opportunities; and adhere to the latest federal and state regulations. As part of the CTP program, ARC has offered to program \$625K planning funds in 2019 for the eight cities (Chattahoochee Hills, College Park, East Point, Fairburn, Hapeville, Palmetto, South and Union City) to update the CTP. The update will be managed by the ARC, as agreed by the cities.

On March 27, 2018, during the work session, transportation staff made a presentation on the South Fulton Comprehensive Transportation Plan (SFCTP) and briefed the City Council on the Plan and the Memorandum of Agreement regarding the need, purpose, and funding requirements of the plan update. Council supported moving forward with the update pending funding availability. On May 21, 2018, Fulton County received the required match in the amount of \$61,131.08 for the SFCTP, on behalf of the City of South Fulton which was already transmitted to ARC.

The next steps are to complete execution of the MOA from each city and release a Request-for-proposals (RFP) in September. ARC has projected selection of the Consultant and award by the end of this year. Finally, the agency anticipates issuing a Notice to Proceed (NTP) in early 2019.

### OPTIONS:

### RECOMMENDED ACTION:

Authorize Mayor to execute the Memorandum of Agreement for the development of the South Fulton Plan update.



DEPARTMENT:

Fulton County Public Works,  
on behalf of the City of South Fulton

DEPARTMENT HEAD:

David Clark, Public Works Director  
Antonio Valenzuela, Deputy Director, Transportation

ADMINISTRATIVE COMMENTS AND RECOMMENDATION: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
City Manager

Action Taken By Council: \_\_\_\_\_

***Memorandum of Agreement  
for  
The Development of the South Fulton Comprehensive Transportation Plan  
Among  
the Cities of Chattahoochee Hills, College Park, East Point, Fairburn, Hapeville, Palmetto,  
South Fulton, and Union City***

**WITNESSETH:**

WHEREAS, the Atlanta Regional Commission (ARC) is the Metropolitan Area Planning and Development Commission for the ten (10) county Atlanta Region as defined by O.C.G.A 50-8-82; and

WHEREAS, in accordance with O.C.G.A. 50-8-93 (e), ARC has the power and authority to undertake such other planning functions within its area as may be assigned or delegated to the commission by other agencies or boards, public or private, and for which the commission accepts responsibility; and

WHEREAS, each of the cities of south Fulton County (Chattahoochee Hills, College Park, East Point, Fairburn, Hapeville, Palmetto, South Fulton and Union City, hereinafter referred to as “the Cities”) has agreed that the Atlanta Regional Commission (ARC) will manage the planning and development of a Comprehensive Transportation Plan for South Fulton County and ARC agrees to accept responsibility for management of the project.

NOW, THEREFORE, for and in consideration of the premises, the parties hereby agree as follows:

**SECTION 1: PURPOSE**

This Memorandum of Agreement (MOA) is intended to provide a framework for continuing cooperative and comprehensive planning and development of the South Fulton Comprehensive Transportation Plan (SFCTP). The development of the SFCTP will be managed by ARC as agreed by the Cities.

The SFCTP will be a program of goals, objectives, and strategies aimed at evaluating, coordinating and making necessary recommendations for the regional transportation system. This process is intended to ensure that the South Fulton area is coordinated in an effort to produce a Plan that will meet the future projected demands related to land use and the regional transportation system. This project will also involve the development of performance measures, the collection and analysis of data as well as stakeholder input in various forms. The end result of this process will be a comprehensive program of policies and/or projects that will include estimated costs and timeframes for project implementation and any recommendations for needed coordination beyond local jurisdictional boundaries.

## **SECTION 2: ORGANIZATIONAL ROLES AND RESPONSIBILITIES**

### **A. Atlanta Regional Commission (ARC)**

ARC shall be responsible for the following:

1. Provide overall coordination and management of the project.
2. Manage and conduct all planning activities associated with the project.
3. Be the recipient of any federal and local funding for all planning activities associated with the project. (Estimates are \$500,000 federal and \$125,000 local for a total of \$625,000)
4. Award and manage any sub-contracts necessary to perform required planning associated with the project.
5. Manage the project in accordance with all applicable State and Federal laws and regulations.
6. Provide periodic financial status updates at Project Management Team (PMT) meetings to the Cities showing the obligation and expenditure of funds.
7. Invoice and collect the local match from individual cities.
8. Share information it receives from the consulting team with individual cities.
9. Encourage input from individual cities and facilitating development of the Scope of Work with the PMT.

ARC will designate an ARC Project Manager for the SFCTP. For the sake of continuity, it is highly desirable to maintain the same Project Manager throughout the project.

### **B. Cities**

The Cities shall be responsible for the following:

1. Assist ARC in the development of a scope of work for the project.
2. Provide funding for the project in accordance with each city's commitment, shown under the "local match" column in the table on Attachment A: Local Match Financial Commitments.
3. The Cities will have their funds, authorized by the local government, available to pay their share of the local match to the Atlanta Regional Commission by July 31, 2018. All local matches must be received in advance of ARC negotiating a consultant contract and incurring costs. There will be no refund of the local match after funds are transmitted to ARC. Any funds paid in advance, for which ARC does not actually incur the estimated costs, will be refunded to the Cities, once the project is complete, proportional to each city's share shown in Attachment A.
4. Appoint representatives to serve on Project Management Team (PMT) and Stakeholders Committee (SC).
5. Mayors of South Fulton Cities serve on the Project Policy Committee.
6. Provide other assistance as mutually agreed upon.
7. Submit to ARC a copy of the City Council resolution and/or meeting minutes approving the Comprehensive Transportation Plan.

8. Acknowledge that the SFCTP has a regional focus; the Cities pledge to work together toward mutually beneficial arrangements balancing mobility, land use, and quality of life issues.
9. Review project documents and approve the project final document according to the procedures laid out in Section 3.

### **SECTION 3: POLICY DEVELOPMENT AND COORDINATION**

The project shall be conducted using three key groups to facilitate feedback, decisions and communication: a Stakeholders Committee, a Policy Committee and a Project Management Team.

- The Stakeholders Committee is the main group that will review large quantities of study information, findings and recommendations presented by ARC and the Consultant.
- The Policy Committee will provide policy direction.
- The Project Management Team will deal with contractual and project management issues.

A Project Management Plan will be developed to outline specific meetings and a project schedule.

#### **3.1 Stakeholders Committee (SC)**

The involvement of a diverse set of stakeholders is essential to the successful development of this project. The composition of the Stakeholders Committee (SC) should reflect each City government and South Fulton County as a whole, representing the public's interests in formulating the SFCTP. The PMT will approve the recommended committee structure, as proposed in the public participation plan, as defined in the scope of services. The SC will consist of no more than 40 people. The SC, at a minimum, shall include City Council members, citizen's representatives, staff and board of CIDs, transit operators, land use planners, chambers of commerce, GDOT, environmental advocates, etc.

Three-quarters of the membership of the SC will be proportional to the population for each city, with one-quarter reserved for other representation as indicated above.

ARC and their Consultant will meet with the SC periodically throughout the project according to the Project Management Plan and present all of the significant findings and recommendations of the SFCTP to the SC for their review and feedback. The SC will help to shape the plan by providing input to the needs assessment and project recommendations, including policy decisions where a consensus can be reached. The PMT will insure the Consultant meet with and provide presentations to each City Council as specified in the Statement of Work.

If the SC reaches an impasse, they will refer the issue to the Policy Committee for resolution. The intent is to reach consensus on the plan, and the SC, as a microcosm of the public, is the primary body for discussing and debating the elements of the plan and for reaching a consensus that is representative of the public.

### **3.2 Policy Committee (PC)**

The Policy Committee (PC) shall consist of the eight Mayors. The PC will select the representatives to the Stakeholders Committee. The PC may meet quarterly and shall provide policy direction to the PMT, interpret any areas requiring policy clarification, and provide approval of the draft plan, in accordance with the requirements of this section. The decision-making process shall be decided by the Policy Committee.

### **3.3 Project Management Team (PMT)**

The PMT shall consist of one city staff member, appointed by the Mayor from each of the eight cities. The 8-member PMT shall:

- Provide project management input and guidance for the consultant and the ARC Project Manager.
- Refer difficult policy matters to the Policy Committee (PC), as provided by the Stakeholders, along with any PMT positions or recommendations
- Develop and recommend the scope of services, by consensus vote.
- Recommend the preferred consultant for selection by ARC, to perform the scope of services

Decisions of the PMT shall be made by majority vote (5 out of 8 members).

### **3.4 Approval of Draft Plan**

The draft document as designated by the PMT shall be sent to the PC and requires six out of eight votes for approval by the PC.

### **3.5 Approval of Final Plan**

The PC shall submit the approved draft plans to the eight City Councils. A minimum of five approvals from the eight cities must approve and accept the draft report (that has been approved by the PC) to constitute final approval of the plan. Cities which do not approve the plan will not be permitted to reference the CTP as a source document for projects submitted in any future solicitations for federal funds managed by ARC.

## **SECTION 4: COMPLIANCE WITH APPLICABLE LAWS AND REGULATIONS**

ARC and the Cities shall comply with all applicable Local, State, and Federal laws and regulations. Nothing in this MOA alters, or seeks to alter, the existing statutory authority of either party under State or Federal law. If any of the provisions of this MOA are held to be illegal, invalid or unenforceable, the remaining provisions shall remain in full force and effect.

## **SECTION 5: TIME OF PERFORMANCE, AMENDMENTS AND MODIFICATIONS**

This agreement shall become effective upon execution by the Cities and remain in effect until the completion of the project or termination by the parties as provided below.

Any City may terminate this Agreement upon sixty (60) days' written notice to the others, provided that the City requesting termination has provided notice and sufficient opportunity for remedy.

Any City may request changes to this MOA at any time by written notice to the other Cities signatory of this agreement. Such changes as are mutually agreed upon by and between the Cities shall be incorporated in written amendments to this MOA executed in the same manner as original MOA approval. This Agreement may only be modified by an instrument in writing executed by the Cities. Notwithstanding the foregoing, the Cities acknowledge that this Agreement may be revised or refined from time to time during its term. The Cities agree to cooperate with each other by executing such documents as may be necessary to evidence such mutually agreeable modifications and refinements.

#### **SECTION 6: NOTIFICATION**

Any official notifications between the parties to this MOA that would substantially affect the terms or conditions of this MOA shall be directed to the office of the signatories to this agreement.

*In witness whereof, the parties hereto have executed this Memorandum of Agreement, this \_\_\_\_\_ day of \_\_\_\_\_, 2018*

***City of Chattahoochee Hills***

*Attest:*

\_\_\_\_\_  
*Mayor*

***City of College Park***

*Attest:*

\_\_\_\_\_  
*Mayor*

***City of East Point***

*Attest:*

\_\_\_\_\_  
*Mayor*

***City of Fairburn***

*Attest:*

\_\_\_\_\_  
*Mayor*

***City of Hapeville***

*Attest:*

\_\_\_\_\_  
*Mayor*

***City of Palmetto***

*Attest:*

\_\_\_\_\_  
*Mayor*

***City of South Fulton***

*Attest:*

\_\_\_\_\_  
*Mayor*

***City of Union City***

*Attest:*

\_\_\_\_\_  
*Mayor*



**Attachment A: Local Match Financial Commitments**  
**South Fulton Comprehensive Transportation Plan**

|                |                         |
|----------------|-------------------------|
| <b>Federal</b> | <b>\$500,000</b>        |
| <b>Local</b>   | <b><u>\$125,000</u></b> |
| <b>Total</b>   | <b>\$625,000</b>        |

| Jurisdiction        | 2016<br>Population | % of<br>Population | Local Share          |
|---------------------|--------------------|--------------------|----------------------|
| Chattahoochee Hills | 2,804              | 1.44%              | \$ 1,797.46          |
| College Park        | 13,676             | 7.01%              | \$ 8,766.80          |
| East Point          | 35,471             | 18.19%             | \$ 22,738.17         |
| Fairburn            | 14,182             | 7.27%              | \$ 9,091.17          |
| Hapeville           | 6,627              | 3.40%              | \$ 4,248.14          |
| Palmetto            | 4,395              | 2.25%              | \$ 2,817.35          |
| South Fulton        | 96,923             | 49.70%             | \$ 62,131.08         |
| Union City          | 20,919             | 10.73%             | \$ 13,409.82         |
| <b>Total</b>        | <b>194,997</b>     | <b>100%</b>        | <b>\$ 125,000.00</b> |

\*Source- The Atlanta Regional Commission



**CITY OF SOUTH FULTON**

**COUNCIL AGENDA ITEM**

**COUNCIL REGULAR MEETING**



**SUBJECT:** 2018 Audit Contract Approval

**DATE OF MEETING:** 9/11/2018

**DEPARTMENT:** Finance

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**ATTACHMENTS:**

| Description                  | Type       | Upload Date |
|------------------------------|------------|-------------|
| Audit_2018 Contract Approval | Cover Memo | 9/6/2018    |



## *City of South Fulton, Georgia*

### **Quote to Provide Professional Auditing Services**

**Fiscal Year Ending September 30, 2018  
With Options for 2019 and 2020**

**Mauldin & Jenkins Certified Public Accountants**

**Contact Persons: Doug Moses, CPA, Partner  
James Bence, CPA, Partner  
Adam Fraley, CPA, Partner**

**Phone: (770) 955-8600**

**Email: [dmoses@mjcpa.com](mailto:dmoses@mjcpa.com)**

**200 Galleria Parkway, S.E.  
Suite 1700  
Atlanta, Georgia 30339  
Web: [www.mjcpa.com](http://www.mjcpa.com)**

**MAULDIN  
& JENKINS**



***Over 400 Governmental Units Served***



***We Do Things Right &  
We Do the Right Things***

August 30, 2018

Mr. Frank Milazi  
City of South Fulton  
5440 Fulton Industrial Blvd., SW  
Atlanta, Georgia 30336

Dear Mr. Milazi:

Mauldin & Jenkins, LLC is very excited about the opportunity to continue to work with the City during the City's developmental years. We appreciate the opportunity to continue our relationship in providing independent auditing services to the City of South Fulton, Georgia (the "City"). As professionals serving the public sector, specializing in services to all the newly incorporated cities, we believe our firm is eminently qualified to serve the City.

As professionals serving the public sector, Mauldin & Jenkins is best qualified to serve the City. We believe that **Mauldin & Jenkins is the leader in auditing state and local governments in the Southeast**. This leadership was achieved by recognizing that we are an important part of our client's success, with our objective being to ensure that accurate information is reported to the City Council, management, and its citizens. Given the complexities of the City's financial operations and the ongoing significant changes in accounting standards, we feel that it is very important that you select an auditing firm that is **focused and experienced** in the governmental industry **and has more experience working with newly incorporated cities in Georgia than any other firm**. **This is experience that cannot be matched by any other firm**. We differentiate ourselves from our peers in the following ways:

❖ **Experience with Governments.** As auditors for more governments in Georgia than any other firm, our professionals are thoroughly versed in the complex governmental arena, and have consistently provided the highest quality of service to our government clients. Consider the following:

- We audit 112 cities, including more cities in Georgia than any other firm (78 in Georgia).
- **We have audited all of the newly incorporated cities in Georgia since 2005. This includes not only the initial audit period, but also the transition periods for each city, during which time various services are transitioned from the respective counties.**
- We audit 53 counties, including more counties in Georgia than any other firm (40 in Georgia).
- We audit more State of Georgia agencies, authorities and commissions than any other firm.
- We serve 115 governments awarded the GFOA's Financial Reporting Certificates.
- We are highly involved in various national and state governmental associations.

**Mauldin & Jenkins provides over 80,000 hours of service to over 400 governmental units in the Southeast on an annual basis. Such experience results in the utilization of over 90 professionals.**

- ❖ **Staff Continuity.** Our staff retention rates are considered to be among the best in the profession (and much better than national and other regional firms). This fact, coupled with our vast array of government clients, results in a staff pool highly experienced with governmental entities with the definite capacity to serve the City. We are able to not only provide consistency with the partner and manager on our engagement teams, but seniors as well. We also have enough resources at the partner, manager, and senior levels to provide for periodic rotations as requested by our clients.
- ❖ **Education.** Mauldin & Jenkins' clients have the opportunity to register and receive approximately thirty (30) hours of continuing education on an annual basis, free of charge. We take our experience in serving governments, and choose timely and relevant topics to provide ongoing education to our clients. Sessions are limited to clients only. This amounts to a cost savings of approximately \$3,000 per individual per year.
- ❖ **Responsiveness.** We pride ourselves in responding to the needs of our clients and meeting their deadlines. This responsiveness is not only the ability to meet specified audit deadlines, but also the ability to respond to other requests. Our ability to be responsive is enhanced by the open communications and good working relationship we have with our clients. Our resources provide for the flexibility to meet your needs and to perform our services in an efficient and effective manner.
- ❖ **Organized to Specifically Meet Your Needs.** Our partners, managers, and seniors in the Firm's Governmental Practice Division spend 100% of their time serving governments. By structuring the Firm's Governmental Practice Division in such a manner, we are able to create efficiencies in the audit process which typically result in our total hours being significantly less than most other firms.
- ❖ **Nationally Recognized.** Mauldin & Jenkins is consistently ranked in the Top 100 by *Accounting Today* as well as *Inside Public Accounting* trade associations and magazines as one (1) of the largest certified public accounting firms in the country. Tommye Barie (a governmental audit partner with Mauldin & Jenkins) served as the 2015 Chair of the Board of Directors of the AICPA.

The City of South Fulton is an important client to Mauldin & Jenkins and one that we would be proud to continue to serve. Again, on behalf of Mauldin & Jenkins, we are excited about this opportunity to continue the relationship with the City and look forward to working to help meet the continuing challenges you face.

This proposal represents a firm offer for 120 days from the date of the proposal. As a member of Mauldin & Jenkins, Doug Moses is authorized to bind, and make representations for the Firm, and he will be the ultimate party responsible for the quality of the report and working papers. We welcome the opportunity to meet with management and governing board officials to present our proposal and our qualifications. Please contact us at (770) 955-8600, 200 Galleria Parkway SE, Suite 1700, Atlanta, Georgia 30339. Again, on behalf of Mauldin & Jenkins, thank you for the opportunity to serve.

Sincerely,  
MAULDIN & JENKINS, LLC



Doug A. Moses, Partner

## Firm Qualifications and Experience

### Organization and Size

Mauldin & Jenkins was formed in 1918 and has been actively engaged in governmental auditing since its inception. Mauldin & Jenkins is considered to be one of Georgia's largest locally owned provider of audit and accounting services, and one of the largest certified public accounting firms in the country. Mauldin & Jenkins serves clients throughout the Southeastern United States. Mauldin & Jenkins is considered to be a large regional firm.

We have offices in the following communities:

**Atlanta, GA \*\* Albany, GA \*\* Macon, GA \*\* Savannah, GA**  
**Birmingham, AL \*\* Bradenton, FL**  
**Columbia, SC \*\* Chattanooga, TN**

As noted in our transmittal letter, Mauldin & Jenkins provides and supervises over 80,000 hours of service to governmental entities on an annual basis. The Firm's governmental practice is the largest niche in the Firm and is approximately 27% of the Firm's total practice. However, size and resources alone are not the most meaningful measure of success; in the end, our clients remain the best judges of Mauldin & Jenkins' value.

Other key information relative to the size and experience of Mauldin & Jenkins is as follows:

- **300,000** - approx. total hours of service provided annually to clients of the Firm
- **85,000** - approx. total hours of service provided annually to governmental clients of the Firm
- **40%** - percentage of governmental practice as compared to Firm's attestation practice
- **25%** - percentage of governmental practice as compared to Firm's overall practice
- **400** - approx. total governmental entities served in past three (3) years
- **280** - total number of Firm personnel
- **115** - total clients served who obtain the GFOA / ASBO Certificates
- **44** - total clients with publicly issued debts in excess of \$50 million
- **52** - total number of Firm partners
- **11** - total number of full-time governmental partners & directors
- **11** - total number of full-time governmental managers
- **90** - total number of professionals with current governmental experience



### **Serving Governments For A Century**

Mauldin & Jenkins' commitment to government began when our Firm was established in 1918. Since then, we have viewed service to governments as significant to the overall success of the Firm. Today, the governmental sector is an industry that has been specifically identified for our continued growth in professional services. Accordingly, all professionals, from entry-level accountants to partners (who select the governmental sector as their focus) are trained to understand the issues and meet the needs of state and local governmental entities.



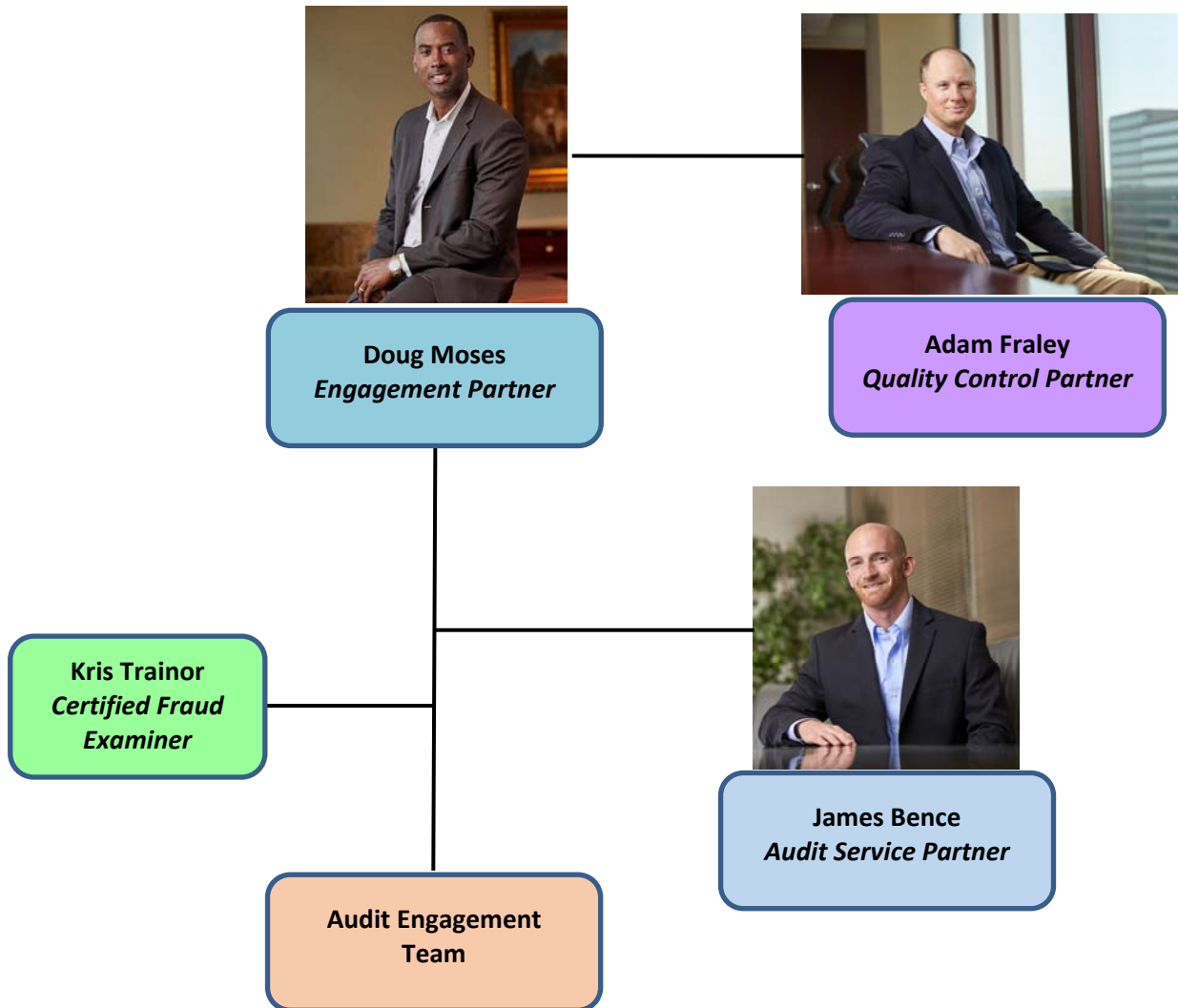
As noted previously, **Mauldin & Jenkins employs 22 partners, directors and managers who dedicate 100% of their time serving government clients.** We also have numerous additional professionals with current experience in providing services to governmental entities – many of whom spend their time exclusively on government clients. Mauldin & Jenkins' dedicated professionals can bring a comprehensive understanding of the issues that face government entities as well as “bench strength” at all levels, allowing us to respond swiftly and effectively to your evolving needs.

The goal of our government practice is to help governments improve their financial processes and strategies so that they can in turn achieve their goal of improving the lives of their citizens. This shared commitment to the goals of our clients has resulted in a significant government clientele. As noted in our transmittal letter, we currently **serve approximately 400 governments in the Southeast. We know of no other firm that can match our experience.**

Mauldin & Jenkins has obtained significant relevant experience serving governmental entities over the years by serving a wide variety of governmental entities. Just over the past three (3) years, we have annually served over 150 city/county local governments of all sizes across the Southeast. Additionally, over the past three (3) years, we have served more than 80 school systems and charter schools, approximately 40 state agencies, and another 105 special purpose entities (special districts, authorities, commissions, etc.). [We also are currently serving 115 governmental entities who annually obtain the GFOA's Certificate of Achievement for Excellence in Financial Reporting.](#)

**Key Members of Proposed Engagement Team**

In order to provide the highest quality service in the most cost efficient manner, Mauldin & Jenkins has formed a client service team which will function as a cohesive unit, and would represent a superb assortment of talent and experience for the audit of the City. The unit would be assembled as:



The above team dedicated to audit the City will include (at a minimum): three (3) partners, and at least two (2) staff professionals. The Audit Service Partner and the staff professionals will be substantially on-site full time throughout the conduct of their role in the audit. Other governmental audit professionals will be available to assist throughout the fieldwork and the preparation of the financial reports. The audit partner in-charge of fieldwork will correspond with City management on financial reporting, audit, and related issues on an ongoing basis, and this individual will also be dedicated to serve the City throughout fieldwork, reporting and conclusion in all respective fiscal years. Mauldin & Jenkins has the depth of resources which allows us to provide you with significant resources of knowledgeable professionals to meet your deadlines.

### **Governments Served in Past Three Years**

Perhaps the greatest indicator of our reliability as a professional service provider to state and local governments is our list of governmental clients.

**Cities.** Cities we have audited or are in the process of serving within the past three (3) years are:

#### **Georgia**

- |                         |                       |                       |                              |
|-------------------------|-----------------------|-----------------------|------------------------------|
| 1) Albany               | 31) Grantville        | 62) Sandy Springs     | 91) North Port               |
| 2) Alpharetta           | 32) Griffin           | 63) Savannah          | 92) Pensacola                |
| 3) Americus             | 33) Gum Branch        | 64) Sharpsburg        | 93) Pinecrest                |
| 4) Austell              | 34) Hapeville         | 65) Social Circle     | 94) Plant City               |
| 5) Baldwin              | 35) Hinesville        | 66) South Fulton      |                              |
| 6) Ball Ground          | 36) Jefferson         | 67) Stockbridge       | <b><u>Alabama</u></b>        |
| 7) Blakely              | 37) Jeffersonville    | 68) Stonecrest        | 95) Tuscaloosa               |
| 8) Bloomingdale         | 38) Johns Creek       | 69) Suwanee           |                              |
| 9) Braselton            | 39) Kennesaw          | 70) Thunderbolt       | <b><u>North Carolina</u></b> |
| 10) Brookhaven          | 40) Kingsland         | 71) Tifton            | 96) Garner                   |
| 11) Brunswick           | 41) Lawrenceville     | 72) Toccoa            | 97) New Bern                 |
| 12) Cedartown           | 42) Leesburg          | 73) Tucker            | 98) Selma                    |
| 13) Chamblee            | 43) Lilburn           | 74) Tybee Island      |                              |
| 14) Chattahoochee Hills | 44) Ludowici          | 75) Union City        | <b><u>South Carolina</u></b> |
| 15) Clarkston           | 45) Lyons             | 76) Valdosta          | 99) Aiken                    |
| 16) Cochran             | 46) Milledgeville     | 77) Vernonburg        | 100) Beaufort                |
| 17) College Park        | 47) Milton            | 78) Villa Rica        | 101) Chapin                  |
| 18) Conyers             | 48) Monroe            |                       | 102) Charleston              |
| 19) Cordele             | 49) Morrow            | <b><u>Florida</u></b> | 103) Clover                  |
| 20) Covington           | 50) Peachtree City    | 79) Arcadia           | 104) Hardeeville             |
| 21) Decatur             | 51) Peachtree Corners | 80) Bradenton         | 105) Hollywood               |
| 22) Doraville           | 52) Perry             | 81) Cooper City       | 106) Goose Creek             |
| 23) Douglasville        | 53) Pooler            | 82) Crystal River     | 107) Loris                   |
| 24) Duluth              | 54) Powder Springs    | 83) Ft. Myers Beach   | 108) Orangeburg              |
| 25) Dunwoody            | 55) Quitman           | 84) Haines City       | 109) Summerville             |
| 26) Fairburn            | 56) Port Wentworth    | 85) Hallandale Beach  |                              |
| 27) Fayetteville        | 57) Richmond Hill     | 86) Islamorada        | <b><u>Tennessee</u></b>      |
| 28) Flovilla            | 58) Riverdale         | 87) Lake Placid       | 110) Bristol                 |
| 29) Forest Park         | 59) Rockmart          | 88) Long Boat Key     | 111) Crossville              |
| 30) Garden City         | 60) Rome              | 89) Marco Island      | 112) Jamestown               |
|                         | 61) Roswell           | 90) Naples            |                              |

**Counties.** Counties we have audited or are in the process of serving within the past three (3) years are:

**Georgia**

- 1) Athens-Clarke
- 2) Augusta-Richmond
- 3) Columbus-Muscogee
- 4) Macon-Bibb
- 5) Bacon
- 6) Barrow
- 7) Chatham
- 8) Cherokee
- 9) Clayton
- 10) Colquitt
- 11) Crisp
- 12) DeKalb
- 13) Dougherty
- 14) Douglas
- 15) Floyd
- 16) Forsyth
- 17) Glynn
- 18) Gwinnett
- 19) Henry
- 20) Jackson
- 21) Jeff Davis
- 22) Jones
- 23) Liberty
- 24) Lincoln
- 25) Long
- 26) Lumpkin
- 27) Macon
- 28) McIntosh
- 29) Mitchell

- 30) Monroe
- 31) Newton
- 32) Paulding
- 33) Peach
- 34) Rockdale
- 35) Spalding
- 36) Stephens
- 37) Taylor
- 38) Toombs
- 39) Union
- 40) Walton

**Tennessee**

- 41) Hamilton

**South Carolina**

- 42) Beaufort
- 43) Colleton
- 44) Darlington
- 45) Edgefield
- 46) Lancaster
- 47) Laurens
- 48) Oconee

**North Carolina**

- 49) Gates
- 50) Halifax
- 51) Madison
- 52) Orange
- 53) Washington

**State Governmental Entities.** The State of Georgia has several agencies, departments and component units that are audited by an independent public accounting firm. We currently audit the majority of the State of Georgia's component units, and **we audit approximately \$12 billion (or 30%) of the State of Georgia's General Fund.** Additionally, we audit several entities that are part of the State of Alabama's financial reporting entity. Please see the following for a listing of State governmental entities we have audited in the past three (3) years:

- 1) Georgia Building Authority
- 2) Georgia Department of Community Health
- 3) Georgia Education Authority
- 4) Georgia Environmental Finance Authority
- 5) Georgia Higher Education Assistance Corp.
- 6) Georgia Higher Education Facilities Auth.
- 7) Georgia Lottery Corporation
- 8) Georgia Ports Authority
- 9) Georgia State Financing & Investment Commission
- 10) Georgia Student Finance Authority
- 11) Georgia Student Finance Commission
- 12) Georgia Superior Court Clerks' Coop. Authority
- 13) Georgia State Road and Tollway Authority
- 14) Alabama Higher Education Loan Corporation
- 15) Alabama Prepaid Affordable College Tuition
- 16) Abraham Baldwin Agricultural College Foundation
- 17) College of Coastal Georgia Foundation
- 18) Georgia College & State University Foundation
- 19) Georgia Military College Foundation
- 20) Georgia Southern University Foundation
- 21) Kennesaw State University Athletic Association
- 22) Kennesaw State University Foundation
- 23) Kennesaw State University Research Foundation
- 24) Medical College of Georgia Foundation
- 25) New College of Florida
- 26) Northwest Florida College Foundation
- 27) Southern Polytechnic Applied Research Foundation
- 28) Southern Polytechnic State University Foundation
- 29) State College of Florida Foundation
- 30) State College of Florida Sarasota-Manatee, Inc.
- 31) Stone Mountain Memorial Association
- 32) University of Chattanooga Foundation
- 33) University of North Georgia Foundation
- 34) University of North Georgia Real Estate Foundation
- 35) University of West Georgia Athletic Foundation
- 36) University of West Georgia Foundation
- 37) University System of Georgia Foundation

School Systems. Boards of Education we have served within the past three (3) years are:

**Georgia**

- 1) Atlanta Independent School System
- 2) Baker County Board of Education
- 3) Bartow County Board of Education
- 4) Bibb County Board of Education
- 5) Bleckley County Board of Education
- 6) Brooks County Board of Education
- 7) Butts County Board of Education
- 8) Camden County Board of Education
- 9) Carroll County Board of Education
- 10) Cherokee County School District
- 11) City of Buford Board of Education
- 12) City of Carrollton Board of Education
- 13) City of Cartersville Board of Education
- 14) City of Decatur Board of Education
- 15) City of Gainesville Board of Education
- 16) City of Jefferson Board of Education
- 17) City of Marietta Board of Education
- 18) City of Rome Board of Education
- 19) Clay County Board of Education
- 20) Clayton County Board of Education
- 21) Cobb County Board of Education
- 22) Coweta County Board of Education
- 23) DeKalb County Board of Education
- 24) Dodge County Board of Education
- 25) Douglas County Board of Education
- 26) Emanuel County Board of Education
- 27) Fayette County Board of Education
- 28) Forsyth County Board of Education
- 29) Fulton County Board of Education
- 30) Glynn County Board of Education
- 31) Gwinnett County Board of Education

- 32) Hancock County Board of Education
- 33) Harris County Board of Education
- 34) Henry County Board of Education
- 35) Marion County Board of Education
- 36) Oconee County Board of Education
- 37) Paulding County Board of Education
- 38) Peach County Board of Education
- 39) Polk County Board of Education
- 40) Putnam County Board of Education
- 41) Rockdale County Board of Education
- 42) Savannah-Chatham Co. Public School System
- 43) Thomas County Board of Education
- 44) Troup County Board of Education
- 45) Twiggs County Board of Education
- 46) Walton County Board of Education
- 47) Ware County Board of Education

**Florida**

- 48) School Board of Highlands County
- 49) School Board of Manatee County
- 50) School District of Lee County

**Tennessee**

- 51) City of Bristol Board of Education
- 52) Hamilton County Department of Education

**South Carolina**

- 53) Lexington School District Four
- 54) Marlboro County School District
- 55) Richland County School District One
- 56) Sumter County School District

**Other Governments.** Other governmental entities we have audited within the past three (3) years are:

- 1) Academy for Classical Education (ACE)
- 2) Albany - Dougherty Inner City Auth.
- 3) Atlanta Development Auth.
- 4) Atlanta Economic Renaissance Corporation
- 5) Atlanta Heights Charter Academy
- 6) Atlanta Housing Opportunity
- 7) Austell Natural Gas System
- 8) Barrow County Water & Sewer Authority
- 9) Bartram Trail Regional Library
- 10) Bayshore Gardens Park & Recreation District
- 11) Birmingham-Jefferson County Transit Auth.
- 12) Bradenton Downtown Development Auth.
- 13) Brighten Academy
- 14) Bristol Joint Sewer System
- 15) Bristol Public Library
- 16) Central Community Redevelopment Agency
- 17) Central Midlands Regional Transit Auth.
- 18) Central Savannah River Area Regional Comm.
- 19) Charleston Water System
- 20) Chatsworth Water Works Commission
- 21) Chattahoochee River 911 Auth.
- 22) Chattanooga Area Reg. Transportation Auth.
- 23) Chattanooga Area Regional Council of Govts.
- 24) Cherokee Charter Academy
- 25) Cherokee County Airport Auth.
- 26) City of Albany- Cheshaw Park Auth.
- 27) City of Albany- Water, Gas & Light Comm.
- 28) City of East Point Retirement Plan
- 29) City of North Port, Fl. - Firefighters' Pension
- 30) City of Sandy Springs Development Auth.
- 31) Classic Center Auth. of Clarke County
- 32) Clayton Co. Pension Fund
- 33) Clayton County Water & Sewer Authority
- 34) Cobb County - Marietta Water Authority
- 35) Cobb County-Marietta Water Auth. Pension
- 36) Columbia County Board of Health
- 37) Convention and Visitors Bureau of Dunwoody
- 38) Coweta Charter Academy
- 39) Crisp County- Cordele Industrial Development
- 40) Crisp County Power Commission
- 41) DeKalb County Public Library
- 42) Dev. Auth. of City of Jeffersonville & Twiggs Co.
- 43) Development Auth. of Cherokee County
- 44) Development Auth. of City of Roswell,GA
- 45) Development Auth. of Lumpkin County
- 46) Development Auth. of Peachtree City
- 47) Downtown Atlanta Revitalization
- 48) Eatonton-Putnam Water & Sewer Authority
- 49) Electric Power Board of Chattanooga
- 50) Forsyth County Public Library
- 51) Friends of Bulloch
- 52) Georgia Charter Educational Foundation
- 53) Georgia Charter Educational Foundation
- 54) Georgia Online Academy
- 55) Georgia Ports Auth. DB & OPEB Plan
- 56) Georgia Ports Auth. Defined Contribution Plan
- 57) Griffin Spalding County Land Bank Auth.
- 58) Gwinnett Civic/Cultural Center Operations
- 59) Gwinnett Convention and Visitors Bureau
- 60) Gwinnett County Airport Auth.
- 61) Gwinnett County BOE Charter Schools
- 62) Gwinnett County Development Auth.
- 63) Gwinnett County Public Facilities Auth.
- 64) Gwinnett County Public Library
- 65) Gwinnett County Recreation Auth.
- 66) Gwinnett County Water and Sewerage Auth.
- 67) Gwinnett Online Campus
- 68) Hamilton Co. Water & Wastewater Treatment Auth.
- 69) Hamilton County Election Commission
- 70) Heart of Georgia Altamaha Regional Commission
- 71) Henry County Water Authority
- 72) Historic Roswell Convention & Visitors Bureau
- 73) Housing Authority of Clayton County
- 74) Houston County Library System
- 75) Imagine School at North Port
- 76) Imagine School at Palmer Ranch
- 77) Imagine-East Manatee County, LLC
- 78) Imagine-Manatee County, LLC
- 79) Islamorada,Village of Islands, Florida
- 80) Ivy Preparatory Academy at Gwinnett
- 81) Ivy Preparatory Academy for Girls
- 82) Ivy Preparatory Young Men's Leadership Academy
- 83) Jefferson Co. Economic and Industrial Dev Auth.
- 84) Just for Girls Academy
- 85) Keep Peachtree City Beautiful Commission
- 86) Kendezi School
- 87) Kennesaw State University Athletic Department
- 88) KIPP Metro Atlanta Collaborative
- 89) KIPP Opportunity Fund
- 90) KIPP South Fulton Academy
- 91) Lumpkin County Hospital Auth.
- 92) Lumpkin County Water & Sewerage Auth.
- 93) Macon Water Authority
- 94) Macon-Bibb County Land Bank Authority
- 95) Manatee County Mosquito Control Dist
- 96) Manatee Technical Institute
- 97) MARTA/ATU Local 732 Employees Retirement
- 98) McIntosh Trail Community Service Board
- 99) McPherson Implementing Local Redev. Auth.
- 100) McPherson Planning Local Redevelopment Auth.
- 101) Middle Georgia Community Service Board
- 102) Milledgeville-Baldwin County Dev. Auth.
- 103) Mount Pleasant Waterworks
- 104) NE Corridor, LLC
- 105) Newton County Water & Sewerage Auth.
- 106) North Fulton Regional Radio Auth.
- 107) Northeast Georgia Regional Commission
- 108) Northwest Florida State College - Collegiate High School
- 109) Northwest Florida State College Foundation
- 110) Ocean Highway and Port Auth. of Nassau County
- 111) Oconee Center Community Service Board
- 112) Pataula Charter Academy
- 113) Peace River/Manasota Reg Water Supply Auth.
- 114) Peachtree City Convention & Visitor's Bureau
- 115) Peachtree City Water & Sewerage Auth.
- 116) Phoenix Center Community Service Board
- 117) Phoenix Center Community Service Board
- 118) Provost Academy Georgia
- 119) Public Bldg. Auth. of Knox Co. & City of Knoxville
- 120) Riverdale Downtown Development Auth.
- 121) River's Edge Community Service Board
- 122) Sandy Springs Hospitality Board
- 123) Sarasota School of Arts & Sciences
- 124) Southeast Tennessee Development District
- 125) SOWEGA Council on Aging
- 126) State College of Florida - Collegiate High School
- 127) Student Leadership Academy of Venice
- 128) Toccoa-Stephens County Public Library
- 129) Town Center Area Community Imp. District
- 130) Troup County College & Career Academy
- 131) Walton County Water & Sewerage Auth.



**CAFR Certificates of Achievement & Excellence**



Mauldin & Jenkins has served **approximately 400 governments** in the past several years, and **115** governmental units who obtain the GFOA's Certificate of Achievement for Excellence in Financial Reporting.

**Mauldin & Jenkins' clients have never failed to obtain the Certificate!** Mauldin & Jenkins is batting 100%. Every CAFR submitted has received the award. The following are current clients:

**Counties:**

- 1) Athens-Clarke Co.
- 2) Augusta-Richmond Co.
- 3) Barrow Co.
- 4) Beaufort Co., SC
- 5) Chatham Co.
- 6) Cherokee Co.
- 7) Clayton Co.
- 8) Colleton Co., SC
- 9) DeKalb Co.
- 10) Douglas Co.
- 11) Edgefield Co., SC
- 12) Floyd Co.
- 13) Forsyth Co.
- 14) Glynn Co.
- 15) Gwinnett Co.
- 16) Hamilton Co., TN
- 17) Henry Co.
- 18) Jackson Co.
- 18) Lancaster Co., SC
- 19) Liberty Co.
- 20) Macon-Bibb Co.
- 21) Oconee Co., SC
- 22) Orange Co., NC
- 23) Paulding Co.
- 24) Rockdale Co.
- 26) Spalding Co.
- 27) Walton Co.

**Boards of Education:**

- 89) Atlanta Public Schools
- 90) Bibb County Schools
- 91) Cartersville City Schools
- 92) Clayton County Schools
- 93) Cobb County Schools
- 94) Fayette County Schools
- 95) Fulton County Schools
- 96) Gwinnett County Schools
- 97) Lee County School District
- 98) Marietta City Schools
- 99) Richland Co. School District One
- 100) Savannah-Chatham County Schools

**Cities:**

- |                     |                        |                    |
|---------------------|------------------------|--------------------|
| 28) Aiken, SC       | 48) Douglasville       | 68) Morrow         |
| 29) Albany          | 49) Dunwoody           | 69) Naples, FL     |
| 30) Alpharetta      | 50) Fayetteville       | 70) New Bern, NC   |
| 31) Americus        | 51) Fairburn           | 71) North Port, FL |
| 32) Austell         | 52) Forest Park        | 72) Peachtree City |
| 33) Ball Ground     | 53) Garden City        | 73) Pensacola, FL  |
| 34) Beaufort, SC    | 54) Griffin            | 74) Perry          |
| 35) Bluffton, SC    | 55) Haines City, FL    | 75) Pinecrest, FL  |
| 36) Bradenton, FL   | 56) Hallandale Bch, FL | 76) Pooler         |
| 37) Bristol, TN     | 57) Hapeville          | 77) Port Wentworth |
| 38) Brookhaven      | 58) Hardeeville, SC    | 78) Riverdale      |
| 39) Brunswick       | 59) Hinesville         | 79) Rockmart       |
| 40) Chamblee        | 60) John's Creek       | 80) Rome           |
| 41) Charleston, SC  | 61) Kennesaw           | 81) Roswell        |
| 42) Chamblee        | 62) Kingsland          | 82) Sandy Springs  |
| 43) College Park    | 63) Marco Island, FL   | 83) Savannah       |
| 44) Conyers         | 64) Longboat Key, FL   | 84) Stonecrest     |
| 45) Cooper City, FL | 65) Milledgeville      | 85) Suwanee        |
| 46) Covington       | 66) Milton             | 86) Tuscaloosa, AL |
| 47) Decatur         | 67) Monroe             | 87) Union City     |
|                     |                        | 88) Valdosta       |

**State Governmental Entities:**

- 101) Ga. Environ. Fin. Auth. (GEFA)
- 102) Ga. Ports Authority

**Other Governmental Entities:**

- 103) Central Savannah River Area Regional Comm.
- 104) Charleston Water System
- 105) Clayton County Water Auth.
- 106) Cobb County - Marietta Water Authority
- 107) Greenwood Commissioners of Public Works
- 108) Greer Commission of Public Works
- 109) Henry County Water Auth.
- 110) Lowcountry Regional Transportation Authority
- 111) Macon Water Authority
- 112) Mount Pleasant Waterworks
- 113) Public Building Authority of Knox Co. & Knoxville
- 114) South Florida Transportation Authority
- 115) Tampa Bay Water Authority



### **Audits of Federally Funded Programs (Single Audits)**



Relative to audits of calendar year 2017, Mauldin & Jenkins audits **170 entities** representing approximately **\$1.8 billion in federal expenditures** for state, local government, and non-profit clients which is the:

- **35<sup>th</sup> highest** among public accounting firms in the nation as it relates to total expenditures audited under the Single Audit Act; and,
- **19<sup>th</sup> highest** among public accounting firms in the nation as it relates to number of Single Audits conducted.

Mauldin and Jenkins serves a significant amount of clients who require substantial single audits. In January 2008, as part of the Federal Department of Education's random testing of the audits of local boards of education, a review was performed by the Federal Office of Inspector General (OIG) regarding a Single Audit engagement of a local board of education. We are quite pleased to note the examiner provided Mauldin & Jenkins a letter of high marks for the performance of the respective Single Audit and this comes at a time when Federal regulators are condemning the profession for poor performance of such Single Audits. **Unofficially and orally provided, the examiner noted this Single Audit engagement to be the best such engagement reviewed in his experience.**

## Additional Information of Value Added Services

### Free Continuing Education for Governmental Clients

We provide free quarterly continuing education for all of our governmental clients. Each quarter, we pick a couple of significant topics tailored to be of interest to governmental entities, and offer the sessions several times per quarter at a variety of client provided locations resulting in greater networking among our governmental clients. We normally see approximately 100 people per quarter. We obtain the input and services of experienced outside speakers along with providing the instruction utilizing our in-house professionals.

*"I've been a CPA for 32 years. Today's CPE class by Mauldin & Jenkins has been the best of my career". Terry Nall, CPA, City of Dunwoody (GA) Council Member*

*"They are always on top of new accounting pronouncements and provide training well before implementation deadlines. This is a very valuable resource for our organization". Laurie Puckett, CPA, CPFO, Gwinnett County (GA), Accounting Director*



Examples of subjects addressed in the past few quarters include:

- Accounting for Debt Issuances
- Best Budgeting Practices, Policies and Processes
- CAFR Preparation (several times including a two (2) day hands-on course)
- Capital Asset Accounting Processes and Controls
- Collateralization of Deposits and Investments
- Evaluating Financial and Non-Financial Health of a Local Government
- GASB No. 51, Intangible Assets
- GASB No. 54, Governmental Fund Balance (subject addressed twice)
- GASB No. 60, Service Concession Arrangements (webcast)
- GASB No. 61, the Financial Reporting Entity (webcast)
- GASB No.'s 63 & 65, Deferred Inflows and Outflows (webcast)
- GASB No.'s 67 & 68, New Pension Standards (presented several occasions)
- GASB No. 72, Fair Value Measurement and Application
- GASB No. 77, Tax Abatement Disclosures
- GASB Updates (ongoing and several sessions)
- Grant Accounting Processes and Controls
- Internal Controls Over Accounts Payable, Payroll and Cash Disbursements
- Internal Controls Over Receivables & the Revenue Cycle
- Internal Revenue Service (IRS) Compliance Issues, Primarily Payroll Matters
- Legal Considerations for Debt Issuances & Disclosure Requirements
- Policies and Procedures Manuals
- Segregation of Duties
- Single Audits for Auditees
- SPLOST Accounting, Reporting & Compliance
- Uniform Grant Reporting Requirements and the New Single Audit

## Governmental Newsletters



We produce newsletters tailored to meet the needs of governments. The newsletters have addressed a variety of subjects and are intended to be timely in their subject matter. The newsletters are authored by Mauldin & Jenkins partners and managers, and are not purchased from an outside agency.

The newsletters are produced and delivered periodically, and are intended to keep you informed of current developments in the government finance environment. In the past several years, the following topics have been addressed in our monthly newsletters:

- Accounting for Debt Issuances
- American Recovery & Reinvestment Act (ARRA) Updates
- Best Budgeting Practices, Policies and Processes
- CAFR Preparation (several times including a two (2) day hands-on course)
- Capital Asset Accounting Processes and Controls
- Collateralization of Deposits and Investments
- Evaluating Financial and Non-Financial Health of a Local Government
- GASB No. 51, Intangible Assets
- GASB No. 54, Governmental Fund Balance (subject addressed twice)
- GASB No. 60, Service Concession Arrangements (webcast)
- GASB No. 61, the Financial Reporting Entity (webcast)
- GASB No.'s 63 & 65, Deferred Inflows and Outflows (webcast)
- GASB No.'s 67 & 68, New Pension Stds. (presented several occasions)
- GASB No. 72, Fair Value Measurement and Application
- GASB No.'s 74 & 75, OPEB
- GASB No. 77, Tax Abatement Disclosures
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- Grant Accounting Processes and Controls
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- Internal Controls Over Receivables & the Revenue Cycle
- Internal Revenue Service (IRS) Issues, Primarily Payroll Matters
- Legal Considerations for Debt Issuances & Disclosure Requirements
- Policies and Procedures Manuals
- Segregation of Duties
- Single Audits for Auditees the Uniform Guidance for New Single Audits
- SPLOST Accounting, Reporting & Compliance

### **Auditor's Discussion & Analysis**

During the course of serving our clients, we stress the importance of timely and frequent communication. Such communication takes place throughout the audit and throughout the year, and includes proactive communications regarding new and upcoming accounting standards and auditing standards, as well as, the availability to answer questions and provide advice to the government.



We believe such communication is a key to providing timely value-added service to our clients.

At the conclusion of the audit process, Mauldin & Jenkins prepares an Auditor's Discussion & Analysis (formerly called the Audit Agenda) which provides auditor insight and summarizes the audit process, conclusions, and year end financial analysis all under one cover.

Elements of the Auditor's Discussion & Analysis include the following:

- Information about the Firm, and the respective personnel serving the government;
- Results of the audit and other matters which should be emphasized to the governing board;
- An overview of the governments year-end financial results and auditor insights relative to key financial elements of the government;
- An understanding of the internal control / compliance audit reports and the results of our testing of internal controls and compliance with laws and regulations;
- A summary of certain audit scopes and procedures utilized by Mauldin & Jenkins during the audit process;
- Documentation of certain required communications as required by auditing standards;
- If applicable, a summary of any findings (material weaknesses and / or significant deficiencies) and management recommendations resulting from the audit;
- Practical information regarding upcoming new financial reporting and auditing standards and pronouncements affecting the government; and,
- A summary of the free continuing education and newsletters made available to the government during the past year.

## Proposed Fees

Mauldin & Jenkins, LLC is pleased to submit cost estimates to provide annual financial and compliance auditing services for the City. At the request of management, we have prepared two options for the consideration of the committee as well as Mayor and the Council. Option one includes the pricing of a one year contract extension for the fiscal year ending September 30, 2018. Option two includes a three year contract extension, for the fiscal year ending September 30, 2018 through September 30, 2020. The two pricing options are as follows:

| One Year Quote     |           | Three Year Quote   |           |
|--------------------|-----------|--------------------|-----------|
| September 30, 2018 | \$ 33,500 | September 30, 2018 | \$ 27,500 |
|                    |           | September 30, 2019 | 30,000    |
|                    |           | September 30, 2020 | 29,500    |

The above fees include the following considerations based on discussions with management:

### Fiscal Year 2018:

- The preparation of and reporting of the City's first Comprehensive Annual Financial Report (CAFR);
- The City has created six new funds, pricing includes the reporting of these new activities;
- The City has transitioned new services from DeKalb, including public safety and parks and recreation.

### Fiscal Year 2019:

- The City will transition the public works function, including infrastructure (roads and other infrastructure systems);
- The City will have a new sales tax fund and reporting requirements.

The above fees do not include the testing and reporting of a Single Audit, as these services are not currently anticipated by the management of the City with the City having less than \$750,000 in Federal expenditures.

## Closing

We appreciate the opportunity to continue to build our relationship and serve the City of South Fulton. We believe Mauldin & Jenkins is the "right" Firm for the City. Our experience and knowledge in the governmental sector of accounting, **including the unique accounting issues faced by newly incorporated cities during the transition periods**, is vast, unmatched, and ever-improving. We would be very pleased to continue to share our experience and understanding of governmental accounting and operations for the benefit of the City.

We would greatly appreciate your recommending us for your audit, accounting, and financial reporting needs. Should you or anyone at the City have any questions with regards to this proposal or about Mauldin & Jenkins, please feel free to contact us.

**770-955-8600**

**[www.mjcpa.com](http://www.mjcpa.com)**

**MAULDIN & JENKINS**

