CITY OF SOUTH FULTON, GEORGIA
VIRTUAL
Thursday, April 2, 2020, 10:00 AM

The Honorable William "Bill" Edwards, Mayor
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 Corey A. Reeves , District 5 Councilmember
The Honorable khalid kamau, District 6 Councilmember
The Honorable Mark Baker, District 7 Councilmember

SPECIAL CALLED MEETING AGENDA

1. Meeting Called to Order
2. Roll Call
3. Agenda Items
    1. Council Approval of 1st Reading and Consideration for Approval of Emergency Procurement Ordinance Enhancing Operational Efficiency **(Rowell, Gumbs and Reeves)**
    2. City of South Fulton's Response to COVID-19 (City Manager)
    3. Council Approval of Emergency Shelter in Place Ordinance **(Edwards)**
4. Adjournment of Meeting

CITY OF SOUTH FULTON

COUNCIL AGENDA ITEM

COUNCIL SPECIAL MEETING

SUBJECT: Council Approval of Emergency Procurement Ordinance

DATE OF MEETING: 4/2/2020

DEPARTMENT: Mayor

ATTACHMENTS:

Description	Type	Upload Date
Emergency Procurement Ordinance Enhancing Operational Efficiency	Cover Memo	4/1/2020
Amended Procurement Ordinance Enhancing Operational Efficiency	Cover Memo	4/1/2020

STATE OF GEORGIA
COUNTY OF FULTON
CITY OF SOUTH FULTON

AN EMERGENCY ORDINANCE ENHANCING OPERATIONAL EFFICIENCY, ADDRESING CITY REGULATIONS IN STATE OF EMERGENCIES, AMENDING TITLE 1, CHAPTER 9 OF THE CITY'S PROCUREMENT POLICIES AND FOR OTHER LAWFUL PURPOSES

(Sponsored by Councilpersons Rowell, Mayor Pro Tem Gumbs and Reeves)

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

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

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

WHEREAS, the City wishes to amend such procedures by way of this Ordinance; and

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

THE COUNCIL OF THE CITY OF SOUTH FULTON HEREBY ORDAINS[1] as follows:

<u>**Section 1:**</u> The City of South Fulton Code of Ordinances Title 1, Administration, Chapter 9, Purchasing, is hereby amended by adding a new subsection (o) under Sec. 1-9004(c)(5), which shall read as follows:

TITLE 1 – ADMINISTRATION

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

Sec. 1-9004. Purchasing, Generally.

…

[1] This Ordinance is adopted on an emergency basis to address the administrative needs of the City in light of the COVID-19 pandemic.

(c) *Exceptions*. This chapter shall not apply where:

…

(5) The purchase is for:

…

(o) Professional Services

****

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

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

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

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

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

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

THIS ORDINANCE so adopted this _________ day of _________2020.

CITY OF SOUTH FULTON, GEORGIA

____
WILLIAM “BILL” EDWARDS, MAYOR

ATTEST:

____
S. DIANE WHITE, CITY CLERK

APPROVED AS TO FORM:

____
EMILIA C. WALKER, CITY ATTORNEY

The foregoing Ordinance No. 2020-_____ was moved for approval by Councilmember ___________. The motion was seconded by Councilmember _______________________________, and being put to a vote, the result was as follows:

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

STATE OF GEORGIA
COUNTY OF FULTON
CITY OF SOUTH FULTON

AN ORDINANCE ENHANCING OPERATIONAL EFFICIENCY, ADDRESING CITY REGULATIONS IN STATE OF EMERGENCIES, AMENDING TITLE 1, CHAPTER 9 OF THE CITY'S PROCUREMENT POLICIES AND FOR OTHER LAWFUL PURPOSES

(Sponsored by Councilpersons Rowell, Mayor Pro Tem Gumbs and Reeves)

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

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

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

WHEREAS, the City wishes to amend such procedures by way of this Ordinance; and

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

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

<u>Section 1:</u> The City of South Fulton Code of Ordinances Title 1, Administration, Chapter 9, Purchasing, is hereby amended by adding a new subsection (o) under Sec. 1-9004(c)(5), which shall read as follows:

TITLE 1 – ADMINISTRATION

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

Sec. 1-9004. Purchasing, Generally.

…

(c) *Exceptions*. This chapter shall not apply where:

…

(5) The purchase is for:

…

(o) Professional Services

****

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

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

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

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

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

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

THIS ORDINANCE so adopted this _________ day of _________2020.

CITY OF SOUTH FULTON, GEORGIA

____
WILLIAM “BILL” EDWARDS, MAYOR

ATTEST:

____
S. DIANE WHITE, CITY CLERK

APPROVED AS TO FORM:

____
EMILIA C. WALKER, CITY ATTORNEY

The foregoing Ordinance No. 2020-_____ was moved for approval by Councilmember ___________. The motion was seconded by Councilmember ______________________________, and being put to a vote, the result was as follows:

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

CITY OF SOUTH FULTON

COUNCIL AGENDA ITEM

COUNCIL SPECIAL MEETING

SUBJECT: COSF Response to COVID-19

DATE OF MEETING: 4/2/2020

DEPARTMENT: City Manager

ATTACHMENTS:

Description	Type	Upload Date
Memo_Professional Services Exemptions	Cover Memo	4/1/2020
Memo_Administrative Response	Cover Memo	4/1/2020
Memo_March Coronavirus	Cover Memo	4/1/2020
Financial Reporting Feb 2020	Cover Memo	4/1/2020
Memo_COVID19 Hazardous Pay	Cover Memo	4/1/2020

GOVERNMENT OF THE CITY OF SOUTH FULTON

Office of the City Manager

WILLIAM "BILL" EDWARDS
MAYOR

ODIE DONALD II
CITY MANAGER

MEMORANDUM

TO: Honorable Mayor William "Bill" Edwards & City Council Members

FROM: Odie Donald II
City Manager

DATE: March 11, 2020

SUBJECT: **Professional Services Exemptions**

The general structure of the City of South Fulton's Procurement Ordinance requires a competitive process before all purchases greater than $2,500.00 can be made. The Ordinance also outlines several non-competitive processes such as sole source, single source and emergencies. Section C. Exceptions on page 2 of the Ordinance outlines purchases that are outside of the Procurement Ordinance (Procurement Exceptions). These exceptions include but are not limited to the following:

1. Sole Source Products
2. Purchases from other government agencies
3. Purchases regulated by Federal or State Law
4. Purchase of Land or Artistic Work (inherently unique = sole source)
5. Travel & Training related purchases
6. Legal advertisement & Legal services
7. Confidential Investigations
8. Court/Police Seizures
9. Person Appointed by Mayor & Council

Local jurisdictions such as the City of Atlanta and State of Georgia include an exception for Professional Services such as Architects, Accountants, Auditors, Engineers and others providing professional services pursuant to a license issued by a state body. This is based on a general theory that since these professionals are regulated, vetted and pre-qualified through the licensing process similar to the pre-qualification of vendors using a Request for Qualifications, where once a pool of vendors are qualified the City may choose from any of the qualified firms to engage with contract.

If the City adopted this policy, this would allow more flexibility in the procurement process without reducing quality of services. There are two general forms of this class of exceptions, the general form where all "Licensed Professional Services" are exempted and the limited form (such as State of Georgia) where specified services such as accountants, Architects and Engineers are identified and exempted individually.

Considering the City's need for professional services along with backlog of projects, I strongly believe it is in the City's best interest to mirror the State of Georgia and consider exempting a limited class of professional services from the Procurement Ordinance.

Should you need further information regarding this correspondence, please contact Odie Donald II at odie.donald@cityofsouthfultonga.gov.

STATE OF GEORGIA
COUNTY OF FULTON
CITY OF SOUTH FULTON

ORDINANCE NO. 2018-037

AN ORDINANCE PROVIDING PROCUREMENT POLICIES AND FOR OTHER LAWFUL PURPOSES.

(Sponsored by Councilwoman Willis and Jackson)

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

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

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

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

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

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

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

TITLE 1 – ADMINISTRATION

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

Sec. 1-9004. Purchasing, Generally.

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

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

1. Provide a uniform system for procurement;
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.

b. Attending seminars, courses, lectures, briefings, or similar functions at any vendor's facility or at any other place if any such seminar, course, lecture, briefing, or similar function is for the purpose of furnishing the official, employee, or agent with knowledge and information relative to their official duties. In connection with any such seminar, course, lecture, briefing, or similar function, nothing shall preclude the official, employee, or agent from receiving meals from a vendor.

c. Receiving educational materials and business related items of nominal value from a Vendor such as free samples, pens, cups, or notepads.

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

F. Quiet Period.

1. *Contact by Vendor.* No person or business entity responding to a request for bids or proposals shall initiate or continue any verbal or written communication regarding such request with any City officer, elected official, employee, or designated City representative, between the date such business and/or person received and/or had knowledge of the solicitation through the date of the Purchasing Manager's recommendation to the City Council for award of the subject contract, except for communications with the Purchasing Manager, City Manager and City Attorney, or as may otherwise be specifically authorized by the terms and conditions of the request for bids or proposals.

2. *Prohibited Contact by City.* Between the date of the issuance of any request for bids or proposals for City contracts and the date of the Purchasing Manager's recommendation to the City Council for award of such contract, no City officer, elected official, employee, or designated City representative, except in the course of carrying out legal and official duties in connection with this section, shall initiate or continue any verbal or written communications regarding the solicitation with any person, firm or business entity, who the officer, elected official, employee, or representative knows or should have known has obtained a copy of the solicitation and either has submitted or may submit a bid or proposal. To help ensure compliance, the day prior to the issuance of each solicitation of bids or proposals, the purchasing agent shall notify the City Council, the City Manager, the head of each involved user department, of the subject matter and intended issuance date of the solicitation.

3. This Ordinance shall not be construed to prohibit communication with a vendor which is unrelated to a pending request for bids or proposals. If determined by 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.

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

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

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

I. Responsibilities, Generally.

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

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

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

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

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

$Threshold	Purchasing Method	Responsibility	Approval
>$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

$ Threshold	Purchasing Method	Responsibility	Approval
>$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.

2. *Sole Brand Procurement.* The Purchasing Agent may elect to purchase particular brand name goods or services when the goods or services comprise a major brand system, program or service previously selected by the City for standardization due to operational effectiveness, future enhancements or additions, or maintenance or storage of spare parts precludes the mixing of brands, manufacture, etc. The user must submit the justification for the sole source/single source procurement for approval to the Purchasing Agent.

3. *Direct Negotiation Following Competitive Solicitation.* Following the completion of a competitive award solicitation process that fails to produce a responsible or responsive bidder or proposer, fails to produce a qualified respondent, or for which all submissions were rejected for any reason, the City may procure the goods, services, or professional services that were the subject of such failed solicitation by direct negotiation with any provider of such failed solicitation. Direct negotiations shall be facilitated by the Purchasing Manager, with assistance as necessary by the City Manager and City Attorney. A proposed contract shall be submitted to the City Council for consideration. The Council may reject, approve or direct further negotiations of the contract. Direct negotiations under this paragraph shall commence within ninety (90) days of the completion of the failed competitive solicitation process.

4. *Emergency Procurement.* The City and City Manager may acquire goods, services or professional services under the defined thresholds by direct negotiation, in lieu of the formal solicitation processes set forth under this Ordinance, in situations of an emergency. Emergency situations exist where there is an imminent threat to: a) public health, safety or welfare, b) the soundness and integrity of public services or property, or c) the delivery of essential City services. Emergency procurements shall be made with as much competition as is reasonable or practicable under the circumstances, which may consist of acquisition of goods and services under the direct negotiation process outlined in the paragraph above. As soon as practicable, a record of each emergency procurement shall be made and shall set forth the contractor's name, the amount and type of the contract, a listing of the item procured under the contract, the basis for the emergency situation and the identification number of the contract file.

   Emergency procurements associated with projects utilizing grant funds will always follow the established procurement procedures of the grant.

5. *Costs Under the Competitive Threshold.* The user department may acquire goods, services and professional services by direct negotiation or by some other non-competitive method, when the dollar value of the purchase does not exceed $2,501 and a properly executed and authorized requisition is received. Under this non-competitive method, the user department shall attempt to obtain the goods, services or professional services most advantageous to the City, price and other factors considered.

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

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

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

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

   a. Public notice (such as publication in a newspaper of general circulation, posting on the Purchasing Department's internet web page, posting on State internet web page, or third party eSourcing platform) of the ITB must be given a minimum of fourteen (14) calendar days prior to the date set for bid opening or as required by state and federal law, unless it can be demonstrated that an urgent requirement for goods or services exists, in which instance, the requirement for public notice may be reduced by the Purchasing Manager.

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

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

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

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

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

3. *Request for Proposals (RFP).* When the Purchasing Manager determines the use of an ITB is not practical or not advantageous because of existing market conditions or the type of items required, the City may procure goods, services, or professional services through receipt of competitive sealed proposals. Competitive sealed proposals are solicited using an RFP, with the goal of obtaining competitive responses for items costing more than $25,001.

    a. Public notice of the RFP shall be given in the same manner as for ITB procurements.

    b. Proposals shall be opened publicly by the Purchasing Manager, or their designee, in the presence of one or more witnesses at the time and place designated in the RFP. A register of proposals shall be prepared that lists each proposer's name, which will be signed by the opener and the witness.

    c. Correction or withdrawal of proposals is permitted in accordance with any instructions allowing the same contained within the RFP.

    d. Proposals shall be deemed late in the same manner as the procurement process for an ITB.

    e. The RFP will identify the criteria to be considered and evaluated as the basis of award.

    f. Proposals submitted by responsible and responsive proposers shall be evaluated in writing by the Purchasing Agents and Purchasing Manager based upon the criteria applicable to the RFP. All proposals will be ranked by such evaluators in order of their acceptability, giving consideration to the criteria. The City has no obligation to award the contract to the Proposer who proposes the lowest price. The evaluations shall be provided to the City Council for selection of the final award. The contract will be awarded, if award is made, by the City to the responsive and responsible proposer whose proposal is determined, in the City's exclusive discretion, to be the most advantageous to the City, taking into consideration price, qualifications, and other factors as indicated in the RFP.

    g. The City reserves the right to waive any informalities or irregularities of proposals, to request clarification of information submitted in any proposal, to further negotiate with a responsive and responsible proposer who has been selected for contract award, or to reject any or all proposals for any reason whatsoever.

    h. If no responsive and responsible proposals are received or all proposals are rejected, the City may procure such goods, services, and professional services by direct negotiation.

M. Quality Based Selections (QBS)

1. *Request for Qualifications (RFQ).* Requests for Qualifications (RFQ) may be used when it is determined to be in the City's best interest to evaluate the experience and qualifications of a service provider, without regard to price or prior to considering price.

    a. The procedure for soliciting, opening and evaluating statements of qualifications shall be the same as described herein for competitive sealed proposals. Service providers whose qualifications meet the criteria established in the RFQ, at the sole discretion of the City, may be considered for contract award by participation in the completion of price negotiation. The City shall attempt to negotiate a fee with the highest ranked firm. If no agreement is reached, the City shall begin negotiations with the next highest ranked firm. Negotiations will proceed in this manner until an agreement is reached. Alternatively, the City may, by direct negotiation, finalize terms with service providers who are selected for award based on qualifications. The City reserves the right to reject any or all responses for any reason. Clarification of information may be requested by the City.

    b. The RFQ process will be the method of procurement when the professional services exceed $25,000 and/or the project costs exceed $1,000,000 for the procurement of services within the scope of architecture, registered interior design, professional engineering, land surveying, and landscape architecture.

2. *Multi-step Solicitation.* The City may initiate one of the multi-step solicitation processes described below when: (a) in the City's discretion, it is impractical to prepare an adequate or complete description of the goods or services desired (due to insufficient data, uncertain requirements, unfamiliar market options, etc.), (b) the City desires to identify a field of qualified bidders, proposers, goods or services, out of a broader field of bidders, proposers, goods or services, or (c) the City believes a multi-step process would best serve its purposes.

    a. *Consecutive Multi-Step Process:*

        i. The City may request statements of qualifications to be evaluated based on the criteria in the RFQ for purposes of identifying one or more desirable or acceptable goods, services, or professional services or for purposes of identifying a field of qualified or most qualified bidders or proposers
        ii. After identifying a field of most qualified bidders or proposers with the capability of providing the desirable or acceptable goods, services, or professional services, the City may either follow a competitive ITB process or by a RFP process among the field of vendors identified as having the capability to meet the City's requirements for the procurement.

b. *Consecutive Multi-Step Process to Award stand by Purchasing contracts:* A standby contract is an agreement between the City of South Fulton and an entity performing a professional or technical service. The use of standby contracts will be at the discretion of the City Manager. The contract thresholds are subject to the bidding thresholds established in this Ordinance. The entities selected through this process are intended to create a pool of qualified vendors to be used on a rotational basis, or with the informal procurement process.

i. When it is in the best interest of the City to have pre-qualified, stand by purchasing contracts because of the need to provide quick-response, repetitive services or a range of services or professional services within a specific field of expertise, the City may use consecutive multi-step procurement process to identify one or more stand by contractors. The purpose is to identify one or more stand by contractors that demonstrate the ability to perform a particular type of service during a specified contract period.

ii. Contract award - The multi-step solicitation shall specify the general types of services required, the selection process to be used, and the selection criteria for award of the stand by contract.

iii. Award of a specific scope of work to a stand by contractor - During the term of the stand by contract(s), specific scopes of work may be developed and awarded to stand by contractor(s), by amendment to such stand by contract(s), provided that the specific scope of work is consistent with the general types of services upon which award of the continuing contract(s) was made. On an annual basis, the maximum contract amount shall not exceed $1,000,000 with task order approval through the City Manager.

iv. Except when the stand by contract is for the procurement of services within the scope of architecture, registered interior design, professional engineering, land surveying or landscape architecture and when there is more than one stand by contractor available to perform the specific scope of work defined, the process for award of the work is set forth below:

(a) Work may be rotated during the contract period between the stand by contractor(s) that were selected to perform the general type of services required; or,

(b) Quotations, bids or proposals may be requested from the prequalified Stand by contractors that were selected to perform the general type of services or professional services required. The City may select the stand by contractor whose quotation, bid, or proposal is deemed to be most advantageous to the City to perform the specific scope of work required.

v. City departments shall use the list of approved stand by contractors. A 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:

a. The name and address of the protester;
b. Appropriate identification of the solicitation, and, if a contract has been awarded, its number;
c. A statement of reasons for the protest, with supporting legal authority; and
d. Supporting exhibits, evidence, or documents to substantiate any claims unless evidence is not available within the filing time; in which case the expected availability date shall be indicated.

3. *Filing a Protest to Notice of Non-Award.* A written statement of protest to Notice of Non-Award by a company officer authorized to sign contracts on behalf of the vendor, must be received by the Purchasing Department no later than ten (10) calendar days following the date of the notice of non-award. 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 ten (10) day period will not be considered a formal protest.

4. *Stay of Procurement During Protest.* When a protest pertaining to events or facts arising during a pending solicitation under this section (example: protests concerning specifications and evaluation criteria) has been filed no later than the three (3) business days prior to the bid opening or deadline herein, the Purchasing Department shall suspend the award of a contract until a final decision has been issued, unless the Purchasing Department makes a written determination, after consulting with the issuing department, that awarding the contract without delay is necessary to protect the best interests of the City.

   a. When a protest has been filed in a timely fashion within ten (10) calendar days following the issuance of a notice of non-award, the Purchasing Department shall consult with the City Manager to determine if performance of the contract without delay is necessary to protect the best interests of the City.
   b. If it is determined that it is necessary to proceed with a contract without delay, the bidder that receives the contingent contract may proceed with performance and receive payment for work performed in strict accordance with the terms of the contract; however, such bidder shall not be entitled to reimbursement for any capital outlay costs, or other up front expenditures incurred in performing the contract.

5. *Decision by Purchasing Department.* A recommendation will be made by the Purchasing Department to the City Attorney as expeditiously as possible after receiving all relevant requested information in regard to the protest filed. After consultation with the City Attorney, the Purchasing Department will notify the bidder in writing of the decision no later than thirty (30) days after all necessary paperwork is filed. If a protest is sustained, available remedies may include one of the following:

a. For a protest sustained prior to an award, modification of the solicitation document, including but not limited to specifications, terms and conditions and evaluation criteria; and extension of the opening date, if appropriate.

b. For a protest sustained after an award is made, suspension or cancellation of the award, re-evaluation and re-award or re-solicitation with appropriate changes to the new solicitation document.

6. *Appeal*. Decisions from the Purchasing Manager on a solicitation protest may be appealed to the City Council. The request for appeal must be filed within seven (7) calendar days of the decision complained of. The decisions of the City Council shall be appealed as allowed by law.

O. Guidelines for Promoting Sustainability through the Purchasing Process. The City is a significant consumer of goods and services. The City desires to encourage the procurement of sustainable and environmentally preferred products and services. The City of South Fulton Mayor and Council have resolved that the city will take an active role to promote the analysis of life cycle costs for products and services to encourage protection of the environment by showing preference for the procurement of sustainable products and services for the use in city operations.

1. In general, environmentally preferable products and services are those that would reduce negative effects on human health and environment when compared with the competing products and services. More specifically, this comparison would include consideration of all phases of the product's life cycle, including raw materials acquisition, production, manufacturing, packaging, distribution, operation, maintenance and disposal, including potential for reuse or ability to be recycled.

2. In practice, the objective is to purchase products that have been environmentally certified or eco labeled because they have reduced environmental impact due to the way they are made, used, transported, stored, packaged and disposed. It means looking for products that do not harm human health, are less polluting and that minimize waste, maximize use of bio-based or recycled materials, conserve energy and water, and reduce the consumption of and disposal of hazardous materials.

3. Reports will be provided to City Council on an annual basis to track the success of the environmentally preferable purchasing program that accounts for life cycle costs and gives preference to products that are recycled, recyclable and otherwise more environmentally friendly than traditional products; purchase Energy Star rated equipment and appliances when possible to do so and, purchase recycled copy, computer, and fax paper with at least thirty percent (30%) recycled content whenever the use of the paper makes it possible to do so.

****

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.

The foregoing **ORDINANCE NO. 2018-037**, adopted on **September 11, 2018** was offered by Councilmember **Willis**, who moved its approval. The motion was seconded by Councilmember **Jackson**, and being put to a vote, the result was as follows:

"SECOND READING"

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

THIS ORDINANCE adopted this **11th day of September 2018**. **CITY OF SOUTH FULTON, GEORGIA.**

"SECOND READING"

____
WILLIAM "BILL" EDWARDS, MAYOR

ATTEST:

____
MARK MASSEY, CITY CLERK

ITEM# ord 2018-037 DATE 9 / 11 / 2018

APPROVED AS TO FORM:

____
EMILIA C. WALKER, CITY ATTORNEY

GOVERNMENT OF THE CITY OF SOUTH FULTON
Office of the City Manager

WILLIAM "BILL" EDWARDS
MAYOR

ODIE DONALD II
CITY MANAGER

MEMORANDUM

TO: Honorable Mayor William "Bill" Edwards, City Council Members & Citizens of the City of South Fulton

FROM: Odie Donald II
City Manager

DATE: March 12, 2020

SUBJECT: **Administrative Response to COVID-19**

City Hall Hours
City Hall will be closed to the public on Friday, March 13, 2020. Staff is directed to report at 11am and additional operating hours are forthcoming. Prior to reporting to any City facility, staff is instructed to contact Human Resources and/or their department head for guidance. All department heads are directed to schedule and coordinate individual conference calls with impacted staff members to be held no later than COB on Monday, March 16, 2020.

State of the City Address (SOCA)
The State of the City Address is officially postponed until at least May 2020.

Clerk's Office/City Council Meetings
The City of South Fulton will continue to conduct official business and coordinate public City Council meetings. Until Further notice, all City Council Meetings will not be open to the public but will be held and broadcast from City Hall via streaming on YouTube. A public comment page will be available on the website that will open 24-hours prior to the meeting and will close at 12pm on the date of the appropriate Council meeting. The Clerk will call out all votes prior to moving on to the next agenda item for public and visual record. Staff will continue to work out kinks any technical kinks for the March 31, 2020 Council meeting where this remote process will go live.

Community Development & Regulatory Affairs Department
Zoning Cases
Staff is exploring the option of postponing all Zoning Cases until at least April 1, 2020. Please direct all inquiries to the Citizen Response Center at 470-552-4311.

Parks, Recreation and Cultural Affairs Department
Effective Friday, March 13, 2020, all programming is suspended until further notice and all facilities are closed. The City Manager's Office is evaluating the potential of opening Sandtown Recreation Center and Burdett Recreation Center on Tuesday, March 17, 2020 with limited staff and availability. The facilities will likely be closed to the public and will operate with two (2)

employees at each location. The City Manager's Office is also exploring the option of providing STEM services to children of employees effected by school closures.

Municipal Court

Effective, Friday, March 13, 2020, Municipal Court operations are suspended until further notice. All cases during this time will receive notification of a court date and notice of the reset dates will be mailed to the address of record. Citizens are encouraged to pull ticket information and pay their fines online by visiting at www.southfultonpay.com. For additional information, please call 470-809-7400 or email Courtclerk@cityofsouthfultonga.gov about your case. Staff will update the auto-attendant to inform the public of the changes to Court operations. A live attendant will be available no later than Tuesday, March 17, 2020 to answer any questions directly. **No bench warrants will be issued for those who have court scheduled during this time.**

Public Works/Facilities

Facility Cleaning

Cleaning for City Hall will begin on Saturday, March 14, 2020. A schedule is forthcoming for all remaining facilities.

Equipment

Purchase of walkie talkies/radios for staff to use at facilities is in progress. Related items will be purchased through the City Manager's Office leveraged with funds made available by Council budget with documentation provided for approval/review.

Human Resources

Essential and Non-Essential Staff

Essential staff are those employees that are designated as such by the City Manager for the purpose of providing essential services to City residents or other employees during city, county, state, or federal declared emergencies. The following departments (not limited to) have essential employees:

- City Clerk's Office
- City Manager
- Communications & External Affairs
- Community Development & Regulatory Affairs
- Fire Rescue
- Information Technology
- Municipal Court
- Parks, Recreation & Cultural Affairs
- Police
- Public Works

Non-Essential employees will be extended administrative leave and/or telework options during any declared precautionary actions (i.e. closures.). Human Resources has evaluated the classifications eligible to telework (see attached spreadsheet).

New Hires

Virtual onboarding will occur for new hires in essential positions that have received an offer with a date (i.e. Firefighters and Police Officers) and are scheduled to be onboarded on Monday, March 16, 2020 and Tuesday, March 17, 2020. Non-essential new hires that have not received a start date and/or are subject to begin at the end of March 2020 will likely receive notice that the start date has been postponed at a time not yet determined as of the date of this memorandum.

Teleworking
Hourly employees that are considered essential will be given the necessary resources (i.e. laptop, cellphone) to telework and will be given the ability to clock-in and clock-out. There will be a telework agreement on file establishing telework expectations and responsibilities (see attached documents).

Administrative Leave
Non-Essential hourly employees not identified as eligible for telework will be extended administrative leave. Human Resources will document and work with the department to notify employees about reporting protocol and establish regular/on-going communication about their administrative status. Notification of this status will be provided by either Human Resources or the department head. Such notice should be expected on or before March 18, 2020.

Process for Distributing Protective Equipment
Risk Management serves as the point of contact for the distribution of protective equipment for employees at City Hall, Parks, Recreation & Cultural Affairs and any other impacted department that is nonpublic safety. Priority will be given based on essential and non-essential status and level of interaction with the public.

Suspended Services

Fire Rescue Department
- Community Events
- Community Meetings at the Fire Stations
- Fire Station Tours
- Fire Inspections
- Public and Life Safety Programs

Police Department
- Fingerprinting for Criminal History Checks
- Police Report request to the public will be filled by email or mail to the citizens address

Parks, Recreation and Cultural Affairs
- All Programming

Should you need further information regarding this correspondence, please contact Odie Donald II at odie.donald@cityofsouthfultonga.gov.

Department	Job Class	Essential/Non essential	Exempt/Non-exempt	Telework	Administrative leave	Normal Works Schedule
Parks, Recreation & Cultural Affairs	Recreation Site Supervisors,	Non-Essential	non-exempt	0	4	0
Parks, Recreation & Cultural Affairs	Recreation Site Supervisors, Assistants	Non-Essential	non-exempt	0	7	0
Parks, Recreation & Cultural Affairs	Recreation Specialists	Non-Essential	non-exempt	0	8	0
Parks, Recreation & Cultural Affairs	Grounds Maintenance Supervisors	Non-Essential	non-exempt	0	2	0
Parks, Recreation & Cultural Affairs	Grounds Maintenance Worker	Non-Essential	non-exempt	0	15	0
Parks, Recreation & Cultural Affairs	Cultural Affairs Managers	Non-Essential	exempt	0	2	0
Parks, Recreation & Cultural Affairs	Administrative Specialist	Non-Essential	non-exempt	0	2	0
Parks, Recreation & Cultural Affairs	Deputy Director	Non-Essential	exempt	1	0	0
Parks, Recreation & Cultural Affairs	Recreation Manager	Non-Essential	exempt	1	0	0
Parks, Recreation & Cultural Affairs	Manger of Programs	Non-Essential	exempt	1	0	0
Parks, Recreation & Cultural Affairs	Administrative Coordinator I	Non-Essential	non-exempt	1	0	0
Community Development & Regulatory Affairs	City Engineer	Non-Essential	Exempt	2	0	0
Community Development & Regulatory Affairs	Planner	Non-Essential	Exempt	2	0	0
Community Development & Regulatory Affairs	Administrative Coordinator II	Non-Essential	Exempt	1	0	0
Community Development & Regulatory Affairs	Development Site Inspector	Non-Essential	non-exempt	0	2	0
Community Development & Regulatory Affairs	Arborist	Non-Essential	Exempt	0	1	0
Community Development & Regulatory Affairs	Code Enforcement Team Leader	Non-Essential	non-exempt	0	2	0
Community Development & Regulatory Affairs	Code Enforcement Officer	Non-Essential	non-exempt	0	10	0
Fire	Administrative Coordinator I	Non-Essential	non-exempt	0	1	0
Fire	Administrative Specialist II	Non-Essential	non-exempt	0	1	0
Fire	Administrative Coordinator II	Non-Essential	Exempt	1	0	0
Fire	Administrative Manager, Fire	Non-Essential	Exempt	1	0	0
Fire	All Sworn	Essential	non-exempt/exempt	0	0	135
Police	Administrative Coordinator II	Non-Essential	Exempt	1	0	0
Police	Administrative Specialist	Non-Essential	non-exempt	0	4	0
Police	Adminstrative Manager	Non-Essential	exempt	1	0	0
Police	Criminal Information Systems Tech	Essential	non-exempt	0	0	4
Police	GCIC Records Manager	Essential	exempt	0	0	1
Police	Records and Docs Supervisor	Essential	exempt	0	0	1
Police	All Sworn	Essential	non-exempt/exempt	0	0	140
IT	GIS Manager	Essential	exempt	1	0	0
IT	IT Service Desk Analyst	Essential	non-exempt	1	0	0
IT	Network Administrator	Essential	exempt	1	0	0
HR Staff	All Staff	Non-Essential	exempt	5	0	0
Finance	All Staff	Non-Essential	Exempt/Non-exempt	13	4	0
Communications & External Affairs	All Staff	Essential	Exempt/Non-exempt	4	0	0
Destination South Fulton	All Staff	Non-Essential	Exempt	2	0	0
Municpal Court	All Staff	Non-Essential	non exempt/exempt	6	0	0
Public Works/General Services	Administrative Coordinator I	Non-Essential	non exempt	0	1	0
Public Works/General Services	All Staff	Essential	non exempt/exempt	0	0	9
Total				46	66	290

I. Statement of the Policy

The City supports programs and activities that complement the use of public and group transportation and embrace the goal of improving the quality of life for City employees and citizens. Accordingly, the City supports telecommuting as a viable workplace alternative to a traditional workplace and as a means of reducing overhead costs and improving the environment. The City will actively support telecommuting when it is reasonable and practical to do so and where operational needs will not be adversely affected.

Telecommuting is a cooperative arrangement between the City and an employee, based on the needs of the job, work group, and the City. Telecommuting is a privilege. The City has the right to deny the telecommuting option to individual employees and to review, modify or terminate a telecommuting arrangement at any time, for any reason or no reason at all.

II. Background and Applicability

This policy applies only to exempt employees in all departments, unless otherwise required by applicable law.

III. Telecommuting Defined

Telecommuting is working at home or at other off-site locations that are linked electronically (via computer, fax, etc.) to a central office or principal place of employment. Telecommuting does not include instances where a supervisor occasionally allows an employee to work at home on a temporary, irregular basis.

IV. Eligibility Guidelines

Telecommuting is normally reserved for employees in exempt positions, since non-exempt positions require careful tracking of time worked to ensure that overtime policies are properly observed. Telecommuting is more challenging for non-exempt employees due to record keeping requirements that require recording of each workday showing when the employee begins and ends the workday as well as meal and break periods.

Management will consider several criteria when determining if an employee will be permitted to telecommute, including proven ability to perform, high job knowledge, ability to establish clear objectives, flexibility, ability to work independently, and dependability.

Management will also consider several criteria when determining if the nature of an employee's work lends itself to telecommuting, such as whether the job entails working alone or with equipment that can be kept at the alternative job site, whether the job has clearly defined tasks and objectives, whether the job is flexible, and whether the job has measurable work activities.

All requests should be treated equitably, regardless of the employee's reason for making the request. The following guidelines are applicable:

- In any work arrangement, employees will be expected to meet the same performance standards as otherwise required, and supervisors/managers will be expected to use the same performance review criteria that were previously applicable.

- Employees who propose a telecommuting agreement should ensure a safe and suitable workspace that is appropriately confidential and free of distractions and interruptions that may interfere with work. Where applicable, telecommuters will need to find ways to maintain a distinct separation between work activities and personal activities.
- All telecommuting work arrangements are subject to ongoing review and may be terminated at any time, by either party.
- All terms and conditions of employment with the City, e.g. duties, responsibilities, benefits, salary, etc., remain unchanged as a result of the telecommuting arrangement.

V. Telecommuting Agreement

Any employee eligible for a telecommuting arrangement will be required to sign a Telecommuting Agreement prior to beginning remote work. A Telecommuting Agreement is not a contract of employment. Either the employee or the City may terminate the employment relationship at any time with or without notice and/or cause, unless stated in HR policies and procedures. Any violation of the City's telecommuting policy or the individual Telecommuting Agreement may result in removal of the employee from the teleworking program and/or may result in other disciplinary action up to and including termination.

If the Telecommuting Agreement is terminated, employees are required to promptly return to the regular City workplace and schedule within four (4) working days. If they elect not to return as requested, and do not report to work within four (4) working days, they will be subject to disciplinary action and/or be considered to have voluntarily terminated their employment.

The City will not be held responsible for costs, damages, liabilities, or losses incurred by the teleworker resulting from or arising out of the Telecommuting Agreement.

VI. Americans with Disabilities Act

The City may consider telecommuting as a type of reasonable accommodation under the Americans with Disability Act (ADA) for qualified employees with disabilities. Consideration shall be made on a case-by-case basis and between the employee, the Department Head and HR or designee in order to determine whether telecommuting may be a reasonable accommodation that would allow the employee to perform the essential duties of their job position. Regardless of whether a telecommuting arrangement is provided as a reasonable accommodation, all other criteria applicable to this policy will apply.

VII. Responsibilities

A. Department Head/Manager or Supervisor:

1. Determine whether the employee is a good candidate for telecommuting. Consider factors such as, but not limited to,

satisfactory performance and the ability to work independently.
2. Determine, with HR, that the nature of work is suitable for performance from a remote site, e.g., need for confidentiality.
3. Evaluate and consider how the proposed arrangement will impact other employees or the department as a whole.
4. Approve City equipment for use at remote location.

B. Employee:

1. Ensure that City equipment and records in the off-site workspace are maintained in safe and secure conditions and are used primarily for City business.
2. Ensure City records are available to the department when requested. Employee should consult with department management to clarify any system back-up requirements if work is saved on a system other than the department's server.
3. Alert the Department Head if external circumstances are likely to interfere with performance under the telecommuting arrangement.
4. Ensure that customer/organizational needs take precedence over the telecommuting schedule.

C. Employee and Supervisor:

1. Provide time recording systems to record telecommuting hours
2. Determine how work will be assigned and performance measured
3. Determine the working hours on telecommuting days
4. Prevent the arrangement from burdening the employee's co-workers
5. Ensure that the employee is readily available, and has adequate means of communication during specific working hours
6. Arrange for the employee to come to the primary work site when necessary, regardless of the telecommuting schedule

D. Information Systems Technology (IT) Department:

IT will confer with departments to coordinate necessary equipment for telecommuting activities.

DEPARTMENT OF HUMAN RESOURCES

TELECOMMUTING AGREEMENT

TELECOMMUTING POLICY 324-18

Name____Employee ID _______________

Job Title______________________________________Department__________________

Work Location____

Supervisor______________________________Desired Start Date ___________________

Current Status (Check One) ☐Full Time ☐Non-Permanent (Check One) ☐Exempt ☐Non-Exempt

In accordance with Policy 324-18, this Agreement specifies the conditions applicable to an arrangement for performing work at an alternate workplace on a regular basis. The agreement begins on_____and continues until__________. The agreement can be terminated with at least 4 days' written notice by either party (timeline is subject to management discretion). I understand that all obligations, responsibilities, terms and conditions of employment with the City remain unchanged, except those obligations and responsibilities specifically addressed in this Agreement.

I. Proposed Work Schedule

A. Department – Days and hours when the employee is normally expected to be on the work-on site are:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Hours							
Time In/Out							

B. The alternate workplace is located at: ______________________________________

C. Alternative Workplace – Days and hours when the employee will normally work off-site.

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Hours							
Time In/Out							

II. Duties/Assignments

I recognize that the supervisor reserves the right to assign work as necessary at any workplace.____(initial)

Duties and assignments authorized to be performed at this alternate workplace are:

III. Communication

I recognize that effective communication is essential for this arrangement to be successful and I agree to remain accessible during designated work hours and understand that management retains the right to modify this Agreement on a temporary basis as a result of business necessity. The following methods of communicating are agreed upon (specify who [include back-up and emergency contacts], when, how often, during what time frames, and how (phone, fax, face-to-face, etc.):

Name______________________________________Employee ID ________________

IV. Space/Equipment/Records (initial)

_____I agree to use City owned records, and materials for purposes of City business only, and to protect them against unauthorized or accidental access, use, modification, destruction, loss, theft, or disclosure. I understand that although I may be permitted to use the City-owned equipment for incidental personal use, such use shall not interfere with the business use of the equipment.

_____ I agree to report to the supervisor instances of loss, damage, or unauthorized access at the earliest opportunity.

_____ I agree to return City equipment, records and materials within 5 days after the termination of this agreement.

_____I understand that all equipment, records and materials provided by the City shall remain the property of the City.

Regarding space and equipment purchase, set-up, and maintenance, the following is agreed upon: The City will provide the employee with a computer, cell phone and remote access.

V. Safe Working Environment (initial)

_____I agree to maintain a safe and secure work environment.

_____I agree to allow the City access to assess safety and security, upon reasonable notice.

_____I agree to report any work-related injuries to the supervisor at the earliest opportunity.

_____I agree to hold the City harmless for injury to others in the alternate workplace.

VI. Other

I understand that the City of South Fulton is not obligated to approve a proposal for a telecommuting work agreement for any employee. The decision is at the discretion of my Department Head/Supervisor/Manager. This agreement and work schedule are subject to ongoing review and may be subject to modification or termination at any time based on performance concerns or business needs. Generally, business needs permitting, the supervisor/manager or the employee should give at least (4) days' notice in advance of ending or changing an arrangement. I hereby affirm by my signature that I have read this Telecommuting Agreement, and understand, agree to, and will abide by all of its provisions.

____ ________________

Employee Signature Date

FOR AUTHORIZED SIGNATURES ONLY

Approved ☐Denied ☐________________________________ ________________

Supervisor Date

Approved ☐Denied ☐________________________________ ________________

Department Head/Designee Date

Approved ☐Denied ☐________________________________ ________________

Human Resources Director/ Designee Date

Comments

GOVERNMENT OF THE CITY OF SOUTH FULTON

Office of the City Manager

WILLIAM "BILL" EDWARDS
MAYOR

ODIE DONALD II
CITY MANAGER

MEMORANDUM

TO: Honorable Mayor William "Bill" Edwards & City Council Members

FROM: Odie Donald II
City Manager

DATE: March 27, 2020

SUBJECT: March Coronavirus Update (Fiscal/Program Impact)

Background

Following the outbreak of the Coronavirus (COVID–19), administrative measures were implemented to protect the staff and general public including (but not limited to) containing or preventing the spread of the virus by closing City Hall and other facilities to the public. Additionally, hourly Employees whose day to day duties require them to work with the public were given administrative leave with full pay, while the rest of regular employees were to work regular hours remotely. These arrangements ensure no City employee loses pay during this emergency period while the City evaluates our position and continues to provide some services necessary for the City's operation without compromising employees' health. This current arrangement is more beneficial to those placed on administrative leave by the City when compared to the federal mandates that followed in response to the outbreak.

For reference, the Federal Coronavirus (COVID-19) Act mandates the City to pay 80 hours sick leave to regular employees and 58 hours sick leave to part time employees. Closing all facilities and services to the public also meant that lower amounts of revenue are realized from most impacted services such revenues as building permits, business licenses, court fees, alcohols fees, background check fees, various Parks and Recreation program fees as projected in the FY2020 Budget to support initially projected expenditures.

The unfortunate and complicated side of this outbreak in comparison to natural disasters and normal non-health emergencies, is that no one knows at this time how long this emergency will last. This emergency has already negatively impacted global, national, state and local operations in terms of goods and service delivery, which serve as sources of revenue in all sectors of the economy. **According to today's report there are 2,001 cases in Georgia and 307 COVID-19 cases in Fulton County. (Yesterday's numbers were 1,525 for GA and 211 in Fulton County)**

Besides the loss of revenues from the services mentioned above, the City projects to see a dramatic decrease in our two largest sources of revenue, property tax and sales tax, due to businesses closing and citizens inability to maintain work and access to goods and services. At this time, there is no expectation of any additional change in property tax revenues, with the exception that Loch Lomond will officially remit property tax revenues to the City in the upcoming tax billing. Although it should be noted that these revenues are marginal, equating to less than $200,000. Additional tax revenues from Loch Lomond will be offset by services the City is to provide to the area and loss of revenues from the City of Atlanta (Fire and Rescue Intergovernmental Agreement (IGA) based on the City now holding responsibility to deliver services. This equates to a nine percent decrease in the total value of the IGA.

It is from this background of not knowing the time frame wherein operations and general everyday life functions will return to normal that I have begun to evaluate the implementation of multiple scenarios with the general purpose of protecting, supporting, and delivering services to the public while maintaining the City's healthy fiscal position. It should be noted that details related to personnel decisions and consideration will be discussed in closed session, as the initial allotment of administrative leave supplements have been capped at 100 hours to provide the necessary time to evaluate the impact of COVID-19.

Attached is a list of tracked expenditures related to COVID-19 as of March 27, 2020 totaling $35,156.10. While the initial total was approximately $50,000, vendors were unable to totally fulfill our emergency orders due to back log based on the national pandemic. If a department authorized to proceed with expenditures do not follow fiscal instructions, their departments will be charged, and these expenditures will not be reversed unless authorized by the City Manager. Additionally, all expenses must follow normal procurement procedures with approvals and PO's. A current list of actions that have been authorized, and should be considered in effect as of Monday, March 30, 2020 are included in detail below.

Approved Actions

1. Suspension of all non-essential business travel
2. Cancellation of all non-essential training expenditures
3. Suspension of all non-URA funded capital projects, unless deemed emergency and explicitly approved in writing by the City Manager (requires written approval)
4. Review of all existing contracts resulting in the suspension or termination of non-essential agreements to include, but not limited to:
    a. Cort Business Services (to be terminated) –2 or 3 Council members are still renting furniture, and are advised to cancel the contract as other members have done
    b. Norred & Associates (terminated) – Security Company. No need of security officers reporting to City Hall or any other facilities when these facilities are closed to the public
    c. Charles Abbot (under evaluation) – services result in revenues for the City and allow citizen building projects to continue without negative impacts on their budgets
    d. Jacobs – Public Works (under review)
5. All purchases, unless deemed emergency, are suspended through at least April 6, 2020 unless explicitly approved by the City Manager in writing
6. Operating spending has proven to be on a steep decline due to teleworking, remains under review
7. An internal review of fiscal operations will occur on a bi-weekly basis to continue assessing the operational requirements to respond to administrative needs while appropriately responding to the COVID-19 emergency

Arrangements have been made with fiscal institutions to access additional funds for operations if necessary, to successfully complete and/or prepare for current or future fiscal years. These institutions are ready at any time the City chooses to provide us with a line of credit and/or a Tax Anticipation Note (TAN) if requested. Currently, the City projects a decrease in revenue collections ranging somewhere between nine and twenty percent depending on the length of time and the impact to day-to-day life and activity due to the virus. A snapshot of the City's current cash on hand and projected revenues is included to illuminate our position.

Revenues (Cash Available) **$36,320,648**

Expenditures (March through September 2020)	
Payroll and benefits, Contracts and Payables:	
98 Salaried Employees at $520,764 per month (6)	$3,124,600
361 Hourly employees at $1,259,645 per month (6)	$7,557,870
Estimated Overtime at $131,314 per month (6)	$787,884
Estimated Sick/vacation at $178,737 per month (6)	$1,072,422
Estimated SS/Med care Tax at $159,920 per month (6)	$959,520
Estimated Public Safety OT at $61,398 per month (6)	$368,388
Estimated EE Benefits at $105,214 per month (6)	$631,278
Estimated ER Benefits at $315,640 per month (6)	$1,893,840
Estimated Contract Obligations at $1,906,074 per month (7)	$13,342,518
Estimated general Accounts Payables at $400,000 per month (7)	$2,800,000
Total Estimated Expenditures by September 30, 2020	**$32,538,320**
	$3,782,334

Our General Fund, Fund Balance is at $10.9 million from our negative $8.6 million, while our total funds, fund Balance is $34.1 million which includes TSPLOST (but not URA) funds. A detailed description of this information will be included in our 2019 audit report, specifically addressed on page 17 of the draft.

Operation w/Anticipation of Reduced Revenues in Addition to Cash on Hand
While we anticipate receiving revenues in the upcoming months, it is expected that these revenues will be largely reduced, and the estimated inflow of revenues will be reviewed on a monthly basis, directly guiding which expenditures will be reduced or maintained as estimated. We currently anticipate receiving an additional $10,625,405 between April and the end of September to close FY2020. If this scenario comes to fruition, we anticipate accommodating the hiring of essential employees most of which are in public safety and in the interim have frozen hiring for all non-essential employees until the end of the fiscal year or until such time that the financial outlook changes for the better.

To date, the total vacant positions total approximately $3,709,483.79 ($7,418,967.58 divided by 2 for the remaining 6 month) of which $1,613,949.07 has been deemed non-essential and frozen for hiring, while $2,095,534.72 remains for positions eligible for hiring. We also anticipate receiving reimbursement from FEMA for our SAFER grant acquired for our Fire Rescue staff. These funds have not been included in this calculation due to the delays in receiving reimbursement, which has taken up to six months on average to receive. In order to remain conservative in our analysis, we will consider these as additional revenues upon receipt. We are inquiring with FEMA to request that the reimbursement timeframe be reduced during this emergency but have not received notice of such to date.

Adjustment to Operational & Service Contracts
Currently, the City is reviewing all contractual agreements citywide for reduction, suspension, and/or termination where appropriate. Some contracts entirely depend on provision of services

to the public, which in many cases are temporarily suspended until further notice. Suspending or cancelling these contract obligations will relieve the City of obligations that can be directed to other areas, including payroll for all current employees, instead of moving forward with adverse personnel actions that may include a reduction in force and/or furlough. Details of action on each recommendation related to said contracts is forthcoming. As described, savings from contracts, travel, training and operations will be used to offset the projected revenue shortfall. Below is a detailed outline of employees deemed essential for hiring. Based on the City's current fiscal position, a cut in service provisions is recommended, in lieu of a reduction in force or furlough of employees, but the proposal will be reviewed on a bi-weekly basis to asses if or when that option will be required. Expenditures from COVID-19 will have a significant impact in our decision making. During the most recent in person Council meeting, Mayor and Council set aside approximately $400,000 for emergency expenditures during this pandemic). Increases in expenditures by our public safety personnel will directly affect all other spending allocations. Further, it should be noted that the City is monitoring all federal guidelines, emergency declarations (state and federal), and are leveraging any benefits that are applicable to City employees.

DEPARTMENTAL UPDATES (Summary Only)

COMMUNICATIONS & EXTERNAL AFFAIRS

Due to the Coronavirus Disease 2020 – COVID-19 health crisis, the proposed mid-year budget for the Department of Communications & External Affairs has been withdrawn. The department is currently transitioning to providing enhanced digital communications to continue service delivery and information dissemination.

Vendor Contracts
The department is suspending the procurement of the Web Content Developer, wherein such management will shift to the City's IT Department. The City's Information Technology and Communications Departments have engaged CivicPlus, the City's website provider for additional support. CivicPlus had agreed to totally redesign the City's website to a cleaner, more user-friendly format as part of their contractual agreement with the City of South Fulton. The format and work will begin in April. The current contracts and recurring expenditures listed in the chart below are essential to the Department of Communications and External Affairs operations, with the exception of South Fulton Lifestyle Magazine, which will be terminated with notice (highlighted in yellow).

Vendor	Monthly Cost	Annual Cost
Constant Contact	$105.00	$1,260.00
Hootsuite	$149.00	$1,788.00
ITSimple	N/A	$15,000.00
Meltwater	N/A	$9,000.00
South Fulton Lifestyle Magazine	$750.00	$9,000.00

COMMUNITY DEVELOPMENT & REGULATORY AFFAIRS
The Department of Community Development and Regulatory Affairs did not present a mid-year budget request and would not have any necessary mid-year amendments.

Vendor Contracts
The Department of Community Development and Regulatory Affairs has a number of contractual agreements in place. These would include agreements related to Animal Control Assessment, Legal Services with Jared and Davis LLP for annexation support, Inspection Services with Charles Abbott and Associates (CAA), Zoning Ordinance revisions with Wood Consulting, Air BnB Monitoring with Host Compliance, and various CDAP/LCI programs. Amongst all contracts, it is most suitable to suspend or terminate the agreements of Jared and Davis and the Animal Control Assessment. The remaining contracts are either pertaining to quality of life improvements (CDAP/LCI and Host Compliance), Revenue Support (CAA and Sages), or too close to completion (Wood) to eliminate.

Animal Control Assessment
Action: Suspend agreement with compensation for work completed.

Contract Amount: $15,940.00

Termination Clause: Either party shall have the right to terminate this Agreement if the other party is in default of any obligation hereunder and such default is not cured within ten (10) days of receipt of a notice from the other party specifying such default. "Default" shall mean:

a. If City of South Fulton fails to make payments when due or fails to perform or observe any of its duties or obligations under the terms of this Agreement;
b. If Contractor fails to perform or observe any of its duties or obligations under the terms of this Agreement;
c. If City of South Fulton or Contractor shall have made any warranty or representation in connection with this Agreement which is found to have been false at the time such warranty or representation was made and is materially harmful to the other party.

This Agreement may also be terminated by either party by giving written notice thirty (30) days prior to the effective date of termination. If this Agreement is terminated pursuant to this paragraph, Contractor shall be exclusively limited to receiving only compensation for the work performed and appropriately documented to and including the effective date identified in the written termination notice.

Work Performed: None at this time.

Jarred and Davis, LLP
Action: Terminate agreement.

Contract Amount: $50,000.00 ($23,074.2 expended)

Termination Clause: Either party shall have the right to terminate this Agreement if the other party is in default of any obligation hereunder and such default is not cured within ten (10) days of receipt of a notice from the other party specifying such default. "Default" shall mean:

a. If City of South Fulton fails to make payments when due or fails to perform or observe any of its duties or obligations under the terms of this Agreement;

b. If Consultant fails to perform or observe any of its duties or obligations under the terms of this Agreement;
c. If City of South Fulton or Consultant shall have made any warranty or representation in connection with this Agreement which is found to have been false at the time such warranty or representation was made and is materially harmful to the other party.

This Agreement may also be terminated without cause by either party at any time upon written notice in accordance with Section 12.

If this Agreement is terminated pursuant to this paragraph, Consultant shall be exclusively limited to receiving only compensation for the work performed and appropriately documented to and including the effective date identified in the written termination notice.

Work Performed: To date, compensation has been provided for work completed. Compensation was on a performance basis.

Purchases and Recurring Expenditures
The Department of Community Development and Regulatory Affairs has a number of purchases available for reconsideration. We have identified where the purchase of surveillance cameras and public involvement/tourism events may be suspended or postponed. Below identifies those proposed amendments and costs. An ultimate cost savings of $34,000 in purchases and recurring expenditure services are illuminated below.

Flock Surveillance Cameras
Recommendation: Suspend purchase of additional 7 cameras from FY2020.
Purchase Amount: $14,000.00

City Tourism Event (Food Truck Festival and other Related Projects)
Recommendation: Suspend such services.
Purchase Amount: $20,000.00

With the upcoming "Go Live" date for new permitting software of March 31st the operations will change drastically as the applicants may now submit their applications online and allow for online review with the supporting Divisions of Engineering and Planning & Zoning. This should ultimately reduce the operational workload of staff, while also allowing for essential working employees to receive support from the new software.

DESTINATION SOUTH FULTON
The department had an original mid-year budget request for four additional staff to assist with the operations of CollabSouth facilities and Entrepreneurship training as illuminated below.

i. Administrative Specialist I
ii. Administrative Specialist I
iii. Business Development Manager
iv. Administrative Coordinator I (Marketing, Communications and Research)

The revised personnel request calls for the elimination of the Business Development Manager and the Administrative Coordinator I (Marketing, Communications and Research). Remaining in the request are two additional admin positions to support the operations of CollabSouth facilities with a delayed hire date of at least June 1, 2020 depending on the progress (or lack thereof) of the mitigation of the current pandemic. Those hires are listed below:

i. Administrative Specialist I
ii. Administrative Specialist I

Additionally, it is the intent of staff to introduce for consideration the creation of a **Small Business Sustainability Loan Fund** – serving as an additional request under the revised midyear budget amendment. The Small Business Sustainability Loan Fund would assist companies affected by COVID-19. Program outline is provided and attached hereto. The request is for a $250,000 total fund to be established. Funds used to establish the $250,000 program would come from current personnel cost savings in the Economic Development Budget and cuts to professional services, hospitality, training, dues and special events line items in the budget.

Vendor Contracts
Old National Main Street Office and CollabSouth Lease - Staff is currently working to postpone lease to begin no sooner than May 1, 2020.

<u>FIRE RESCUE</u>

Every attempt to reduce the Fire Rescue budget has been made, although such services are deemed essential for the health and safety of our staff and the citizens they serve. During the mid-year budget amendment the following additions are under consideration to enhance the offerings of the department.

Request Description	Amount of Request	Operating / Capital	Explanation/Justification	Applicable City Priority
Diesel Exhaust Removal System(s)	$131,090	Capital	This request falls within the City's commitment to its cancer reduction initiative. The systems are designed to eliminate exposure to the dangerous levels of diesel exhaust fumes. The equipment will be installed on each apparatus; therefore, providing protection at the fire stations and at emergency incidents.	Improve Public Safety - Police and Fire
Extractor and Dryer Cabinet System (s)	$33,000	Capital	Current Washer and Dryers are not designed nor meet NFPA Standards (NFPA 1851) in cleaning/sanitizing firefighter turnout gear. The request is for one system per battalion (total of 2). This request falls within the City's commitment to its Cancer Reduction initiative.	Improve Public Safety - Police and Fire
Small Tools and Equipment	$15,000	Operating	Due to the condition and needs regarding small tools and equipment, the department is requesting additional funds to carry out its daily operations.	Improve Public Safety - Police and Fire

Electricity	$25,000	Operating	The department is still trying to gather enough historical data to better forecast utility expenses. This request is to ensure funds are in place for any shortfall.	Improve Public Safety - Police and Fire
Overtime	$275,000	Operating	The department operated the first half of the budget year with 27 firefighter vacancies. Currently, this operating line is running with a $151,501 deficit. This request will eliminate the deficit and provide for overtime funds through the 2nd half of the budget cycle. The department is on track to staff 32 Firefighter positions by March 30, 2020.	Improve Public Safety - Police and Fire
Unemployment Insurance	$60,000	Operating	This line was underfunded and has a current deficit of $18,657. This request will eliminate the deficit and provide funds for unemployment insurance through the 2nd half of the budget cycle.	Improve Public Safety - Police and Fire
Total	***$539,090***			

Vendor Contracts
Fire Rescue currently does not have any contracts or recurring expenses that can be suspended or cancelled. Fire Rescue does currently have two (2) vacant Fire Prevention Officer positions that will not be filled. The department is also facing challenges with COVID-19 due to moving the recruit class from the Training Center. As of Monday, March 30, 2020, we will have 27 recruits and will have to modify their training. They will be assigned to ride on the fire apparatus and complete class work on their computers remotely. The department is also experiencing financial challenges due to an increase in overtime due to requirements to maintain minimal staffing on each piece of apparatus. As a result, an increase in overtime is currently under consideration for use of funds allocated to contingency under the authority of the City Manager.

<u>INFORMATION TECHNOLOGY</u>
In addition to supporting all City departments, IT will provide and lead the implementation of all teleconference activities citywide, to include the facilitation of Council Meetings via technology. A summary of service collaborations is included below:

- Products under review for such support includes Microsoft Teams which can handle the majority of our departmental needs, Cisco WebEx, Zoom, GoToMeeting, RingCentral.
- Department Heads and key personnel have the ability to set up meetings via Microsoft Teams that also includes a call-in number. All users can set up Teams meetings that has access to computer audio only. Training will be held on Thursday April 2, 2020 for all department heads and key staff, which will cover the Teams functionality, best practices and etiquette.
- Council Meetings - Due to the challenges we faced during our previously head virtual council meetings, IT will identify and lead solutions that have the following capabilities:

  - Moderator having the ability to mute and unmute all participants while following the request and acknowledgement by the Mayor
  - Screen Sharing
  - Providing time limits for speakers based on the rules of the meeting
  - Chatting that can be used as a back up to Novus Agenda queuing.
    - Mayor can continue to acknowledge those in queue.
- IT will take the lead as charged, but the long term goal is for the Clerk's Office to provide the resources for this task based on the responsibilities of their office. Based on past experience, this will require meeting duties to be spread amongst the Departments resources.

MUNICIPAL COURT

Municipal Court has no mid-year budget requests, and court is hereby suspended until further notice. While activities are suspended, staff are putting protocols in place to ensure that backlogs are effectively resolved. Further, all rental payments are suspended to at least May of 2020, and are expected to continue beyond such time based on the outcomes of COVID-19.

Vendor Contracts

It is recommended that all court related contracts be suspended or terminated by the Council until further notice. With the pending transition of the current Chief Judge, it is recommended that the City Manager be authorized to carry out this function within his discretion based on fiscal and operational factors. Such recommendation includes the following considerations:

Chief Judge – Suspend contract until court sessions resume and a new Chief Judge is appointed. Estimated savings through June 30, 2020 are approximately $25,000 depending on rate of pay (figures based on last Judge). Estimated savings through September 30, 2020 will be $50,500.02.

Public Defender – Suspend of Cancel contract and continue to utilize the Conflict Defenders as needed for qualified defendants (cost savings of approximately $40,000 based on need for conflict defendants or length of suspended contracts).

PARKS, RECREATION & CULTURAL AFFAIRS

As COVID-19 continues to spread at extremely high levels, the City is preparing to ensure that we are able to support needs related to quarantine. The following PRCA facilities have been identified as locations to potentially serve as quarantine sites as circumstances warrant (in descending order).

1. Creel Park Community Building: capacity 35
2. Welcome All Park Multipurpose: capacity 200
3. Sandtown Recreation Center: capacity 150

PRCA has also submitted mid-year budget requests of approximately $325,000 split across recreational services and arts and culture. These expenditures are currently under consideration for inclusion in the mid-year budget but will not be final until at least April 10, 2020. A detailed summary of the request is included below.

Division	Request	Amount of Request	Revised Request	Explanation/ Justification
Parks	Professional Services	$50,000.00	**$50,000.00**	Transition of Park Maintenance Ops/ Pool Maintenance, GFL, Cooks, Ready Fitness Brink Security, Basketball refs
Parks	Contractual Services	$84,000.00	**$84,000.00**	Underfunded- needs YAAs and Instructor Services
Parks	Special Events	$28,000.00	**$10,000.00**	Underfunded: requested $60,000 budgeted $25,000. Juneteenth, Citywide Back-to-School Event, Youth Football Jamboree
	Total	**$162,000.00**	**$144,000.00**	

Division	Request	Amount of Request	Revised Request	Explanation/ Justification
Arts	Art Supplies	$2,500.00	$2,500.00	Summer Camp Supplies
Arts	Summer Camp Staff	$17,000.00	$17,000.00	Art Centers Summer Camp
Arts	Art Exhibits	$13,500.00	$6,000.00	Support already schedules Art exhibits at the SWAC
Arts	Theatre Techs	$1,200.00	$1,200.00	Internal cultural programming
Arts	Piano Tuning	$1,260.00	$1,260.00	Piano used for programming
Arts	Living Out Loud	$46,200.00	$10,000.00	Senior Arts Program...would supplant the LOL program with a series of senior arts workshops on a monthly or bi-monthly basis
	Total	**$81,660.00**	**$37,960.00**	
	Grand Total	**$234,660.00**	**$181,960.00**	

Vendor Contracts
Current vendor contracts are minimal with only the STEM services agreement in place, SWIFT Youth LLC valued at approximately $40,000. These services may be supplemented by in-house services if necessary, wherein staff is recommending a cut of said services immediately.

POLICE
The Police Department does not have any substantial contracts that could reduce the City's liability position at this time.

Vendor Contracts
The Police Department does not have any substantial contracts that could reduce the City's liability position at this time. The PD will also postpone all non-URA funded capital projects and the hiring of the vacant crime scene position which is in process.

PUBLIC WORKS
The highest priority for the mid-year budget appropriation is increasing the Maintenance Fund allocation by at least **$176,710**, which would provide funding for the following maintenance activities to continue until the end of the fiscal year.

Maintenance Fund Budget for February through September

School Flashers Maintenance	$35,000.00
Guardrail Repairs	$16,978.40
Street Sweeping	$35,000.00
Bridge Repair	$85,110.59
Sinkhole/Drainage Repairs	$87,668.76
Tree Removal	$7,459.83
Concrete Repairs and Replacement	$50,000.00
Traffic Operations and Maintenance	$160,000.00
Gravel for Dirt Road Maintenance	$60,000.00
Pothole Repairs	$20,039.82
Disposal Costs	$22,842.75

Balance of Maintenance fund as of January 31, 2020 $403,390.33
Maintenance Fund Budget for February – September $580,100.15

Shortfall of Maintenance Fund for remainder of 2020 = $ 176,710

Note: The insert below is provided directly by Public Works to illuminate the need to mitigate this shortfall.

Funding this shortfall ($176,710) will allow Public Works to continue performing the maintenance services the residents are accustomed to. However, if this shortfall in funding is not addressed then Public Works will need to limit services including the following:

- *Operations and Maintenance – Activities will be limited to only essential activities such as the 4-week mowing schedule, litter pickup, illegal dumping pickup, only scraping dirt roads, repair emergency traffic signal outages, and stop sign replacements.*

O&M activities that will be limited or eliminator for the remainder of 2020 include:

- *Street sweeping – will be eliminated for the fall scheduled sweep*
- *No road surfacing material or dust abatement will be applied to the Dirt roads.*
- *Drainage structure and sinkhole repairs will be limited to only public safety related repairs.*
- *Concrete repairs to curb & gutter and sidewalks will be eliminated except for safety repairs in the roadway.*
- *Pothole patching may be limited depending upon budget constraints*
- *Sign requests will be limited to stop sign replacements only.*
- *Traffic signal repairs will only be for complete outages or flashing signals.*
- *See Click Fix requests will be limited to ones that do not require maintenance fund support.*

Approved projects can be funded out of the Maintenance Fund if the mid-year budget request is approved.

a. Koweta bridge emergency repair - $40,000
b. Crawford Court full pavement reclamation - $92,000
c. Alta hired to design 12 guardrails for GDOT guardrail replacement project - $25,000
d. Stormwater/Drainage construction projects:
    i. Marcus Nyah storm drain repairs - $52,000
    ii. 224 Chert Way sinkhole/erosion repairs - $30,000

iii. Detention Pond Maintenance (30 ponds) - $100,000

e. Bridge Inspection, bid package preparation – Hire an inspector/engineer to develop projects for the outstanding bridge maintenance throughout the city - $15,000

Funding needed for Public Works Director approved projects = $354,000

Without this additional $354,000 for the Public Works Director projects identified above all of these projects will be ELIMINATED….. What does this decision mean?

- *Koweta bridge repair – If Eliminated. Could present a safety hazard to the traveling public and for the Velocity bike race*
- *Crawford Court reclamation – If Eliminated. Street is in very poor condition. Asphalt completely gone in places. Delaying this improvement will result in worse conditions.*
- *Marcus Nyah storm drain pipe replacement – If Eliminated. Failed storm pipe that needs to be replaced. Has created sinkholes in resident's yard.*
- *224 Chert Way – If Eliminated. Washout in resident's back yard resulting in soil erosion. Erosion getting close to back deck and house.*
- *Detention pond maintenance – If Eliminated. These 30 ponds have not been maintained by the County for the past 18 months, and conditions continue to worsen.*
- *Hire a bridge inspector – If Eliminated. Will not be able to perform site assessments to develop bid packages to address backlog of bridge maintenance needs.*

Therefore, the absolute minimum Funding Need for Public Works Operations and Maintenance is:

Maintenance activities (February – September)	$176,710
PWD Identified City projects	$354,000

Total absolute Minimum Funding Needed at Mid-Year Budget Adjustment = $530,710

In addition to the absolute minimum funding needed, there are other construction or out of scope projects that would be included in the "preferred" category that are **NOT** funded:

a. Cascade Palmetto Tree Trimming - $100,000
b. Old Fairburn Road Tree Trimming - $50,000
c. Bridge Maintenance (maintenance repairs identified for 55 bridges) - $1,500,000

Funding needed for construction work identified by the city/SCF = $1,650,000

Preferred mid-year budget adjustment:
Absolute minimum funding at mid-year budget adjustment = $530,710
Out of scope work identified by City/SCF = $1,650,000

Total Preferred Funding Needed at Mid-Year Budget Adjustment = $2,180,710

If additional funding is available? Below is a list of other improvements that are needed:

Fund two Traffic Operations projects:
a. Rewire signal at South Fulton Pkwy and Cedar Grove Road - $20,000

b. Rewire signal at South Fulton Pkwy and Cascade Palmetto - $20,000

Total request for traffic operations capital projects = $40,000

New proposals to address deficiencies in City-Jacobs contract:

c. ROW/Utility permit administration – The contract is currently only for 10 permits per month, and we recently revised this scope to 15 permits per month. However, we actually experience on average 30 permits per month. So, we are proposing an additional administrator/inspector to handle these additional out of scope permits. The proposal for this service is $94,116, however in Jacobs proposal to the city to revamp the County permit program we estimate that approximately $90,000 will be collected in permit fees. So, there would be only about a $5k - $10k cost difference for the City to add this service.
d. Traffic Development Review Service – This is a new proposal to work with CDRA to add this review cost to the application fees so development would pay for this service based upon the permit type requested.
e. State Routes – Sidewalk maintenance (excluding South Fulton Pkwy, and Camp Creek) – Maintain approximately 12 miles of sidewalk on state routes. - $125,000
f. Trash Can receptacle servicing – service approximately 30 cans twice a week year round - $30,000
g. Fire Station exterior drainage redesign and design of new retaining wall. - $15,000

Total request for new proposals to enhance services = $175,000

Traffic Signal Repairs and replacements

a. Roosevelt Hwy @ Buffington Road: Total Rebuild - $150 - $300K
b. Old National @ Creel: Total Rebuild: $150 - $300K
c. Hwy 92 @ Hall Road: Total Rebuild: $150 - $300K
d. Oakley Road @ Fayetteville Road: Total Rebuild: $150 - $300K
e. Old National @ Flat Shoals: Total Rebuild: $250 – 500K
f. Cascade Road: Backplates and signal head heights - $100K

Total request for new proposals to enhance services = $1,800,000

Traffic signal pedestrian signal maintenance

g. Ped pole replacement - $60,000

Total request for traffic signal pedestrian poles = $60,000

Grand Total of all Mid-Year Appropriation Requests = $4,255,710

Vendor Contracts

Current contracts under evaluation for suspension or termination include, but are not limited to Security, Recycling and Cleaning Services budgeted as illuminated below:

1. Cleaning contract for PD $3,125.00 per month
2. Security contract for City Hall $1,100.00 per week
3. Recycling contract for City $2,670.00 per month

As referenced earlier the Norred Security Contract has been terminated under the authority of the City Manager's office and supplemented by SFPD. Additionally, a freeze on hiring of the Traffic Engineer Position has been implemented. The Public Works Department is severely understaffed, and all current employees are needed to maintain the City's infrastructure.

Resources & Ancillary Services

Cost Recovery Supports
On March 1, 2020, President Donald J. Trump declared a national emergency due to the Coronavirus. The declaration establishes the Robert T. Stafford Disaster Relief and Emergency Assistance Act Public Law 93-288-amended. This action frees up billions of Federal Emergency Management Agency (FEMA) funds that can be accessed through the Public Assistance Grant Program.

Preliminary information has been provided that the Public Assistance Grant Program guidance is being finalized to support prevention, response, and recovery activities. ***This will include fiscal support.*** Once the guidance is published, staff will be able to better determine our next steps. In the interim, staff will ensure we have complete and accurate documentation of expenses and usage (receipts, personnel cost sheets, etc.) to support a request for public assistance. Finance implemented measures early on to have all expenses passing through Edmunds to include a tracker I.D. labeled Coronavirus. This has been a great way to track the expenditures in the financial system. For salary related expenditures, such as overtime, we are working to establish a process of how we identify those costs separate from the normal overtime costs.

The costs are required to be necessary expenditures incurred due to the public health emergency with respect to the COVID-19 virus that were not accounted for in the budget and were incurred during the period that begins March 1, 2020 thru December 31, 2020.

The Public Assistance Grant Program will support extraordinary costs, such as:
1. Overtime or personnel backfill cost
2. Supplies such as disinfectants, medical supplies, and personal protective equipment (masks, gloves, gowns, etc.)
3. Apparatus usage

As the information continues to unfold, staff will remain diligent to keep you informed.

Fulton County Board of Health's Regional Responses to COVID-19
Fulton Board of Health has opened Specimen Point of Collections (SPOC). The person must have talked to a doctor or healthcare provider or called the Georgia COVID-19 hotline. They must then receive a Patient Under Investigation (PUI) number. They may then go to the testing site with an appointment. All who do not have a PUI number will be turned away. Processes are being set up for those most vulnerable, including public safety and healthcare providers to have priority. This process may change, as more resources become available (update as of 3/20/20).

Additionally, attached is the declaration of a public health emergency that was executed by Dr. Ford earlier this week as well as an addendum that enumerates essential businesses. In addition, you will find the resolution executed this week by the Board of Health. Please expect additional information forthcoming.

Should you need further information regarding this correspondence, please contact Odie Donald II at odie.donald@cityofsouthfultonga.gov.

Tracking Id Range: COVID19 to COVID19 Vendor Range: First to Last Tracking Id Status: Active Budgeted Tracking Report: N
Account Types: Exp: Y Rev: Y G/L: Y Date Range: 10/01/19 to 09/30/20 Include Items Without Tracking Id: N
Trans Types: Purchase Order: Y Manual: N Expenditure: N Rev/Cash: N Invoice: N Attendance: N
PO Status: Open: Y Rcvd: Y Paid: Y Held: Y Aprv: Y Void: N Date Type: First Encumbrance
Expenditure Range: First to Last All Years w/Perpetual Class Id Range: First to Last
Revenue Range: First to Last All Years w/Perpetual
G/L Range: First to Last All Years

Tracking Id Description / PO#/Inv#/Trans Description		Vendor/Customer (Start Date)	Charge Account (End Date / Tracking Status)		Quantity		Amount	Purch. Type	Date	PO/Inv Status
COVID19	COVID-19 Related Purchases 2020	03/16/20	Active							
P 20-01822	2 CID COVID19 SUPPLIES	SAFEW005 Safeware,Inc.	100-3210-53-1101	E	1.00		1,742.07	Other	03/20/20	Open
P 20-01819	1 SOD COVID19 N95B MASKS	SAFEW005 Safeware,Inc.	100-3210-53-1104	E	15.00		243.75	Other	03/20/20	Open
P 20-01819	2 SOD COVID19 BODY THEROMETER	SAFEW005 Safeware,Inc.	100-3210-53-1104	E	2.00		277.14	Other	03/20/20	Open
P 20-01822	1 CID COVID19 10X10 TENT	SAFEW005 Safeware,Inc.	100-3210-53-1104	E	1.00		1,407.14	Other	03/20/20	Open
		100-3210-53-1104	Operating Supplis and EMS Supplies			Totl:	1,928.03			
P 20-01892	1 Room decontamination system	AEROC005 Aero Clave, LLC	351-3520-54-2500	E	2.00		27,998.00	Other	03/26/20	Open
P 20-01892	2 Portable applicator,	AEROC005 Aero Clave, LLC	351-3520-54-2500	E	2.00		2,498.00	Other	03/26/20	Open
P 20-01892	3 Disinfectant solution	AEROC005 Aero Clave, LLC	351-3520-54-2500	E	4.00		560.00	Other	03/26/20	Open
P 20-01892	4 Shipping and handling	AEROC005 Aero Clave, LLC	351-3520-54-2500	E	2.00		350.00	Other	03/26/20	Open
P 20-01892	5 Shipping and handling	AEROC005 Aero Clave, LLC	351-3520-54-2500	E	4.00		80.00	Other	03/26/20	Open
		351-3520-54-2500	Other Equipment			Totl:	31,486.00			

Bid: 0.00 State: 0.00 Other: 35,156.10 Exempt: 0.00 PO Qty: 33.00 Totl: 35,156.10

Classification Totals:			Transaction Type Totals:	
	Assets:	0.00	Purchase Orders:	35,156.10
	Liabilities:	0.00	Excludes Void Po:	0.00
	Revenue:	0.00		
	Expense:	35,156.10		
	Fund Balance:	0.00		

Total Tracking Ids: 1 Total PO Qty: 33.00 Total Amount: 35,156.10

Total Bid: 0.00 Total State: 0.00 Total Other: 35,156.10 Total Exempt: 0.00

Classification Totals:			Transaction Type Totals:	
	Assets:	0.00	Purchase Orders:	35,156.10
	Liabilities:	0.00	Excludes Void Po:	0.00

Tracking Id Description		Start Date	End Date	Tracking Status					
PO#/Inv#/Trans Description	Vendor/Customer			Charge Account	Quantity	Amount	Purch. Type	Date	PO/Inv Status

Revenue:	0.00
Expense:	35,156.10
Fund Balance:	0.00

City of South Fulton Small Business Sustainability Loan Fund

Businesses who have seen sales decreases of 30% or more will be eligible for zero interest loans of up to $10,000 to help retain employees and ensure business continuity.

Eligibility Criteria for the City of South Fulton Small Business Sustainability Loan Fund
Businesses must:
Be located within the City of South Fulton
Demonstrate that the COVID-19 outbreak caused at least a 30% decrease in revenue
Employ 2-10 employees
Demonstrate ability to repay the loan
Have no outstanding tax liens or legal judgements
Have a current City of South Fulton Business License
Been operating in the City of South Fulton for 2 or more years
Complete a Pre-Application for the City of South Fulton Small Business Sustainability Loan Fund
As part of the applications, you will be required to demonstrate a revenue decrease by providing documentation such as: point-of-sales reports, bank statements, quarterly sales tax filings, 2019 tax returns, or CPA-certified profit & loss statements. You can begin to gather these documents in preparation.

Terms and Conditions
The current fund is established at $250,000
Loan terms will not exceed 3 years.
Loans are provided at 0% interest and may be deferred up to 12 months before the first payment is due
Loan is not a grant and must be repaid.
Loans may be used for lease or mortgage payments, payroll and inventory management
A business is only eligible to receive one loan

Types of Information to be Collected
The types of information to be included in an application include:
Source and use of funds
Business narrative: 1-2-page description of your business, including management staff
One year of business financials
One year of personal financials
Personal financial statement
Documents showing a 30% decrease in revenue due to COVID-19
Copy of an executed current lease agreement or mortgage loan document

Pre-Application for City of South Fulton Small Business Sustainability Loan Fund

To help small businesses deal with the impact of COVID-19, the City has launched the Small Business Sustainability Loan Fund to assist companies as they face decreased revenue. Businesses with 2-10 employees who have seen sales decreases of 30% or more will be eligible for zero interest loans of up to $10,000 to help retain employees and ensure business continuity.

Eligible recipients must be a non-homebased business. And must employ 2-10 individuals. The loans can only be deployed for lease or mortgage payments, payroll and inventory management.

Complete the checklist below to review your eligibility for this fund.

If you have questions about the eligibility requirements please e-mail us at
DSF@cityofsouthfultonga.gov

1. Contact Information
Name
Company
Email Address
Phone Number

2. How much money are you applying for?
Below $2,500
$2,500-$5,000
$5,000-$7,500
$7,500-$10,000

3. Is your business located in the City of South Fulton?
Yes
No

4. Is your business operated in a commercial building?
Yes
No

5. Have you been in operation in the City of South Fulton for at least 2 years?
Yes
No

6. Can you demonstrate that COVID-19 caused at least a 30% decrease in revenue?
You will be required to demonstrate a revenue decrease by providing documentation such as: point-of-sales reports, bank statements, quarterly sales tax filings, 2019 tax returns, or CPA-certified profit & loss statements.
Yes
No

7. Does your business employ 2-10 nonrelated employees across all locations?
You will be required to submit payroll records.
Yes
No

8. Are there any tax liens or legal judgements against your business?
Yes
No

9. What is your credit score?
Below 550
550-600
600-650
650-700
700-750
750+

10. What was your revenue last year?
Below $50,000
$50,000-$250,000
$250,000-$500,000
$500,000-$750,000
$750,000-$1,000,000
$1,000,000+

11. Was your business cash flow positive as of the end of 2019?
Yes
No
I don't know

Short List of City Contacts

Professional Service Agreements

a. Jarrard Davis = Annexation Services = $50,000
b. Blue Scorpion Reputation Management = $15,000
c. Jacobs Agreement = Approx. $500,000 per month

Lease Agreements

a. Public Safety Building Lease = $20,000 per month
b. Fire Truck Lease = $6,000
c. Enterprise Fleet Agreement = $500,000 down and $30,000 per month

Software

a. Bids & Tenders Procurement Software =$13,000 per year

RESOLUTION OF THE FULTON COUNTY BOARD OF HEALTH TO DECLARE AND RATIFY PUBLIC DECLARATIONS OF A LOCAL PUBLIC HEALTH EMERGENCY IN FULTON COUNTY DUE TO THE THREAT AND IMPACT OF THE COVID-19 PANDEMIC AND TO ORDER THE MODIFICATION OF CERTAIN BUSINESS ACTIVITIES COUNTYWIDE TO MINIMIZE DIRECT HUMAN CONTACT

WHEREAS, a novel coronavirus known as SARS-CoV-2 (COVID-19) was first detected in China and rapidly spread internationally, with diagnoses occurring by March, 2020, in Fulton County, Georgia; and

WHEREAS, on January 30, 2020, the Secretary of Health and Human Services declared a public health emergency through the Public Health Service Act, 42 U.S.C. 247d; and,

WHEREAS, On March 6, 2020, the Georgia Department of Public Health added COVID-19 to the Notifiable Diseases List in Georgia, ensuring that all physicians, laboratories, and other health care providers immediately report cases of COVID-19 to the state to enable rapid epidemiological response to curb the transmission of the disease; and

WHEREAS, on March 11, 2020, based upon a 13-fold increase in the number of cases outside of China within a two week period, more than 118,000 cases in 114 countries, 4,291 deaths and thousands in hospitals fighting for their lives, the World Health Organization characterized COVID-19 as a pandemic; and

WHEREAS, on March 13, 2020, to control the spread of the virus, President Donald Trump issued a Proclamation Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak under the authority of 50 U.S.C. 1601 et seq.; and

WHEREAS, on March 14, 2020, Governor Brian Kemp declared a public health emergency for 120 counties, including the area encompassing Fulton County, to assist health and emergency management officials across Georgia by deploying all available resources for mitigation and treatment of COVID-19; and

WHEREAS, as of March 16, 2020, there were 121 confirmed cases in Georgia, twenty-seven (27) of which are in Fulton County; and

WHEREAS, on March 18, 2020, Fulton County, Georgia, through its Board of Commissioners, passed a Resolution to Declare a Local Emergency in Fulton County Due to the Threat and Impact of the COVID-19 Outbreak and issued a Declaration of State of Emergency Within Fulton County Due to the Threat and Impact of the COvID-19 Outbreak (Item No. 20-0237); and

WHEREAS, to facilitate the coordination of efforts to address this public health emergency and ensure proper documentation of the work done by both the state employees and the Fulton County employees working in the Fulton County Board of Health, the Board of Health finds it is in the best interest of public accountability to declare a public health emergency and to ratify all such national, state, and local declarations to the extent such action may be required; and

WHEREAS, Governor Brian Kemp issued an Executive Order on March 23, 2020 requiring the Department of Public Health to order that certain persons in the state who have increased risk for contracting the virus, or who have tested positive or are presumed positive for the virus shall shelter in place; and

WHEREAS, the Board of Health finds that it is vital to the protection of the public health to ensure consistency countywide with the requirements that persons and businesses in Fulton County utilize wise and prudent measures to minimize human contact to slow the spread of the virus; and

WHEREAS, pursuant to O.C.G.A. § 31-3-6, this Board of Health is empowered to issue rules and regulations to protect public health countywide and to certain specified areas and citizens; and

WHEREAS, pursuant to O.C.G.A. § 31-3-4, this Board of Health is empowered to take necessary steps to prevent and suppress disease and deleterious conditions; and

WHEREAS, pursuant to Ga. Comp. R. & Regs 511-9-1-.04, the District Health Director is empowered in the event of a discovery of a group of individuals infected with a communicable disease, to exercise within the District the authorities and powers of the Department of Public Health that are enumerated in Title 31, including the power to close facilities pursuant to Ga. Comp. R. & Regs 511-9-1-.03 that are reasonably suspected to pose a danger to public health; and

WHEREAS, the Board of Health finds that essential businesses are encouraged and to follow all guidelines for limiting the number of individuals in one area, and maintaining a safe distance, but may not always be able to do so.

NOW, THEREFORE, BE IT RESOLVED, that the Fulton County Board of Health hereby declares a public health emergency in Fulton County caused by the spread and potential spread, of COVID-19; and

BE IT FURTHER RESOLVED, that the Board of Health ratifies all prior declarations of emergency; and

BE IT FURTHER RESOLVED, that the Board of Health directs the health department leadership and staff to cooperate to the full extent of the law with local, state, and federal authorities in order to protect the public health and facilitate the flow of resources and funding to the Fulton County Board of Health for such purposes; and

BE IT FURTHER RESOLVED, that the Board of Health ratifies the actions of the District Health Director taken to address this outbreak on behalf of the citizens of Fulton County; and

BE IT FURTHER RESOLVED, that the Board of Health hereby directs the District Health Director to command that all dine-in restaurants throughout Fulton County be closed, provided that they may conduct drive-through, delivery, and/or pick-up services as long as the manner in which such services are provided allows for both staff and customers to maintain a safe social distance of six (6) feet between all persons; and

BE IT FURTHER RESOLVED, that the Board of Health directs the District Health Director to command the limitation of all gatherings to fewer than ten (10) people, and to restrict to fewer than ten (10) people all non-essential businesses or their business activities throughout Fulton County that require direct human contact or that tend to involve crowding or assembling in close spaces where it is difficult or impossible to practice social distancing, until further notice. By way of example, such business activities include but are not limited to: massage services, nail salon services, beauty salon services, adult entertainment facilities, bars, night clubs, private events, exercise facilities and classes, and church gatherings; and

BE IT FURTHER RESOLVED, that the Board of Health directs the District Health Director to command that all essential businesses as enumerated herein also limit, to the extent possible in the exercise of their essential activities, the limitation of fewer than ten (10) people in one location, and the ability to maintain a safe social distance of six feet (6') between all persons; and

BE IT FURTHER RESOLVED, that the Board of Health authorizes the District Health Director to define in essential services in consultation with the Board; and

BE IT FURTHER RESOLVED, that the Board of Health grants the District Health Director, in consultation with the Georgia Department of Public Health, the authority to close any business that fails or refuses to conform with the requirements herein; and

BE IT FURTHER RESOLVED, that the Board of Health grants the District Health Director the authority to negotiate and execute any contracts and purchase orders necessary to obtain required services and goods needed to provide the emergency services; and

BE IT FURTHER RESOLVED, that the Board of Health authorizes and ratifies the suspension or modification of procurement and purchasing procedures and rules that have been or may be approved by the Director of Purchasing and the Fulton County Board of Commissioners, as such procedures and rules apply to the Fulton County Board of Health through the Intergovernmental Agreement for Services of the Fulton County government; and,

BE IT FURTHER RESOLVED, that in conjunction with this Resolution, the Board of Health instructs the District Health Director to sign and effectuate the Declaration and Ratification of Emergency and the Order of Closure or Modification of Certain Business Activities Countywide to Minimize Direct Human Contact, attached to this Resolution as "Exhibit A."

BE IT FINALLY RESOLVED, that this Resolution shall become effective upon adoption.

PASSED AND ADOPTED by the Members of the Fulton County Board of Health, Georgia, this 24th day of March, 2020.

FULTON COUNTY BOARD OF HEALTH

Chair, Fulton County Board of Health

Secretary, Fulton County Board of Health

Approved as to Form:

Attorney, Fulton County Board of Health

P:\CALegislation\BOH\BOH Board Meetings\20.03.24 Resolution of the BOH Emergency Provisions. Clean.docx

ADDENDUM
TO THE DECLARATION AND RATIFICATION OF PUBLIC HEALTH EMERGENCY WITHIN FULTON COUNTY DUE TO THE THREAT AND IMPACT OF THE COVID-19 PANDEMIC AND ORDER OF CLOSURE OR MODIFICATION OF CERTAIN BUSINESS ACTIVITIES COUNTYWIDE TO MINIMIZE DIRECT HUMAN CONTACT TO PROVIDE THE ENUMERATION OF ESSENTIAL BUSINESSES AND ESSENTIAL BUSINESS ACTIVITIES

In conjunction with the emergency action of the Fulton County Board of Health on March 24, 2020, and after consultation between the Fulton County Board of Health and the District Health Director, the following businesses and business activities are hereby declared essential in Fulton County, and are therefore required, but only to the extent feasible, to maintain fewer than ten (10) people in any one location and the ability for each person to remain six feet (6’) apart:

1. Healthcare Operations and the essential Infrastructure for such operations;

2. Grocery stores, farmers' markets, farm and produce stands, supermarkets, food banks, convenience stores, and other establishments engaged in the retail sale of canned food, dry goods, beverages, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products (such as cleaning and personal care products). This includes stores that sell groceries and also sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operation of residences;

3. Food cultivation, including farming, livestock, and fishing;

4. Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals;

5. Newspapers, television, radio, and other media services;

6. Gas stations and auto-supply, auto repair, and related facilities;

7.. Banks and related financial institutions;

8. Hardware stores;

9. Lodging businesses (e.g., hotels, motels, conference centers but only as necessary for providing shelter and not for non-essential gatherings otherwise prohibited);

10. Plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activities, and Essential Businesses;

11. Businesses providing mailing and shipping services, including post office boxes;

12. Educational institutions-including public and private K-I2 schools, colleges, and universities -- for purposes of facilitating distance learning or performing essential functions, provided that social distancing of six-feet per person is maintained to the greatest extent possible;

13. Laundromats, dry cleaners, and laundry service providers;

14. Restaurants and other facilities that prepare and serve food, but only for drive-thru, delivery, or carry out services;

15. Cafeterias in hospitals, nursing homes, or similar facilities;

16. Businesses that supply products needed for people to work from home;

17. Businesses that supply other essential businesses with the support or supplies necessary to operate;

18. Businesses that ship or deliver groceries, food, goods or services directly to residences;

19. Home-based care for seniors, adults, or children;

20. Residential facilities and shelters for seniors, adults, and children;

21. Professional services, such as legal or accounting services:

22. Veterinary care facilities;

23. Animal shelters or animal care or management and crematories

24. Bike shops

25. Childcare facilities;

26. Janitorial Services (Building/Residential cleaning and maintenance)

27. Funeral homes, crematories, and cemeteries; provided that funeral services shall be ordered to ensure safe social distancing of six feet (6') between attendees in groups of ten or more;

28. Utility, water, sewer, gas, electrical, oil refining, roads and highways, railroads, public transportation, taxi/rideshare, solid waste collection and removal, internet, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web based services, and each type of essential infrastructure designated in the U.S. Department of Homeland Security's March 19, 2020 Memorandum On Identification Of Essential Critical Infrastructure Workers During COVID-19 Response from the Cybersecurity and Infrastructure Security, which incorporated herein by reference); and;

29. Any other service deemed by the District Health Director to be essential for the protection of public health, safety and welfare.

This declaration is not intended to and does not create any right or benefit, substantive or procedural, enforceable in law or in equity by any party against Fulton County Board of Health, its departments, agencies, officials, employees, agents or any other person or entity.

S. Elizabeth Ford, M.D., M.B.A.
Interim District Health Director

APPROVED AS TO FORM:

Jennifer R. Culler
Senior Assistant County Attorney

DECLARATION AND RATIFICATION OF PUBLIC HEALTH EMERGENCY WITHIN FULTON COUNTY DUE TO THE THREAT AND IMPACT OF THE COVID-19 PANDEMIC AND ORDER OF CLOSURE OR MODIFICATION OF CERTAIN BUSINESS ACTIVITIES COUNTYWIDE TO MINIMIZE DIRECT HUMAN CONTACT

On this 24th day of March, 2020, the Fulton County Board of Health declares that there exists a public health emergency within Fulton County due to the pandemic of the novel coronavirus known as SARS-CoV-2 (COVID-19), and ratifies the prior declarations by the Secretary of Health and Human Services on January 31, 2020 under the authority of 42 U.S.C. 247d; and the national emergency declared by the President of the United States on March 13, 2020 under the authority of 50 U.S.C. 1601, et seq.; the Fulton County and the Resolution of the Fulton County Board of Health to Declare and Ratify Public Declarations of a Local Public Health Emergency in Fulton County Due to the Threat and Impact of the COVID-19 Pandemic. This public health emergency is in effect until further notice.

As directed by the Fulton County Board of Health, I further command the closure of all dine-in restaurants throughout Fulton County, provided that they may conduct drive-through, delivery, and/or pick-up services as long as the manner in which such services are provided allows for both staff and customers to maintain a safe social distance of six feet (6') between all persons; and

I further command the limitation of all gatherings countywide to fewer than ten (10) people, and to restrict to fewer than ten (10) people all non-essential business activities throughout Fulton County that require direct human contact or that tend to involve crowding or assembling in close spaces where it is difficult or impossible to practice social distancing until further notice. By way of example, such business activities include but are not limited to massage services, nail salon services, beauty salon services, adult entertainment facilities, bars, night clubs, private events, exercise facilities and classes, and church gatherings.

I further command that all essential businesses, as shall be defined in consultation with the Board of Health also limit, to the extent possible in the exercise of their essential activities, all gatherings to fewer than ten (10) people in one location, and the ability to maintain a safe social distance of six feet (6') between all persons. This declaration is not intended to and does not create any right or benefit, substantive or procedural, enforceable in law or in equity by any party against Fulton County Board of Health, its departments, agencies, officials, employees, agents or any other person or entity.

S Elizabeth Ford

S. Elizabeth Ford, M.D., M.B.A.
Interim District Health Director

APPROVED AS TO FORM:

Jennifer R. Culler (by PBH)

Jennifer R. Culler
Senior Assistant County Attorney

CITY OF SOUTH FULTON

FINANCIALS FOR THE MONTH ENDED FEBRUARY 29, 2020

AS OF MARCH 31, 2020

PRESENTED BY

FRANK S. MILAZI, CPFA, CPFIM

CHIEF FINANCIAL OFFICER

FINANCIAL REVIEW YTD FEBRUARY 2020

General Fund Financial Highlight

A month away from its fiscal mid-year of 2020, the City of South Fulton is ends with a combined balance of **$27.5M** in net cash flow. This will support the City's ongoing commitments as budgeted in the 2020 fiscal year.

To date, the General Fund has generated **$48M in revenue** with **$20.6M in General Fund expenditures.**

The City has collected **63%** of its budgeted revenues YTD. While the City's General Fund expenditures are operating at **14% less** than budget to date. This trend is expected to lessen as the year progresses.

CITY OF SOUTH FULTON GENERAL FUND

STATEMENT OF REVENUES & EXPENDITURES

FOR THE MONTH ENDING FEBRUARY 29, 2020

REVENUE	2020 Budget	YTD Revenue
Property Taxes	31,459,536	23,199,277
Motor Vehicle	300,000	313,677
Franchise	2,400,000	2,863,904
Local Option Sales Tax	25,000,000	9,203,832
Business and Occupation	2,024,000	462,402
Other Taxes	7,295,000	7,398,154
Licenses and Permits	1,888,500	1,818,117
IGA FID and City of Atl	4,395,996	1,881,668
Charges for Services	712,920	333,098
Municipal Court	340,000	231,668
Other Revenue	148,000	339,404
Transfer From Other Funds	-	-
TOTAL REVENUES	**75,963,952**	**48,045,202**
ACCOUNT DESCRIPTION	**2020 Budget**	**YTD Expenditure**
District Total	1,431,155	445,483
City Clerk	1,018,844	582,748
Mayor	321,824	72,835
City Manager	1,459,814	365,418
Finance	4,103,218	601,401
Contracts & Procurement	437,460	108,353
Law	600,000	477,718
Information Technology	2,681,597	1,006,307
Human Resources	759,665	214,251
Risk Management	128,997	12,095
Communications	828,392	204,492
General Administrative Services	4,386,655	1,535,267
Municipal Court	1,015,083	332,491
Police Administration	15,803,608	4,960,163
Fire Administration	15,088,928	4,465,941
Public Works	7,759,058	2,365,103
Parks And Recreation	4,871,052	1,311,816
Cultural Affairs	968,799	924
Community and Regulatory Affairs	5,062,703	1,398,966
Economic Development	758,459	113,471
Debt Service/ Interfund Transfers	4,548,642	-
GENERAL FUND EXPENDITURES TOTALS	**74,033,952**	**20,575,243**
Excess (Deficit) of Revenues over (under) Expenditures	**1,930,000**	**27,469,959**

FINANCIAL REVENUE REVIEW YTD FEBRUARY 2020

Revenue Highlight

Below is a highlight of General Fund revenues for the month ending February 2020.

Property tax revenue of **$222K** collected in February is **3%** of the General Fund revenue for the month of February. As stated in prior months, the majority of property taxes are collected with the first three months of the fiscal year and collections rates are declining as expected.

LOST revenue is **59%** of the General Fund revenue collected in February. This activity outpaced the expected budget amount by **$2.6M**. (Due to timing of entry)

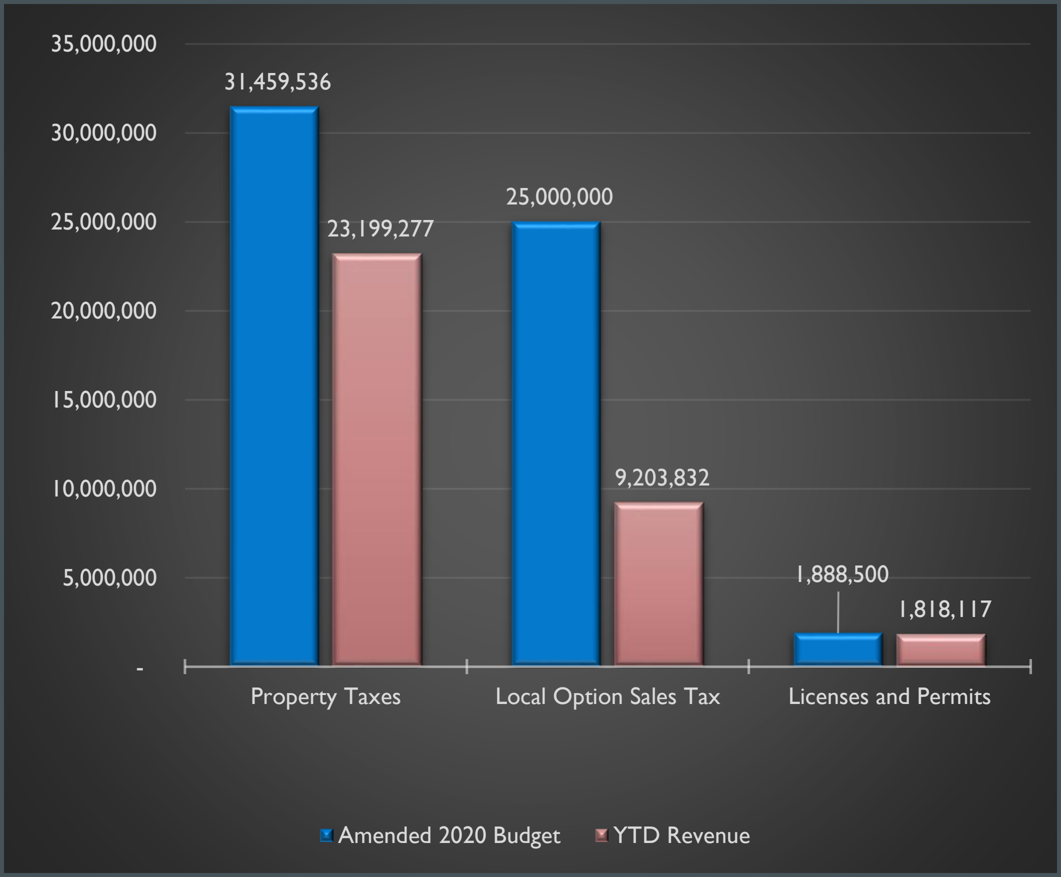
TSPLOST Funds are coming in on a steady basis since September 2019. The consistence cash inflow will enable the City to finish all approved TSPLOST Projects. **$5.8M has been received in 2020 fiscal year.**

Overall the City has collected **63%** of the budget revenue to date. The following are over 100% collected: Motor Vehicle, Franchise, Other Taxes, and Other Revenue.

City of South Fulton – General Fund
Summary of Revenues
For the Month Ending February 29, 2020

REVENUE	Monthly Budget	Feb-20	Variance	Amended 2020 Budget	YTD Revenue	% of Total YTD Revenue
Property Taxes	2,621,628	222,805	2,398,823	31,459,536	23,199,277	48%
Motor Vehicle	25,000	90,540	(65,540)	300,000	313,677	1%
Franchise	200,000	1,407,605	(1,207,605)	2,400,000	2,863,904	6%
Local Option Sales Tax	2,083,333	4,724,572	(2,641,239)	25,000,000	9,203,832	19%
Business and Occupation	168,667	235,112	(66,446)	2,024,000	462,402	1%
Other Taxes	607,917	29,423	578,493	7,295,000	7,398,154	15%
Licenses and Permits	157,375	485,279	(327,904)	1,888,500	1,818,117	4%
IGA FID and City of Atl	366,333	648,334	(282,001)	4,395,996	1,881,668	4%
Charges for Services	59,410	100,804	(41,394)	712,920	333,098	1%
Municipal Court	28,333	36,125	(7,792)	340,000	231,668	0%
Other Revenue	12,333	20,469	(8,136)	148,000	339,404	1%
Transfer From Other Funds	-	-	-	-	-	0%
TOTAL REVEUNES	**6,330,329**	**8,001,069**	**(1,670,740)**	**75,963,952**	**48,045,202**	**100%**

BUDGETED VS ACTUAL REVENUE IN PRIMARY CATEGORIES



City of South Fulton – All Funds
Summary of Revenues
For the Month Ending February 29, 2020

ACCOUNT DESCRIPTION	Amended 2020 Budget	Feb-20	YTD Revenue
General Fund (includes Court Operations)	75,963,952	8,001,075	48,045,202
Older Americans	-	-	-
Confiscated Assets	-	-	2,934
E-911 Fund	-	-	-
Restricted Grants	5,064,602	-	-
Hotel Motel	240,000	12,821	55,340
T-SPLOST	17,591,476	3,029,142	5,836,783
Capital Grants	1,222,516	-	1,222,517
Capital	9,897,921	-	17,020,000
Solid Waste	520,000	11,609	172,006
TOTAL REVEUNES	**110,500,467**	**11,054,647**	**72,354,781**

FINANCIAL REVIEW YTD FEBRUARY 2020

Expenditure Highlight General Fund

The following table is a summary of General Fund expenditures for the current year to date ending February 29, 2020.

Average expenditures are operating at **28%** of the budgeted amount year to date.

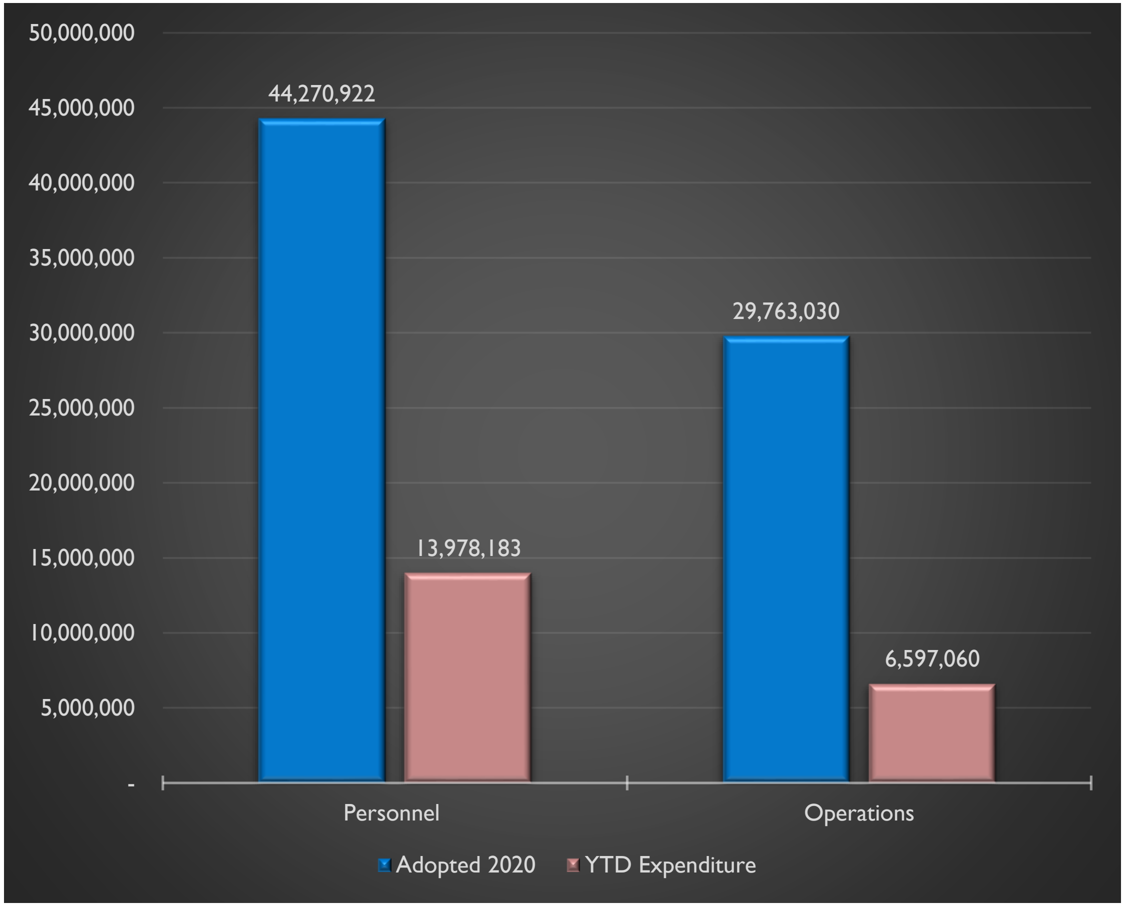
The City is operating within the budgeted projections of expenditure amounts.

City of South Fulton – General Fund
Summary of Expenditures
For the Month Ending February 29, 2020

ACCOUNT DESCRIPTION	Monthly Budget	Feb-20	Variance	Amended 2020 Budget	YTD Expenditure	% used
District Total	119,263	73,118	46,145	1,431,155	445,483	31%
City Clerk	84,904	32,694	52,210	1,018,844	582,748	57%
Mayor	26,819	11,470	15,348	321,824	72,835	23%
City Manager	121,651	73,696	47,955	1,459,814	365,418	25%
Finance & Administrative Services	341,935	122,394	219,541	4,103,218	601,401	15%
Contracts & Procurement	36,455	16,854	19,601	437,460	108,353	25%
Law	50,000	219,775	(169,775)	600,000	477,718	80%
Information Technology	223,466	93,098	130,369	2,681,597	1,006,307	38%
Human Resources	63,305	36,443	26,862	759,665	214,251	28%
Risk Management	10,750	35	10,715	128,997	12,095	9%
Communications	69,033	46,813	22,220	828,392	204,492	25%
General Administrative Services	365,555	543,435	(177,880)	4,386,655	1,535,267	35%
Municipal Court	84,590	61,148	23,442	1,015,083	332,491	33%
Police Administration	1,316,967	1,009,303	307,664	15,803,608	4,960,163	31%
Fire Administration	1,257,411	869,410	388,001	15,088,928	4,465,941	30%
Public Works	646,588	63,556	583,032	7,759,058	2,365,103	30%
Parks and Recreation	405,921	356,089	49,831	4,871,052	1,311,816	27%
Cultural Affairs	80,733	901	79,833	968,799	924	0%
Community & Regulatory Affairs	421,892	490,350	(68,458)	5,062,703	1,398,966	28%
Economic Development	63,205	26,493	36,712	758,459	113,471	15%
Debt Service/ Interfund Transfers	379,054	-	379,054	4,548,642	-	0%
GENERAL FUND EXPENDITURES TOTALS	**6,169,496**	**4,147,074**	**2,022,422**	**74,033,952**	**20,575,243**	**28%**

BUDGET VS ACTUAL

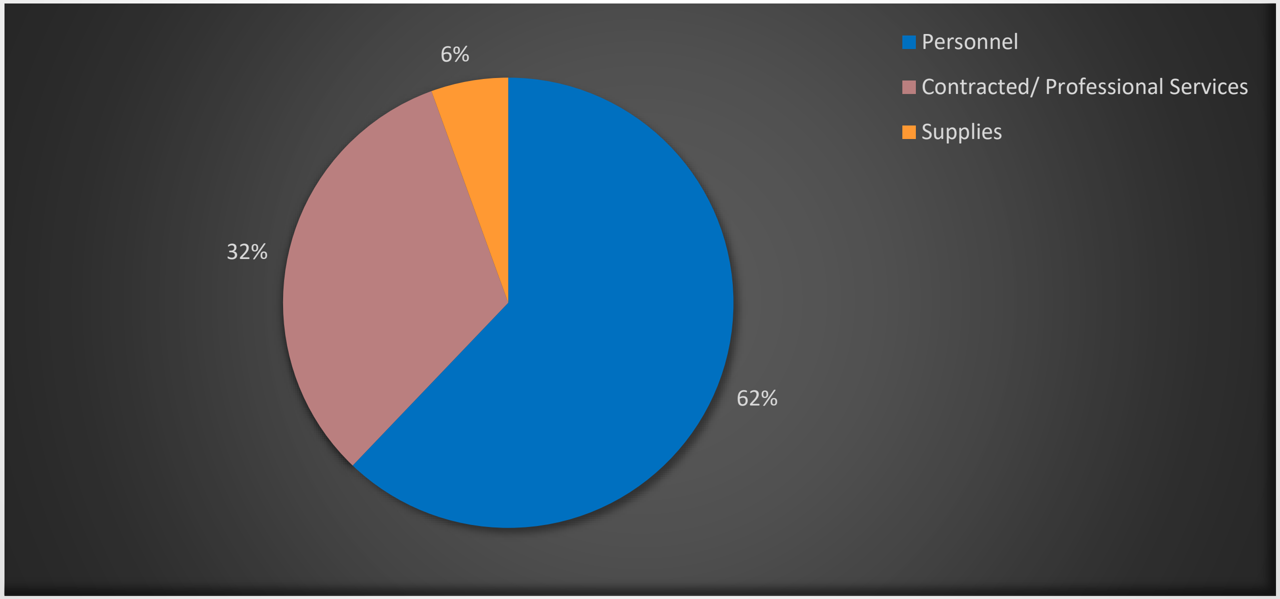
PERSONNEL AND OPERATING EXPENDITURES YEAR TO DATE FEBRUARY 2020



Personnel and Operational Expenditures are operating under budgeted expenditure amounts at 32% and 22% respectively.

GENERAL FUND EXPENDITURES BY TYPE

Type	Expended YTD
Personnel	12,784,362
Contracted/ Professional Services	6,651,176
Supplies	1,139,705
Total Expenditures	**20,575,243**



FINANCIAL REVIEW YTD FEBRUARY 2020

Expenditure Highlight – All Funds

The following table is a summary of expenditures for all funds for the month of February 2020.

Overall, the General Fund expended approximately **28%** of its budgeted funds.

Other expenditures in February include Confiscated Assets, Hotel Motel, Capital Projects, and Solid Waste.

City of South Fulton – All Funds
Summary of Expenditures
For the Month Ending February 29, 2020

ACCOUNT DESCRIPTION	Amended 2020 Budget	Feb-20	YTD Expenditures
General Fund (includes Court Operations)	74,033,952	4,147,074	20,575,243
Older Americans	10,000	-	-
Confiscated Assets	-	50	100
E-911 Fund	1,920,000	-	494,081
Restricted Grants	5,064,602	-	7,623
Hotel Motel	240,000	17,657	52,496
T-SPLOST	17,591,476	-	121
Capital Grant	1,222,516	-	-
Capital	9,897,921	515,962	2,551,478
Solid Waste	520,000	34,870	139,839
TOTAL REVENUES	**110,500,467**	**4,715,614**	**23,820,981**

FY2020 YTD Tax Revenue Highlights as of 1/31/2020

Property Taxes

- Tax year billing amounts
  - 2019 - $27,553.037.49
  - 2018 - $28,740,792.19
  - 2017 - $14,414,972.73

- Tax year collection amounts and rate%
  - 2019 - $26,312,962.25 (95.50%)
  - 2018 - $28,486,110.79 (99.11%)
  - 2017 - $14,112,886.42 (97.90%)

- Tax year receivables balances
  - 2019 - $1,240,075.24
  - 2018 - $254,681.40
  - 2017 - $302,086.31

FY2020 YTD Tax Revenue Highlights as of 1/31/2020 continued…

- **Hotel Motel Tax**
  - $41,648.12 – Fairfield Inn & Suites
  - $317.03 – Health Casino (Air B&B)
  - $554.02 – Wiseman Group LLC (Air B&B)

❑Allocation Totals:

- $15,944.70 - General Fund
- $26,574.49 - Convention Visitors Bureau (CVB)

$42,519.19 – total revenue

FY2020 YTD Tax Revenue Highlights

as of 1/31/2020 continued…

- **Franchise Fee Tax**
  - $84,904.19 – Bell South
  - $157,882.03 – Comcast
  - $1,213,512.78 – Greystone Power

$1,456,299.00 – total revenue

FY2020 YTD Tax Revenue Highlights

as of 1/31/2020 continued…

- Motor Vehicle Tax **$223,137.54**

- LOST (Local Option Sales Tax) **$7,129,342.49**

- TSPLOST (Transportation Special Purpose Local Option Sales Tax) **$4,522,163.75**

- Alcohol Excise Tax **$49,111.02**

- Insurance Premium Tax **$7,152,62.59**

FY2020 YTD Tax Revenue Highlights as of 1/31/2020 continued…

- Business License total $203,896.18
  - $203,888.21 – License Fee
  - $7.97 – Tax

- Total Processed:
  - 39 – New Businesses
  - 102 – Renewals

FY2020 YTD Tax Revenue Highlights as of 1/31/2020 continued…

- **Intangible Tax $200,098.73**

**a tax levied on gross earnings received from intangible property such as savings accounts, stocks, bonds, accounts receivable, and mortgages.*

- **Real Estate Transfer Tax $69,473.52**

**a tax that is levied on the transfer of ownership or title to property from one entity to another.*

THANK YOU !!!

QUESTIONS

?

GOVERNMENT OF THE CITY OF SOUTH FULTON

Office of the City Manager

WILLIAM "BILL" EDWARDS
MAYOR

ODIE DONALD II
CITY MANAGER

MEMORANDUM

TO: Honorable Mayor William "Bill" Edwards & City Council Members

FROM: Odie Donald II
City Manager

DATE: April 1, 2020

SUBJECT: COVID-19 Hazardous Duty Pay Recommendations/Considerations

---

Overview

As presented in both public and private forums, the City of South Fulton has begun to explore our ability to provide compensation for hazard pay, as well as determining the categories of essential services that may or may not qualify. The focus of our evaluation has centered on Public Safety personnel (Police Department, Fire Rescue and Code Enforcement) regarding the City of South Fulton offering monthly hazard pay similar to other municipalities in the metro Atlanta area.

The Finance, Human Resources, Police, Fire Rescue, and Community Development & Regulatory Affairs Departments were tasked with a review to gather information and make a recommendation if the additional funding can be implemented.

Background

1. **What is hazardous duty pay?**
   The Department of Labor defines hazard pay as additional pay for performing hazardous duty or work involving physical hardship. Work duty that causes extreme physical discomfort and distress which is not adequately alleviated by protective devices is deemed to impose a physical hardship. Especially, if protective devices will not entirely mitigate the danger or hardship involved.

2. **Which COSF employees fall in the category of performing hazardous duty?**
   The hazard pay policy should apply to front-line staff positions, including sworn public safety positions and civilians performing critical life and safety, inspection, and other front-line functions. Any employee required to perform duties that potentially exposes them to the hazard of contracting COVID-19.

3. **Rationale: How do we determine Coronavirus pandemic as working in hazardous conditions?** Fire Rescue and law enforcement employees have an increased risk of exposure to COVID-19 due to the essential functions required in their role. Additionally, other front-line employees that conduct inspections and land development must interact with the public to perform the essential duties of their job.

---

4. **Are employers required to pay hazardous duty pay?** There is no law requiring COSF to pay hazard pay: both the amount of the pay and the conditions under which it is paid are determined by the employer.

5. **What is the criteria for hazardous duty pay?**
Employees must have worked 100% of their scheduled hours each pay period to be eligible for the monthly disbursement. The intent behind the hazard pay is to incentivize those physically working their full schedule. This criteria must be spelled out because there are several essential, non-first responder employees that will be eligible for the new paid leave categories for childcare and/other absences related to COVID-19.

6. **What is the recommendation for COSF hazardous duty pay?**
The most feasible option, if funding permits, is to pay a flat rate at $250 a month ($125 a pay period) beginning April 13, 2020 through July 5, 2020—contingent upon on developing events related to COVID-19. The impacted departments have identified **272 employees** that would qualify for such pay. The approximate cost calculation is **$204,000** (calculated at $125, per 6 pay periods, per employee).

   Additionally, if an employee that is eligible to receive hazard pay does not work 100% of their scheduled hours due to vacation and/or receives compensation for an absence covered under a paid leave category (i.e. sick, COVID- sick, EFMLA, holiday, etc.), s/he should not be entitled to receive hazard pay for that pay period.

   Pay increases per employee would increase the employee's overtime rate of pay which would further impact the general fund budget. Therefore, pay increases are not recommended.

COSF Departments & Employees

Department	# of Positions	Cost Impact ($125 x 6 pp)
Community Development & Regulator	**17**	**$ 12,750.00**
Arborist	1	$ 750.00
Code Enforcement Administrator	1	$ 750.00
Code Enforcement Officer	11	$ 8,250.00
Code Enforcement Team Leader	2	$ 1,500.00
Development Site Inspector	2	$ 1,500.00
Fire	**126**	**$ 94,500.00**
Fire Battalion Chief	5	$ 3,750.00
Fire Captain	22	$ 16,500.00
Fire Sergeant	44	$ 33,000.00
Firefighter	55	$ 41,250.00
Police	**129**	**$ 96,750.00**
Crime Scene Supervisor	1	$ 750.00
Crime Scene Technician	2	$ 1,500.00
Criminal Information Systems Technician	4	$ 3,000.00
GCIC Records Manager	1	$ 750.00
Police Captain	2	$ 1,500.00
Police Detective	10	$ 7,500.00
Police Lieutenant	10	$ 7,500.00
Police Officer II	77	$ 57,750.00
Police Officer II- Park Ranger Division	3	$ 2,250.00
Police Quartermaster	1	$ 750.00
Police Sergeant	17	$ 12,750.00
Police Sergeant- Park Ranger Division	1	$ 750.00
Grand Total	**272**	**$204,000.00**

Hazard Pay Survey

Agency	Contact	Information
City of East Point	Iris Bessie HR Director	No- Has not instituted any hazardous duty pay at this time
Johns Creek	Chris Coons, Fire Chief	No- looking at various options…My fear is promising something that isn't sustainable since we don't know how long this will last (Example: Overtime pay). I also think that offering bonus "leave" isn't realistic since we have such a small relief factor, basically our members can't use all of their accrued leave under normal circumstances and I am afraid it will just be lost…. I think the best route is some type of bonus after the event is over-- has to be approved via the City Council.
City of Milton	Mark Stephens, Deputy Fire Chief	No- No plan in place; sited budget sustainability issues. Noted that employees may be reimbursed for leave time use and City cover those that do not have enough leave time to cover being out for Corona related issues.
City of Albany	D. Baker HR Director	No- No plan to offer hazard pay; not affordable
Cobb County	Provided by Chief Broome	No- initially offered additional leave accrual/ suspending the pay due to cost impact and sustainability
City of Atlanta	Published News	Yes- Close to 5400 front line workers will receive $500 per month
Dekalb County	Provided by Chief Broome	Yes- Front line employees will be compensated at their regular salary PLUS 50% admin pay and 50% comp time. Further detail on front line compensation may be described by separate written policy
Gwinnett County	Provided by Chief Broome	Yes- Non-exempt employees who work in field operations will receive 15% increase in pay Exempt employees who work in field operations will receive a 7.5% increase in pay Exempt and non-exempt employees who are required to work in a county building or facility will receive a 5% increase in pay

Two of the three municipalities currently providing hazard pay to their public safety have EMS transport that generates revenues to meet and offset these new expenditures. Additional information was needed about these entities in comparison with our City in terms of size and budget.

City of Atlanta's public safety personnel have traditionally been paid lower than most governments including the City of South Fulton. They recently gave public safety personnel a raise to bring them up to what other municipalities and agencies make. In order to pay for the raises, they cut other departmental budgets, which the City of South Fulton has not, keeping our commitment to ALL city personnel.

General Operating Budget	$677,628,773
Enterprise Fund	1,244,504,071
Other Funds	282,115,710
Total Budget	**$2,204,248,554**

2 **Cobb County:**

General Fund Operating	$998,930,000
Capital budget	80,000,000
Total Budget	**$1,078,930,000**

3. **DeKalb County:**
DeKalb County has reserves they set aside for a "rainy day". Therefore, they are in a position to sustain if they pay their employees hazard pay.

DeKalb Commissioners Unanimously Adopt Fiscal Year 2020 Budget

CEO Thurmond prioritizes public safety; $113.3 million rainy-day fund

Today, DeKalb County Board of Commissioners unanimously approved CEO Michael Thurmond's proposed $1.4 billion budget for Fiscal Year 2020, which projects a $113.3 million rainy-day fund and prioritizes enhancements to public safety.

A full summary of hazard pay specific to fire personnel considerations is listed (in summary) below. Additional information related to police is underway and has been requested (but not available).

- Atlanta established hazard pay on 3/31/2020.
- Under the State of Emergency declared by DeKalb County, all frontline employees (firefighters, police, sanitation workers, etc.) will get their regular pay rate plus an additional 50% pay and 50% comp time.
- Henry County Fire currently does not offer hazardous pay.
- Fairburn Fire currently does not offer hazardous pay.
- Coweta County Fire currently does not offer hazardous pay.
- Decatur Fire currently does not offer hazardous pay.
- Cobb County currently does not offer hazardous pay.
- Milton Fire currently does not offer hazardous pay.
- Coweta County currently does not offer hazardous pay.
- East Point currently does not offer hazardous pay.
- Sandy Springs Fire currently does not offer hazardous pay.
- Marietta Fire currently does not offer hazardous pay.
- Palmetto Fire currently does not offer hazardous pay.
- Chat Hills currently does not offer hazardous pay.
- Cobb County was offering a vacation incentive; however, is suspending the program during future funding concerns.
- Gwinnett County Fire is offering an incentive that started on March 27, 2020.
- John Creek currently does not offer hazardous pay.
- College Park currently does not offer hazardous pay.
- Union City Fire currently does not offer hazardous pay.
- Hapeville Fire currently does not offer hazardous pay.

Other Considerations/Feasibility and Sustainability
Both Police and Fire are unable to cut general operating or personnel expenditures to fund this additional pay using their FY20 adopted budget. In combatting COVID-19, both entities have expended their existing overtime budget and will be requesting an amendment to utilize this line item to sustain needs through the end of the fiscal year.

South Fulton in Comparison to Metropolitan Atlanta
Most jurisdictions offering hazard pay offer lower base salaries than the city's base salaries for sworn employees. The jurisdiction's hazard pay plus the base salary is still less than the City's base salary for several classifications (see chart). The City continues to lead the market in base salaries for our public safety employees.

Minimum Entry Salary				
	South Fulton	**Dekalb**	**Gwinnett**	**Atlanta**
Police Officer	$52,007	$44,280	$42,784	$48,500
Police Sergeant	$57,338	$59,394	$49,851	$51,800
Police Detective	$57,338	$47,835	$44,868	$44,587
Police Lieutenant	$66,375	no positions	$56,195	$64,451
Police Captain	$76,838	$73,617	no positions	$73,793
Firefighter	$44,926	$42,504	$34,246	$41,132
Fire Sergeant	$52,007	$49,614	$42,047	$45,175
Fire Lieutenant	$60,205	no positions	$48,695	$56,259
Fire Captain	$66,375	$59,354	$55,582	$67,191
Fire Battalion Chief	$76,838	$73,617	$70,077	$73,000

Summary

In evaluating our public safety personnel, hazard pay is not included in our 2020 budget. Projections related to COVID-19's impact on the City's current and future budgets appear to result in a severe loss in revenue ranging from nine percent to upwards of twenty percent depending on the length of time the pandemic lasts. Department leaders over Police, Fire Rescue, and Community Development & Regulatory Affairs have all confirmed that they did not have funds in their personnel or operating budgets to allocate for hazard pay at this time, although they are in favor of providing such a benefit, which administrative executive leaders wholeheartedly support.

There is a pending bill from the US Government that considers hazard pay, but it has not been delivered to local governments at this time. The City is currently working with the County, the State, and Federal offices to take advantage of this program upon release of all facts and eligibility. As of now, providing hazard pay would negatively impact the City's ability to pay non-essential staff and/or continue operations. Our focus is to ensure continued service delivery and to ensure that the City has enough funds to make payroll for all employees without layoffs or furloughing, which will be required if the pandemic continues.

> WASHINGTON — U.S. Treasury Secretary Steven Mnuchin has said that hazard pay for first responders could be included in future legislation to address the COVID-19 national health emergency.

> Mnuchin told CNN Monday that his department has not yet begun work on a fourth stimulus package, as it works to implement the third package passed by the Senate last week, but that hazard pay for first responders and healthcare workers is “definitely something we will put in the next bill.”

Despite these challenges and concerns, providing hazard pay with or without federal support is a top priority as we approach a mid-year budget amendment. As we do so, there are key considerations related to future obligations and the City’s ability to deliver services beyond FY20 noting the projected drop in revenues, that are included in any future considerations.

In closing, the City of South Fulton has from inception, taken proactive steps to ensure that our staff is compensated in line with (and in most categories) ahead of the region. These actions, as illuminated above, prove that our proactive investment in our staff is ahead of the Metropolitan Atlanta region. Unfortunately, such investments also require the City to maintain a staunch posture of fiscal responsibility in navigating day to day operations and unforeseen circumstances that impact the totality of service delivery fully realized by COVID-19.

As such, it is my recommendation to the elected body that we do not extend hazard pay at this time, allowing administrative staff to further coordinate with local, State, and federal partners. Revisiting the topic with a final recommendation on or before May 1, 2020, which would include plans to roll out the benefit (if feasible). It is also my intent, with the approval of Council, to provide such benefit with an appropriate back pay date for essential staff that would be eligible.

Should you need further information regarding this correspondence, please contact Odie Donald II at odie.donald@cityofsouthfultonga.gov.

CITY OF SOUTH FULTON

COUNCIL AGENDA ITEM

COUNCIL SPECIAL MEETING

SUBJECT:	Council Approval of Emergency Shelter in Place Ordinance
DATE OF MEETING:	4/2/2020
DEPARTMENT:	Mayor

ATTACHMENTS:

Description	Type	Upload Date
Emergency Shelter In Place Ordinance	Cover Memo	4/1/2020

STATE OF GEORGIA
COUNTY OF FULTON
CITY OF SOUTH FULTON

AN EMERGENCY ORDINANCE PROMOTING SHELTERING IN PLACE; ESTABLISHING THE TEMPORARY PUBLIC CLOSURE OF NON-ESSENTIAL BUSINESSES WITHIN THE CITY DUE TO THE COVID-19 PANDEMIC; LIMITING NON-ESSENTIAL RESIDENTIAL TRAVEL AND FOR OTHER PURPOSES

(Sponsored and Requested by Mayor Edwards)

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

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

WHEREAS, the City is authorized pursuant to the Georgia Constitution, O.C.G.A. §38-3-28, and the City Charter Section 1.12(b)(8) to impose necessary rules and regulations for emergency management purposes and to preserve the health, safety and welfare of the residents of the City;

WHEREAS, the City and governments across the world are currently responding in an emergency capacity to an outbreak of respiratory disease caused by a novel coronavirus ("COVID-19");

WHEREAS, the World Health Organization ("WHO") has declared the COVID-19 Virus, commonly referred to as the Coronavirus, a global pandemic;

WHEREAS, the Center for Disease Control ("CDC") has issued guidance on the emerging and rapidly evolving situation of the COVID-19 pandemic, including advisement on or about March 16, 2020, that all events in the United States of ten (10) or more people should be cancelled or held virtually;

WHEREAS, on March 17, 2020, the City Council declared that a state of emergency exists within the City with respect to the Coronavirus epidemic;

WHEREAS, during March of 2020, the United States President and Georgia Governor issued emergency declarations to address and mitigate the impact of the COVID-19 pandemic;

WHEREAS, on March 22, 2020, at least two dozen infectious disease clinicians in Georgia opined that there is little time to “flatten the curve” of COVID-19’s spread;

WHEREAS, the City Council hereby finds and declares that a state of emergency continues to exist within the City with respect to the COVID-19 epidemic;

WHEREAS, the City Council desires through this Ordinance to make and carry out reasonable provisions for mitigating the spread and impact of COVID-19; and

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

THE COUNCIL OF THE CITY OF SOUTH FULTON HEREBY ORDAINS[1] as follows:

A. Nighttime Shelter in Place Restrictions. In light of the growing spread of COVID-19, for the effective duration of this Ordinance, no person shall engage in non-essential public travel within the City daily between the hours of 9p.m. and 7a.m. Non-essential public travel shall consist of all outdoor travel within the City, with the exception of travel:

1. To and from medical and/or childcare facilities, pharmacies and/or early morning business promotions designed to help high risk persons from contracting COVID-19;

2. For employment purposes, including business related deliveries;

3. Through the City to a destination outside the City; or

4. Necessary to protect persons and/or property from imminent harm.

B. Daytime Shelter in Place Restrictions[2]**.** During the hours of 7a.m. through 9p.m., travel by persons within the City shall be restricted to the four essential public travel exceptions listed in section A above, in addition to travel to and

[1] This Ordinance is enacted on an emergency basis to mitigate and combat the growing threat of COVID-19.

[2] The public is encouraged to exercise inside their residences, where possible. Members of the public shall only be permitted to engage in outdoor exercise, such as walking, hiking or jogging, within the City during the hours of 7a.m. to 9p.m., so long as such activities occur within .5 miles of their residence while maintaining, where practicable, a minimum six-foot distance from other persons.

from the following entities, which are hereby designated as "Essential Businesses":

1. Medical and/or childcare facilities;
2. Grocery and/or convenience stores;
3. Pharmacies;
4. Hotels;
5. Restaurants, Night Clubs and Fast Food Establishments (collectively referred to herein as "Restaurants") subject to the following exceptions:
    a. Restaurants shall not permit the general public to consume beverages and/or food on their premises at any time; and
    b. Restaurants may allow the public to enter upon their premises for take-out orders, limited to the hours of 7a.m. through 9p.m. Only drive thru and delivery services will be allowed from 9p.m. to 7a.m.
    c. Restaurants with valid on-premises consumption of alcohol licenses may sell beer and/or wine in unopened packages for delivery or carry out with the purchase of food. Such services and sales shall otherwise meet all local, state and federal alcohol related requirements, including regulations governing the allowable hours of alcohol sales. This subsection (5) shall be applicable to restaurants inside of larger establishments, such as grocery stores and hotels.
6. Legal service providers;
7. Food banks;
8. Post offices;
9. Educational institutions, for purposes of facilitating distance learning and/or performing essential functions;
10. Schools and other entities that typically provide food services to students or members of the public, on the condition that the food is provided to students or members of the public on a pick-up and takeaway basis only;
11. Organizations providing food, shelter and/or life necessities to displaced and/or economically disadvantaged persons;
12. Gas stations;
13. Financial institutions;
14. Hardware/nursery stores;
15. Funeral establishments;
16. Laundromats and liquor stores;
17. Transportation providers; and
18. Businesses providing products and/or services necessary to protect persons and/or property from imminent danger or harm.

C. <u>Essential Business Public Access Restrictions.</u> With the exception of medical facilities, public transportation providers and businesses providing products and/or services necessary to protect persons and/or property from imminent danger and harm, all businesses within the City shall prohibit indoor access to the general public daily from 9p.m. to 7a.m.[3]

D. Temporary Public Closure of Non-Essential Businesses[4]. No business within the City which is not listed as an Essential Business under this Ordinance shall permit indoor access to the general public for the effective duration of this Ordinance. A business which is not identified as an Essential Business under this Ordinance, i.e. (Barbershops, Nail Salons, etc.) shall not qualify as an Essential Business merely because it is housed inside of an Essential Business. All Non-Essential Businesses must thus close access to the public, irrespective of whether they are located within an Essential Business. This Ordinance shall not prevent Non-Essential Businesses from engaging with the public telephonically, electronically and/or by mail.

E. Essential Government and Infrastructure Operations: Nothing in this Ordinance shall prohibit the performance of "Essential Government and Infrastructure Operations," which include: 1) all government services needed to protect the health, safety, and welfare of the public, and 2) utility, water, sewer, gas, electrical, oil refining, roads and highways, railroads, public transportation, taxi/rideshare, solid waste collection and removal, internet and telecommunication operations (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services).

F. Social Distancing and Related Public Health Information. All public assemblages, events and gatherings of ten (10) or more persons are prohibited within the City. To the greatest extent practical, all persons, visitors and employees are encouraged to maintain six-foot social distancing from other persons. Persons at high risk of severe illness and/or death from COVID-19, which include the elderly and persons with pre-existing medical conditions/weakened immune systems, are urged to stay in their residence to the greatest extent practicable. Residents, businesses and visitors are encouraged to visit the websites of the following organizations to obtain health information concerning COVID-19:

World Health Organization (www.who.int)
U.S. Centers for Disease Control and Prevention (www.cdc.gov)
U.S. Department of Health and Human Services (www.hhs.gov)
U.S. National Institute of Health (www.nih.gov)

[3] This restriction shall not prohibit gas stations from continuing pay at the pump sales during such hours.

[4] Nothing in this Ordinance shall prevent non-essential businesses from conducting business with the public by telephone and/or electronic means.

Georgia Board of Health (www.dph.georgia.gov)
Fulton County Board of Health (www.fultoncounty.boh.gov)

G. **Permitting**. There shall be no acceptance by the City of applications for licenses and permits for the duration of this Ordinance, nor shall any license or permits be issued. All deadlines established by applicable licensing and permitting rules shall be tolled for the duration of this Ordinance. The engagement by any person and/or business in activities without a required license and/or permit shall constitution a violation of this Ordinance, subjecting violators to punishment as allowed by City Code of Ordinances 3-2010 and 5-1005, this Ordinance and other applicable laws.

H. **City Facilities Closed to Public**. City-owned public facilities, parks, playgrounds and recreation centers, shall remain closed to the public for the effective duration of this Ordinance, with the exception of walking and running trails. All city fire stations are additionally closed to the public, absent an emergency.

I. **City Meetings**. All regular City Meetings, including regular meetings of City boards, agencies and commissions, are cancelled through the effective duration of this Ordinance. This Ordinance shall not prohibit City boards, agencies and commissions from conducting special meetings by teleconference, subject to participation being conducted by all persons remotely and in accordance with Open Meeting Laws.

J. **Extension and Non-substantial Changes**. Due to the continuing and evolving nature of the COVID-19 pandemic, the City Council hereby authorizes the Mayor, after consultation with the City Attorney and notice to the City Council, to make and publish non-substantial changes to this Ordinance, which may include extension of the effective duration of this Ordinance for a period of up to 16 days.

K. **Non-compliance**. Violations of this Ordinance shall be punishable as allowed by law, which punishment may include incarceration and/or fines up to One Thousand Dollars ($1000) per occurrence.

L. **Effective Duration of Ordinance**. This Ordinance shall become effective upon its adoption on April 2, 2020 and shall remain in effect by and through April 16, 2020, unless extended by the Mayor or City Council. This Ordinance is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the City and/or the City's departments, agencies, entities, officers, employees, contractors, agents and/or representatives.

****

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

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

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

Section 3. All Ordinance and Resolutions in conflict herewith are hereby expressly repealed. This Ordinance shall further supersede and replace the Emergency Declaration Resolution adopted by the City Council on March 17, 2020.

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

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

THIS ORDINANCE so adopted this _________ day of _________2020.

CITY OF SOUTH FULTON, GEORGIA

____
WILLIAM “BILL” EDWARDS, MAYOR

ATTEST:

____
S. DIANE WHITE, CITY CLERK

APPROVED AS TO FORM:

____
EMILIA C. WALKER, CITY ATTORNEY

The foregoing Ordinance No. 2020-______ was moved for approval by Councilmember ____________. The motion was seconded by Councilmember __________________________________, and being put to a vote, the result was as follows:

	AYE	NAY
William “Bill” Edwards, Mayor	____________	____________
Catherine Foster Rowell	____________	____________
Carmalitha Gumbs, Mayor Pro Tem	____________	____________
Helen Zenobia Willis	____________	____________
Gertrude Naeema Gilyard	____________	____________
Corey Reeves	____________	____________
Khalid Kamau	____________	____________
Mark Baker	____________	____________