

**FULTON COUNTY BOARD OF COMMISSIONERS
RECESS MEETING**

March 16, 2022
10:00 AM



Fulton County Government Center
Assembly Hall
141 Pryor Street SW
Atlanta, Georgia 30303



A G E N D A

CALL TO ORDER: Chairman Robert L. Pitts

ROLL CALL: Tonya R. Grier, Clerk to the Commission

Robert L. Pitts, Chairman (At-Large)
Liz Hausmann, Vice-Chairman (District 1)
Bob Ellis, Commissioner (District 2)
Lee Morris, Commissioner (District 3)
Natalie Hall, Commissioner (District 4)
Marvin S. Arrington, Jr., Commissioner (District 5)
Khadijah Abdur-Rahman, Commissioner (District 6)

INVOCATION: Reverend Clifton Dawkins, Jr., County Chaplain

PLEDGE OF ALLEGIANCE: Recite in unison

ANNOUNCEMENTS

PLEASE SWITCH ALL ELECTRONIC DEVICES (CELL PHONES, PAGERS, PDAs, ETC.) TO THE SILENT POSITION DURING THIS MEETING TO AVOID INTERRUPTIONS.

IF YOU NEED REASONABLE MODIFICATIONS DUE TO A DISABILITY, INCLUDING COMMUNICATIONS IN AN ALTERNATE FORMAT PLEASE CONTACT THE OFFICE OF THE CLERK TO THE COMMISSION. FOR TDD/TTY OR GEORGIA RELAY SERVICE ACCESS DIAL 711.

CONSENT AGENDA**22-0166 Board of Commissioners**

Adoption of the Consent Agenda - All matters listed on the Consent Agenda are considered routine by the County Commission and will be enacted by one motion. No separate discussion will take place on these items. If discussion of any Consent Agenda item is desired, the item will be moved to the Recess Meeting Agenda for separate consideration.

22-0167 Board of Commissioners

Proclamations for Spreading on the Minutes.

Proclamation recognizing "Ammie B. Jones Remembrance Day." **(Abdur-Rahman)**
March 5, 2022

Proclamation recognizing "Silas SiMan Baby Alexander Remembrance Day."
(Abdur-Rahman)
March 8, 2022

Proclamation recognizing "Atlanta St. Patrick's Parade Day." **(Pitts)**
March 12, 2022

Proclamation recognizing "Historic Macedonia Cemetery Appreciation Day."
(Hausmann)
March 14, 2022

Proclamation recognizing "Johns Creek High School Boys Swim Team Appreciation Day." **(Hausmann)**
March 14, 2022

Proclamation recognizing "Ann Cramer Appreciation Day." **(Hall)**
March 16, 2022

Proclamation recognizing "Leadership Johns Creek Appreciation Day."
(Hausmann)
March 17, 2022

Proclamation recognizing "Barbara Lewis King Scholarship Foundation Appreciation Day." **(Pitts)**
March 18, 2022

Open & Responsible Government**22-0168 Finance**

Ratification of February 2022 Grants Activity Report.

22-0169 Finance

No action is requested. This reporting is being provided to meet the quarterly reporting requirement for monetary transfers among budget funds per Board Resolution #09-1262.

22-0170 Human Resources Management

Request approval of a contract to spread on the minutes of the Fiscal Year 2022 contracts for employees hired contractually by Fulton County - specifically the Grievance Review Board Attorney and to authorize the County Attorney to approve the contract as to form and make any modifications thereto prior to the execution by the Chairman. The cost of the contract shall not exceed \$35,098.00. Effective January 1, 2022 - December 31, 2022, with two (2) one-year renewal options.

22-0171 Real Estate and Asset Management

Request approval of a Water Vault Easement Dedication of 729 square feet to Fulton County, a political subdivision of the State of Georgia, from Davis Group Storage, LLC, for the purpose of constructing the Davis Drive Commercial Development Project at 0 Davis Drive, Alpharetta, Georgia 30009.

22-0172 Real Estate and Asset Management

Request approval of a Sewer Easement Dedication of 625 square feet to Fulton County, a political subdivision of the State of Georgia, from Green Implementation Group, LLC., for the purpose of constructing the Reserve at Newtown Project at 9435 Nesbitt Ferry Road, Johns Creek, Georgia 30022.

22-0173 Real Estate and Asset Management

Request approval of a Resolution declaring County-owned easement rights as surplus and authorizing the assignment of the Fulton County, Georgia Deed of Easement rights in non-County owned property at the intersection of Buffington Road and Roosevelt Highway (State Route No. 29) to the Georgia Department of Transportation (GDOT) for road purposes.

Health and Human Services**22-0174 Public Works**

Request approval of a Memorandum of Agreement (MOA) between Fulton County and the Metropolitan North Georgia Water Planning District (MNGWPD) for continued participation in the District-wide Single-Family Residential Toilet Retrofit program in the total amount of \$30,000.00 for one year, effective upon execution.

22-0175 Public Works

Request approval of a Memorandum of Agreement (MOA) between Fulton County and the Metropolitan North Georgia Water Planning District (MNGWPD) for continued participation in the District-wide Multi-family High Efficiency (HET) Toilet Rebate Program administered by the MNGWPD and pursuant to the requirements of the MNGWPD's Water Resource Management Plan in the amount of \$30,000.00 for one year effective upon execution.

22-0176 Public Works

Request approval of a change order less than 10% - Department of Public Works, 20RFP126602K-BKJ, Building Code Administration, Construction Management, and Planning Services to increase the hourly billing rates as outlined in the attached letter with NOVA Engineering and Environmental, LLC (Kennesaw, GA), to provide building code administration services, construction management services and planning services. No additional funding is required. Effective upon BOC approval.

Arts and Libraries**22-0177 Library**

Request approval of the lowest responsible bidder - Fulton County Library System, 22ITB0111B-EC, E-Rate Category 1 - Broadband Internet Access in an amount not to exceed \$142,032.00 with AT&T Corporation (Atlanta, GA) to provide broadband internet access for all library locations. Effective July 1, 2022 through June 30, 2023 with three renewal options. This item is 100% grant Funded.

RECESS MEETING AGENDA**22-0178 Board of Commissioners**

Adoption of the Recess Meeting Agenda.

22-0179 Board of Commissioners

Ratification of Minutes.

Recess Meeting Minutes, February 16, 2022

Regular Meeting Post Agenda Minutes, March 2, 2022

Special Called Meeting Post Agenda Minutes, March 4, 2022

22-0180 Board of Commissioners

Presentation of Proclamations and Certificates.

Proclamation recognizing “National Nutrition Month.” **(Hall)**

Proclamation recognizing “Registered Dietician Nutritionist Appreciation Day.” **(Hall/BOC)**

Proclamation recognizing “2021 Georgia Communications Conference Team of the Year Appreciation Day.” **(Hall)**

Proclamation recognizing “Xernona Clayton Appreciation Day.” **(Hall)**

Proclamation recognizing “Carolyn M. Young Appreciation Day.” **(Hall)**

Proclamation recognizing “Police Chief Cassandra Jones Appreciation Day.” **(Hall)**

Proclamation recognizing “Dr. Christine King Farris Appreciation Day.” **(Hall)**

Proclamation recognizing “Pastor Jasmine Smothers Appreciation Day.” **(Hall)**

Proclamation recognizing “Dr. Rita Samuels Appreciation Day.” **(Hall)**

Proclamation recognizing “Henrietta Antoinin Appreciation Day.” **(Hall)**

PUBLIC HEARINGS**22-0181 Board of Commissioners**

Public Comment - Citizens are allowed to voice County related opinions, concerns, requests, etc. during the Public Comment portion of the Commission meeting.

Speakers will be granted up to two minutes each. Members of the public will not be allowed to yield or donate time to other speakers. The Public Comment portion of the meeting will not exceed 30 minutes at the Regular Meeting, nor will this portion exceed thirty minutes at the Recess Meeting. In the event the 30 minute time limit is reached prior to public comments being completed, public comment will be suspended and the business portion of the BOC meeting will commence. Public comment will resume at the end of the meeting. Similarly, written comments (that were timely submitted) not previously read, may be read at the end of the meeting. For more information or to arrange a speaking date, contact the Clerk’s Office.

22-0182 Finance

Public Hearing to accept and consider public comments regarding modifications to the Fee Schedule for the Environmental Health Division of the Fulton County Board of Health; and Request approval of such Modified Fee Schedule previously approved by the Fulton County Board of Health.

COUNTY MANAGER'S ITEMS**Open & Responsible Government****22-0183 County Manager**

Presentation of COVID-19 Operational Response Update.

22-0184 Purchasing and Contract Compliance

Request ratification of emergency procurement - County Manager, Countywide Emergency Procurements.

22-0185 Finance

Request approval of a Board Resolution to amend the Fulton County 401(a) Defined Contribution Plan to add a participant voluntary after-tax contribution feature to the Plan.

22-0186 Finance

Request approval of a Resolution authorizing the release of a Request for Proposal to financial institutions and authorizing the County Manager in conjunction with the Chief Financial Officer and County Attorney to accept the lowest most responsive bid for a short-term loan or line of credit for the County's 2022 General Fund Tax Anticipation Notes ("TAN").

22-0187 Registration & Elections

Request approval to conduct the City of Atlanta Special Bond Election on May 24, 2022, in conjunction with the General Primary Election.

22-0188 Registration & Elections

Request approval to conduct the City of Atlanta Special Bond Election for Public Improvement for roads, sidewalks, pathways, trails and related transportation, park, and playground on May 24, 2022, in conjunction with the General Primary Election.

22-0189 Registration & Elections

Request approval of a statewide contract - Department of Registration and Elections, SWC#99999-SPD-ES40199376IS-02, In-State Car Rental in an amount not to exceed \$300,000.00 with Enterprise Leasing of Georgia, LLC (Atlanta, GA) for the rental of box trucks, passenger vehicles and cargo vans for the 2022 General Primary and Runoff Elections. Effective upon BOC approval.

22-0190 Human Resources Management

Request approval of a recommended proposal - Department of Human Resources Management, 20RFP0810B-EC, Family and Medical Leave (FMLA) Act Administration Services, in the amount of \$97,037.00 with Sedgwick Claims Management, Inc. (Memphis, TN) to provide comprehensive FMLA administration for the Fulton County workforce upon BOC approval through December 31, 2022, with two renewal options.

22-0191 Human Resources Management

Request approval of a Resolution to exercise Home Rule to repeal Section 1(a) of local law 2017 Ga. L. 3948; to continue the County supplement paid to the Probate Judge; to continue the salary paid to the Juvenile Court Judges; and for other purposes.

22-0192 Human Resources Management

Request approval to modify the classification section of the Classification and Compensation plan by changing the existing titles in the Assistant County Attorney classification series to that of County Counsel; changing the existing classification of Personnel Payroll Coordinator to Human Resources Data Coordinator; and changing the salary range for the classification of E911 Emergency Services Manager from grade 22 to grade 23.

22-0193 Human Resources Management

Request approval to implement recommendations for Phase I of the compensation study involving elected officials and key classifications, conducted by The Segal Company (Eastern States) Inc., d/b/a Segal, to include a new compensation model for certain elected/appointed officials and a new separate pay plan for key classifications, both of which are based on market data.

22-0194 Human Resources Management

Request approval of a Resolution to exercise Home Rule to repeal Section 1 of local law 1960 Ga. L. 2347; to amend Section 10 of local law 1976 Ga. L. 3023; to establish the salary of the Marshal pursuant to O.C.G.A. Sec. 15-10-100; and for other purposes.

Health and Human Services**22-0195 Public Works**

Request approval to renew an existing contract - Department of Public Works, 16RFP071816K-DJ, Operation & Maintenance Services for Camp Creek Managed Assets in the amount of \$6,277,692.00 for FY 2022, with Veolia Water North America - South, LLC, (Atlanta, GA), to provide reliable uninterrupted, economical operation of the wastewater system operations and maintenance management systems in the Camp Creek service area. Annual fees for FY2023 - FY2026 are provided in the scope of work. This action exercises the first of one renewal option. No renewal options remain. The renewal period is for a five year period effective April 4, 2022 through April 3, 2027.

22-0196 Senior Services

Request approval to extend an existing contract - Department of Senior Services, RFP#16RFP02082016A-CJC - Senior Transportation Services in an amount not to exceed \$1,350,000.00 with Transdev, Incorporated (Lombard, IL), to provide senior Transportation Services for Senior Services and Behavioral Health programs.

22-0197 Senior Services

Request approval of a recommended proposal - Department of Senior Services, 22ITBC009A-CJC, Material Aid Incontinence Products in the total amount not to exceed \$94,837.00 with Siak Enterprise, LLC (Lawrenceville, GA), to provide Incontinence products to eligible Fulton County seniors aged 60 and above. Effective upon BOC approval through June 30, 2022. This 100% grant funded.

Infrastructure and Economic Development**22-0141 Select Fulton**

Request approval of a Resolution for a Fulton County Tax Allocation District (TAD) Review Process for Participation - to provide the Board of Commissioners with clear information on the goals, accountability and use of funds in a proposed TAD seeking the inclusion of Fulton County ad valorem taxes. **(HELD ON 3/2/22)**

COMMISSIONERS' ACTION ITEMS**22-0198 Board of Commissioners**

Request approval of a Resolution amending Fulton County Personnel Policy. **(Hausmann)**

COUNTY MANAGER'S PRESENTATION AND DISCUSSION ITEMS**Open & Responsible Government****22-0199 External Affairs**

Presentation of 2022 Legislative Agenda.

COMMISSIONERS' PRESENTATION AND DISCUSSION ITEMS**22-0200 Board of Commissioners**

Discussion: Invest Atlanta Board of Directors February 17, 2022 Meeting Summary **(Morris)**

22-0201 Board of Commissioners

Discussion: Atlanta BeltLine, Inc. March 9, 2022 CEO Report **(Morris)**

EXECUTIVE SESSION**22-0202 Board of Commissioners**

Executive **(CLOSED)** Sessions regarding litigation **(County Attorney)**, real estate **(County Manager)**, and personnel **(Pitts)**.

ADJOURNMENT



Fulton County Board of Commissioners

Agenda Item Summary

Agenda Item No.: 22-0167

Meeting Date: 3/16/2022

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Proclamations for Spreading on the Minutes.

Proclamation recognizing “Ammie B. Jones Remembrance Day.” **(Abdur-Rahman)**
March 5, 2022

Proclamation recognizing “Silas SiMan Baby Alexander Remembrance Day.” **(Abdur-Rahman)**
March 8, 2022

Proclamation recognizing “Atlanta St. Patrick’s Parade Day.” **(Pitts)**
March 12, 2022

Proclamation recognizing “Historic Macedonia Cemetery Appreciation Day.” **(Hausmann)**
March 14, 2022

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(Hausmann)
March 14, 2022

Proclamation recognizing “Ann Cramer Appreciation Day.” **(Hall)**
March 16, 2022

Proclamation recognizing “Leadership Johns Creek Appreciation Day.” **(Hausmann)**
March 17, 2022

Proclamation recognizing “Barbara Lewis King Scholarship Foundation Appreciation Day.” **(Pitts)**
March 18, 2022



Fulton County Board of Commissioners

Agenda Item Summary

Agenda Item No.: 22-0168

Meeting Date: 3/16/2022

Department

Finance

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Ratification of February 2022 Grants Activity Report.

Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*

Grants Policy A(10): All grant applications and awards must be presented via the Grants Activity Report on the Consent Agenda during the Board of Commissioners' Regular or Recess meetings. The Board of Commissioners shall utilize the Grants Activity Report to ratify the submission of all grant applications and acceptance of all grant funding.

Strategic Priority Area related to this item *(If yes, note strategic priority area below)*

Open and Responsible Government

Commission Districts Affected

All Districts

District 1

District 2

District 3

District 4

District 5

District 6

Is this a purchasing item?

No

Summary & Background *(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)*

Scope of Work: The Fulton County February 2022 Grants Activity Report (GAR) Exhibit 1: BOARD GRANTS RATIFICATION SUMMARY summarizes grants submitted/pending and awarded for the period February 1, 2022 through February 28, 2022. Fulton County departments report the following grants activity:

- Applications Submitted/Pending: 0
- Applications Awarded: 1 (\$10,000 + No Cash Match)

The following Strategic Priority Areas are Impacted by February 2022 grant applications:

- Justice and Safety

The Fulton County February 2022 Grants Activity Report (GAR) Exhibit 2: ALL GRANTS ACTIVITY summarizes cumulative grants activity through February 28, 2022. Fulton County departments report the following grants activity:

- Total Applications Submitted/Pending: 19 (\$59,949,366.34+ \$500.00)
- Total Applications Awarded: 4 (\$62,890.12 + \$15,412.36 Cash Match)
- Total Grant Applications Denied: 3 (\$22,393,033.00 + No Cash Match)

Community Impact:

Department Recommendation: Department recommends ratification of the February 2022 Grants Activity Report (GAR).

Project Implications:

Community Issues/Concerns:

Department Issues/Concerns:



**FULTON
COUNTY**

FULTON COUNTY FY2022 GRANTS ACTIVITY REPORT February 2022

Presented to:
Fulton County Board of Commissioners
Wednesday, March 16, 2022
Recess Meeting

Provided by: Fulton County Finance Department, Grants Administration Division



Exhibit 1: Board Grants Ratification Summary

Grants Submitted and/or Awarded

February 1, 2022 Through February 28, 2022

Exhibit 1 lists by Strategic Goal grants that require BOC ratification. Per the Fulton County Grants Policy approved 3/2/2016, Section A(10), "all grant applications and awards must be presented via the Grants Activity Report on the Consent Agenda during the Board of Commissioners' Regular or Recess meetings. The Board of Commissioners shall utilize the Grants Activity Report to ratify the submission of all grant applications and acceptance of all grant funding."

EXHIBIT 1: BOARD GRANTS RATIFICATION SUMMARY

Fulton County FY2022 February Grants Activity Report

Exhibit 1 lists by Strategic Goal grant applications that require BOC ratification. Per the Fulton County Grants Policy approved 3/2/2016, Section A(10), "all grant applications and awards must be presented via the Grants Activity Report on the Consent Agenda during the Board of Commissioners' Regular or Recess meetings. The Board of Commissioners shall utilize the Grants Activity Report to ratify the submission of all grant applications and acceptance of all grant funding."

Grant Applications Submitted and/or Awarded February 1, 2022 Through February 28, 2022 Requiring BOC Ratification						
Dept.	Grantor	Grant Title	Grant Description	Funds Requested	County Match	Status
JUSTICE AND SAFETY						
Medical Examiner	GA Dept. of Public Health	Software Interoperability	Request approval to accept funding in the amount of \$10,000 from the Georgia Department of Public Health. Funding will be used to develop, test, and implement the necessary modifications to the Medical Examiner's case management system (CMS) in order to support the interoperability between the CMS and Georgia's Electronic Death Registration System (GAVERS). No County Cash Match.	\$ 10,000.00	\$ -	Awarded
			Subtotal:	\$ 10,000.00	\$ -	
HEALTH AND HUMAN SERVICES						
ARTS AND LIBRARIES						
INFRASTRUCTURE AND ECONOMIC DEVELOPMENT						
OPEN AND RESPONSIBLE GOVERNMENT						
REGIONAL LEADERSHIP						
			TOTAL:	\$ 10,000.00	\$ -	



Exhibit 2: All Grants Activity

Cumulative Through February 28, 2022

Exhibit 2 shows, for all grant-active departments, the cumulative grants activity and the current period grants activity. Total grants broken out by grants still pending, grants awarded, and grants denied. Grants awarded broken out by new vs. renewal and competitive vs formula.

EXHIBIT 2: ALL GRANTS ACTIVITY
CUMULATIVE & CURRENT PERIOD (AS OF February 28, 2022)

Exhibit 2 shows, for all grant-active departments, the cumulative grants activity and the current period grants activity.

Total grants broken out by grants still pending, grants awarded, and grants denied. Grants awarded broken out by new vs. renewal and competitive vs formula.

ALL GRANTS ACTIVITY						
^All Grants	Prior Period Grants	Prior Period Funds	Current Period Grants: 2/1/2022-2/28/2022	Current Period Funds: 2/1/2022-2/28/2022	Cumulative Total Grants	Cumulative Total Funds
Grants Pending [^]	19	\$ 59,949,366.34	0	\$ -	19	\$ 59,949,366.34
Grants Awarded	3	\$ 52,890.12	1	\$ 10,000.00	4	\$ 62,890.12
Grants Denied ^{**}	3	\$ 22,393,033.00	-	\$ -	3	\$ 22,393,033.00
Cash Match Requested-2022	-	\$ 15,912.36	-	\$ -	-	\$ 15,912.36
Total:	25	\$ 82,411,201.82	1	\$ 10,000.00	26	\$ 82,421,201.82

ALL GRANTS AWARDED, NEW VS. RENEWAL						
All Grants Awarded	Prior Period Grants	Prior Period Funds	Current Period Grants: 2/1/2022-2/28/2022	Current Period Funds: 2/1/2022-2/28/2022	Cumulative Total Grants	Cumulative Total Funds
New Grant Awards	0	\$ -	1	\$ 10,000.00	1	\$ 10,000.00
Renewal/Repeat Grant Awards	3	\$ 52,890.12	0	\$ -	3	\$ 52,890.12
Total:	3	\$ 52,890.12	1	\$ 10,000.00	4	\$ 62,890.12

ALL GRANTS AWARDED, COMPETITIVE VS. FORMULA						
All Grants Awarded	Prior Period Grants	Prior Period Funds	Current Period Grants: 2/1/2022-2/28/2022	Current Period Funds: 2/1/2022-2/28/2022	Cumulative Total Grants	Cumulative Total Funds
Competitive Grant Awards	1	\$ 3,600.00	0	\$ -	1	\$ 3,600.00
Formula Grant Awards ^{^^}	2	\$ 49,290.12	1	\$ 10,000.00	3	\$ 59,290.12
Total:	3	\$ 52,890.12	1	\$ 10,000.00	4	\$ 62,890.12

[^]Includes 17 grants that were pending at the end of 2021 and carried forward for tracking in 2022.

^{^^}Formula grant awards include noncompetitive grants and allocations.



Fulton County Board of Commissioners

Agenda Item Summary

Agenda Item No.: 22-0169

Meeting Date: 3/16/2022

Department

Finance

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

No action is requested. This reporting is being provided to meet the quarterly reporting requirement for monetary transfers among budget funds per Board Resolution #09-1262.

Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*

Board Resolution #09-1262

Strategic Priority Area related to this item *(If yes, note strategic priority area below)*

Open and Responsible Government

Commission Districts Affected

- All Districts
- District 1
- District 2
- District 3
- District 4
- District 5
- District 6

Is this a purchasing item?

No

Summary & Background

This reporting is being provided to meet the quarterly reporting requirement for monetary transfers among budget funds per Board Resolution #09-1262. The General Fund had no Intra Fund Borrowings outstanding from any other County Fund as of December 31, 2021. An Intra Fund borrowing occurs when the general fund balance goes negative utilizing a positive excess cash position from another fund at the County to cover operating cash flow needs. These borrowings are then tracked daily, interest is imputed daily, and principal and interest are paid back before the close of the fiscal year.

See attached reporting of all funds that had negative cash position as of 12-31-2021 and had a borrowing position from the County's general fund.

Scope of Work: NA

Agenda Item No.: 22-0169

Meeting Date: 3/16/2022

Community Impact: NA

Department Recommendation: NA

Project Implications: NA

Community Issues/Concerns: NA

Department Issues/Concerns: NA

INTEROFFICE MEMORANDUM



TO: Board of Commissioners
THROUGH: Dick Anderson, County Manager
Sharon Whitmore, CFO
FROM: Hakeem Oshikoya, Finance Director
DATE: January 27, 2021
SUBJECT: Intra Fund Borrowings

The General Fund had no Intra Fund Borrowings outstanding with any other County Fund as of December 31, 2021. An Intra Fund Borrowing occurs when the General Fund balance goes negative, utilizing a positive excess cash position from another fund, at the County to cover operating cash flow needs.

The below represents all funds that had negative cash positions as of 12/31/2021 and had a borrowing position from the County's General Fund.

12-31-2021 Negative Cash Positions

Atl/Fulton Water Resource Comm #431*	(1,723,698.43)
FEMA #447	(15,186,851.34)
Grants #461*	(776,021.68)
FCURA-2017 Facility Bond #532*	(1,729.82)
FCBOH-Grants #861*	(140,919.69)
Total intra-fund borrowings from General Fund & other funds	(17,829,220.96)

*These funds are pending routine reimbursements



Hakeem Oshikoya
Finance Director



Fulton County Board of Commissioners

Agenda Item Summary

Agenda Item No.: 22-0170

Meeting Date: 3/16/2022

Department

Human Resources Management

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Request approval of a contract to spread on the minutes of the Fiscal Year 2022 contracts for employees hired contractually by Fulton County - specifically the Grievance Review Board Attorney and to authorize the County Attorney to approve the contact as to form and make any modifications thereto prior to the execution by the Chairman. The cost of the contract shall not exceed \$35,098.00. Effective January 1, 2022 - December 31, 2022, with two (2) one-year renewal options.

Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*

Request approval of a contract - in accordance with State of Georgia O.C.G.A. §36-10-1, requests for approval of contractual agreement shall be forwarded to the Board of Commissioners for approval.

Strategic Priority Area related to this item *(If yes, note strategic priority area below)*

Open and Responsible Government

Commission Districts Affected

- All Districts
- District 1
- District 2
- District 3
- District 4
- District 5
- District 6

Is this a purchasing item?

No

Summary & Background *(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)*

Scope of Work: Provide legal counsel/representation to the Grievance Review Committee. At the request of the County, and without any additional cost to the County, when/if the independent contractor cannot provide legal counsel/representation, for whatever reason, the independent contractor shall be required to provide another attorney to the County to provide these services.

Community Impact: There is no community impact.

Department Recommendation: The department recommends approval.

Project Implications: There are no project implications.

Community Issues/Concerns: There are no community issues or concerns.

Department Issues/Concerns: There are no department issues or concerns.

Contract Modification (*Delete this chart only if the Requested Action is for a NEW award. Simply insert the text “**New Procurement**.” If the Requested Action is for a Contract Modification ((Renewal, Amendment, Change Order, Extension, Increase Spending Authority)), the chart should remain and be completed.*)

New Procurement.

Contract & Compliance Information (*Provide Contractor and Subcontractor details.*)

E. Anthony Daniel, P.C.
3300 Buckeye Road; Suite 369
Atlanta GA 30341
770-455-8541
770-457-4631 (fax)

Exhibits Attached (*Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.*)

Exhibit 1: Independent Contractor Agreement

Exhibit 2: Contractor Performance Report

Contact Information (*Type Name, Title, Agency and Phone*)

Kenneth L. Hermon, Jr.
Chief Human Resources Officer
Department of Human Resources Management
404-613-0923

Contract Attached

Yes

Previous Contracts

Yes

Total Contract Value

Agenda Item No.: 22-0170

Meeting Date: 3/16/2022

Original Approved Amount: 35,098.00
Previous Adjustments:
This Request:
TOTAL: 35,098.00

Grant Information Summary

Amount Requested: Cash
Match Required: In-Kind
Start Date: Approval to Award
End Date: Apply & Accept
Match Account \$:

Fiscal Impact / Funding Source

Funding Line 1:

100-215-2150-1160; General Human Resources Management - HR Administration - Professional Service

Key Contract Terms	
Start Date: 1/1/2022	End Date: 12/31/2022
Cost Adjustment:	Renewal/Extension Terms:

Overall Contractor Performance Rating:

Would you select/recommend this vendor again?
Yes

Report Period Start: 1/1/2021 **Report Period End:** 12/31/2021

**INDEPENDENT CONTRACTOR AGREEMENT
BETWEEN FULTON COUNTY AND E. ANTHONY DANIEL, P.C.**

THIS INDEPENDENT CONTRACTOR AGREEMENT, entered into this **1st day of January 2022**, by and between FULTON COUNTY (hereinafter "County") a political subdivision of the State of Georgia, acting by and through its duly elected Board of Commissioners, and **E. Anthony Daniel, P.C.**, (hereinafter "Independent Contractor").

ARTICLE I - INDEPENDENT CONTRACTOR SERVICES

Paragraph 1.0. The County retains Independent Contractor, and the Independent Contractor accepts retention by the County to render the services as hereinafter defined and required, to perform such services solely in the manner and to the extent required by the parties herein, and as may be hereafter amended or extended in writing by mutual agreement of the parties.

Paragraph 1.1. The County acknowledges that it will engage **E. Anthony Daniel, P.C.** as an Independent Contractor to render the services defined and required herein.

ARTICLE II - SCOPE OF DUTIES

Paragraph 2.0. Upon execution of the Agreement, Independent Contractor is obligated to provide the following services for Fulton County: Provide legal counsel/representation to the Grievance Review Committee. At the request of the County, and without any additional cost to the County, when/if the Independent Contractor cannot provide legal counsel/representation for whatever reason, the Independent Contractor shall

be required to provide another Attorney to the County in order to provide these services.

ARTICLE III - COMPENSATION FOR SERVICES

Paragraph 3.0. Independent Contractor agrees to provide services at the rate of **\$1,349.92** to be paid by Fulton County as a vendor a bi-weekly pay period and not as an employee through employee payroll. As such, Independent Contractor shall provide the County with his/her Taxpayer I.D. and invoice the County for the Services performed.

Paragraph 3.1. The total dollar amount of this contract shall not exceed **\$35,098.00**.

ARTICLE IV - TERMINATION

Paragraph 4.0. In the event that County determines it no longer requires the services of Independent Contractor, the County may terminate this agreement by giving thirty (30) calendar days prior notice in writing (by hand delivery or posting in U.S. Mail) to Independent Contractor. No cause is necessary for termination.

Paragraph 4.1. If through any cause, Independent Contractor shall fail to fulfill its obligations under this contract in a timely and proper manner; or in the event that any of the provisions or stipulations of this agreement are violated by Independent Contractor; or there is misconduct on the part of Independent Contractor, which reflects upon the good order and services of the County, the County shall there upon have the right to immediately suspend or terminate this agreement by serving written notice upon Independent Contractor of County's intent to suspend or terminate the contract. If the contract is terminated by the County, Independent Contractor will be compensated for the work satisfactorily performed

up to the termination date.

Paragraph 4.2. In the event that Independent Contractor determines it is no longer in his best interest to continue his contractual agreement with the County, Independent Contractor may likewise terminate this agreement by giving thirty (30) calendar days notice in writing (by hand delivery or posting in U.S. Mail) to the County stating the reasons for such termination.

ARTICLE V - INDEPENDENT CONTRACTOR STATUS

Paragraph 5.0. Nothing contained herein shall be deemed to create any relationship other than that of an Independent Contractor between the County and **E. Anthony Daniel, P.C.** Independent Contractors in Fulton County do not accrue sick or vacation leave nor accrue other rights and benefits, accorded to full-time County employees. Under no circumstances shall the Independent Contractor, her employees, associates or agents be deemed employees, agents, partners, successors, assigns or legal representatives of the County.

Paragraph 5.1. The County will issue to Independent Contractor a Form 1099 for the Services performed as an Independent Contractor.

Paragraph 5.2. Independent Contractor acknowledges that this relationship is not a joint venture and that the parties do not have any shared business interest other than the Independent Contractor successfully completing the contracted for Services.

Paragraph 5.3. Independent Contractor acknowledges that he/she shall have no right of redress pursuant to the Fulton County Personnel Rules and Regulations or other regulations applicable to County employees.

Paragraph 5.4. Independent Contractor acknowledges that he/she shall have no right to accrue sick or vacation leave or to accrue other rights and employee benefits, including but not limited to, pension, worker's compensation coverage or health coverage. Nor will the County pay for any professional licenses required by the Independent Contractor to perform the Services.

Paragraph 5.5. Independent Contractor agrees that he/she is responsible for his own income tax withholding and Social Security self-employment taxes, professional liability insurance and excess coverage.

Paragraph 5.6. Independent Contractor agrees that the Contract is subject to, but not limited to, the Independent Contractor being licensed and in good-standing with the State Bar of Georgia.

Paragraph 5.7. Independent Contractor agrees at all times to fulfill his professional duties and to protect the County's privileged and confidential information along with the privileged and confidential information of any person he/she is retained to render Services for under this Contract.

Paragraph 5.8. Independent Contractor will return all County documents, including all copies of any documents coming under his/her possession during performance of the Contract, when the Contract is complete or if terminated.

Paragraph 5.9. Independent Contractor shall not hold himself out to any party as an employee of Fulton County.

ARTICLE VI - TERM OF CONTRACT

Paragraph 6.0. The term of the Contract shall begin **January 1, 2022** and shall remain in force and effect until **December 31, 2022**, unless earlier terminated under the terms and conditions of this Contract. If funds are not allocated by the Fulton County Board of Commissioners, this Contract will terminate upon the expiration of the then existing term.

Paragraph 6.1. Before the end of the Contract term, at the written option of the Fulton County Board of Commissioners, this agreement may be renewed for two (2) one-year terms ("Renewal Terms"). However, no Renewal Term shall be authorized nor shall any Renewal Term of this Contract commence unless and until each Renewal Term has first been approved by the Fulton County Board of Commissioners. Said Renewal Term shall begin on January 1st and end on December 31st.

ARTICLE VII - INDEMNIFICATION

Paragraph 7.0. Independent Contractor hereby agrees to release, indemnify, defend and hold harmless the County, its Commissioners, officers, employees, subcontractors, successors, assigns and agents, from and against any and all losses (including death),

claims, damages, liabilities, costs and expenses (including but not limited to all actions, proceedings, or investigations in respect thereof and any costs of judgments, settlements, court costs, attorney's fees or expenses, regardless of the outcome of any such action, proceeding, or investigation), caused by, relating to, based upon or arising out of any act or omission by Independent Contractor, its directors, officers, employees, subcontractors, successors, assigns or agents, or otherwise in connection with its acceptance, or the performance, or nonperformance, of his/her obligations under this Contract. Independent Contractor further agrees to release, indemnify, defend and hold harmless the County, its Commissioners, officers, employees, subcontractors, successors, assigns and agents from liability of any nature or kind based upon Independent Contractors use of any copyrighted or non-copyrighted composition, process, patented or unpatented invention, article or appliance furnished or used in the performance of the Independent Contract, for which Independent Contractor is not the assignee or licensee.

Paragraph 7.1. Independent Contractor further agrees to release, indemnify, defend and hold harmless the County, its Commissioners, officers, employees, subcontractors, successors, assigns and agents from any injury (including death), loss, claim, demand, liability or damage sustained by the Independent Contractor, its directors, officers, employees, subcontractors, successors, assigns or agents. Independent Contractor further agrees to provide County with proof that Independent Contractor is identified as an insured in a professional/public liability insurance policy, with an insurance policy, covering Independent Contractor, its directors, officers, employees, subcontractors, successors, assigns and agents, and shall expressly indemnify and hold harmless the County, its Commissioners, officers, employees, subcontractors, successors, assigns and agents from

any claims, demands, actions and causes of actions arising from any act of Independent Contractor, its directors, officers, employees, subcontractors, successors, assigns or agents while under the terms of this Contract.

ARTICLE VIII - VARIATIONS OR MODIFICATIONS TO CONTRACT

Paragraph 8.0. This Contract constitutes the entire Contract between the County and Independent Contractor, and there are no further written or oral agreements with respect thereto. No variation or modifications of this Contract, and no waiver of its provisions, shall be valid unless in writing and signed by the County and Independent Contractor.

ARTICLE IX - SEVERABILITY OF TERMS

Paragraph 9.0. If any part or provision of this Contract is held invalid, the remainder of this Contract shall not be affected thereby and shall continue in full force and effect.

ARTICLE X - CAPTIONS

Paragraph 10.0. The captions are inserted herein only as a matter of convenience and for reference and in no way define, limit or describe the scope of this Contract or the intent of the provisions thereof.

ARTICLE XI - GOVERNING LAW

Paragraph 11.0. This Contract shall be governed in all respects, as to validity, construction, capacity, performance or otherwise, by the laws of the State of Georgia.

ARTICLE XII –COUNTY'S RIGHT OF INSPECTION

Paragraph 12.0. County shall have the right, at its sole discretion, to inspect and review the Services provided by the Independent Contractor hereunder to determine their acceptability. County shall also have the right to review all of the Independent Contractor's records pertaining to this Agreement and Independent Contractor agrees to properly maintain its records so as to allow the County to audit its fees, standards, and services. Independent Contractor shall make such records available to County officials within seventy-two (72) hours written notice.

ARTICLE XIII - COOPERATION BY CONTRACTOR WITH COUNTY

Paragraph 13.0. Independent Contractor shall maintain regular communications with the County and the Department of Human Resources Management and their administrative staff, and shall actively cooperate in all matters pertaining to this Agreement including, without limitation, assisting the County in investigating and responding to any and all complaints, inspections, or investigations, arising in connection with the Independent Contractor's provision of Services under this Agreement.

ARTICLE XIV - COMPLIANCE WITH APPLICABLE LAWS

Paragraph 14.0. Independent Contractor shall at all times observe and comply with all federal, state, local and municipal ordinances, rules, regulations and professional codes of responsibilities relating to the provision of the Services contracted to be provided by the Independent Contractor hereunder or which in any manner affect this Agreement.

ARTICLE XV - NO CONFLICT

Paragraph 15.0. Independent Contractor represents and warrants that he/she presently has no interest, direct or indirect and covenants and agrees that it will not, during the term of this Agreement, acquire any interest, direct or indirect, that would conflict in any manner or degree with the performance of his duties and obligations hereunder. However, nothing herein shall be construed as limiting or preventing Independent Contractor for performing Services for other persons or entities, including private clients, so long as they do not conflict with this Agreement. Independent Contractor further covenants and agrees for itself, its agents, employees, directors and officers to comply fully with the provisions of the Official Code of Georgia (O.C.G.A. Sec. 45-10-20 et. seq.) and the provisions of the Fulton County Code of Ethics (Section 23-9-1 et. seq.), governing conflicts of interest of persons doing business with the County, as such provisions now exist or may be amended hereafter. Independent Contractor represents and warrants that such provisions are not and will not be violated by this Agreement or the Independent Contractor's performance hereunder.

ARTICLE XVI - NOTICE OF EQUAL EMPLOYMENT OPPORTUNITY

Paragraph 16.0. During the performance of this contract, the Independent Contractor agrees as follows:

1. The Independent Contractor shall not discriminate against any employee, or applicant for employment, because of race, religion, color, sex, or national origin. As used herein, the words "shall not discriminate" should mean and include, without limitation, the following:

- i. Recruited, whether by advertising or other means; compensated,

whether in the form of rates of pay, or other forms of compensation; selected for training, including apprenticeship; promoted; upgraded; demoted; downgraded; transferred; laid off; and terminated.

ii. The Independent Contractor agrees to and shall post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officers setting forth the provisions of the nondiscrimination clause.

2. Independent Contractor shall in all solicitation or advertisement for employees, placed by or on behalf of the Independent Contractor, state that all qualified applicants will receive consideration for the employment without regard to race, religion, color, sex, or national origin.

3. Independent Contractor and her Sub Independent Contractors, if any shall file compliance reports at reasonable times and intervals with the county in the form and to the extent prescribed by the director. Compliance reports filed at such times as directed shall contain information as to the employment practices, policies, programs, and statistics of the Independent Contractor and his subcontractors.

4. Independent Contractor shall include the provisions of this paragraph in its entirety in every subcontract or purchase order so that such provisions will be binding upon each subcontractor.

IN WITNESS THEREOF, the parties hereto have set their hands and seals.

INDEPENDENT CONTRACTOR

FULTON COUNTY GOVERNMENT

E. Anthony Daniel, P.C.

Date: _____

Kenneth L. Hermon, Jr., SHRM-SCP, IPMA-SCP
Chief Human Resources Officer
Department of Human Resources Management
Date: _____

Tonya Grier
Clerk to the Commission
Fulton County Board of Commissioners
Date: _____

APPROVED AS TO FORM:

Legal Department

Robert L. Pitts
Chairman
Fulton County Board of Commissioners
Date: _____



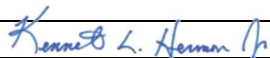
**DEPARTMENT OF PURCHASING &
CONTRACT COMPLIANCE**

CONTRACTORS PERFORMANCE REPORT

PROFESSIONAL SERVICES

Report Period Start	Report Period End	Contract Period Start	Contract Period End
1/1/2021	12/31/2021	1/1/2021	12/31/2021
Purchaser Order Number		Purchase Order Date	
Department		Human Resources Management	
Bid Number	Service Commodity		
	Legal Counsel/Representation to the Grievance Review Committee		
Contractor			
E. Anthony Daniel, PC			
Performance Rating			
0 = Unsatisfactory	Achieves contract requirements less than 50% of the time not responsive, effective and/or efficient; unacceptable delay; incompetence; high degree of customer dissatisfaction.		
1 = Poor	Achieves contract requirements 70% of the time. Marginally responsive, effective and/or efficient; delays require significant adjustments to programs; key employees marginally capable; customer somewhat satisfied.		
2 = Satisfactory	Achieves contract requirements 80% of the time. Generally responsive, effective and/or efficient; delays are excusable and/or results in minor programs adjustments; employees are capable and satisfactorily providing service without intervention; customers indicate satisfaction.		
3 = Good	Achieves contract requirements 90% of the time. Usually responsive; effective and/or efficient; delays have not impact on programs/mission; key employees are highly competent and seldom require guidance; customers are highly satisfied		
4 = Excellent	Achieves contract requirements 100% of the time. Immediately responsive; highly efficient and/or effective; no delays; key employees are experts and require minimal directions; customers expectations are exceeded.		
1. Quality of Goods/Services		(Specification Compliance – Technical Excellence – Reports/Administration – Personnel Qualification)	
<input type="radio"/>	0	The quality of services provided by E. Anthony Daniel, PC can be classified as exemplary. He operates within the specifications set forth. Technical excellence and expertise are of high quality. Submission of required documentation is always timely and accurate. Overall performance rating is excellent.	
<input type="radio"/>	1		
<input type="radio"/>	2		
<input type="radio"/>	3		
<input checked="" type="radio"/>	4		
2. Timeliness of Performance		(Were Milestones Met Per Contract – Response Time (per agreement, if applicable) – Responsiveness to Directions/ Change – On Time Completion Per Contract)	
<input type="radio"/>	0	E. Anthony Daniel, PC, provides very timely performance of services for the Grievance Review Committee.	
<input type="radio"/>	1		
<input type="radio"/>	2		
<input checked="" type="radio"/>	3		
<input type="radio"/>	4		

3. Business Relations		(Responsiveness to Inquires – Prompt Problem Notifications)
<input type="radio"/>	0	E. Anthony Daniel, PC, is extremely responsive to all inquiries and requests. He keeps the Committee up-to-date on all matters.
<input type="radio"/>	1	
<input type="radio"/>	2	
<input type="radio"/>	3	
<input checked="" type="radio"/>	4	
4. Customer Satisfaction		(Met User Quality Expectations – Met Specification – Within Budget – Proper Invoicing – No Substitutions)
	0	E. Anthony Daniel, PC, has an excellent customer satisfaction rating. He meticulously operates within the specifications set forth and within the budgetary parameters with the submission of timely and correct invoices.
	1	
<input type="radio"/>	2	
<input checked="" type="radio"/>	3	
<input type="radio"/>	4	
5. Contractors Key Personnel		(Credentials/Experience Appropriate – Effective Supervision/Management – Available as Needed)
<input type="radio"/>	0	E. Anthony Daniel, PC, is very well credentialed with more than sufficient experience in the area of legal counsel and representation. He serves that Grievance Review Committee well.
<input type="radio"/>	1	
<input type="radio"/>	2	
<input type="radio"/>	3	
<input checked="" type="radio"/>	4	

Overall Performance Rating	3.60	Date	2/24/2022
Would you select/recommend this vendor again?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
Rating completed by:	Carlos Gordon,		
Department Head Name:	Kenneth L. Hermon, Jr.		
Department Head Signature			

After completing the form:
 Submit to Purchasing
 Print a copy for your records
 Save the form

Submit

Print

Save



Fulton County Board of Commissioners

Agenda Item Summary

Agenda Item No.: 22-0171

Meeting Date: 3/16/2022

Department

Real Estate and Asset Management

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Request approval of a Water Vault Easement Dedication of 729 square feet to Fulton County, a political subdivision of the State of Georgia, from Davis Group Storage, LLC, for the purpose of constructing the Davis Drive Commercial Development Project at 0 Davis Drive, Alpharetta, Georgia 30009.

Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*

According to Article XXXIV. - Development Regulations, 34.4.1 Land disturbance permit prerequisites.

Strategic Priority Area related to this item *(If yes, note strategic priority area below)*

Open and Responsible Government

Commission Districts Affected

- All Districts
- District 1
- District 2
- District 3
- District 4
- District 5
- District 6

Is this a purchasing item?

No

Summary & Background *(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)*

Scope of Work: : The proposed Davis Drive Commercial Development Project, a commercial development, requires the installation of three water vaults. Fulton County development regulations require that all new water line connections acknowledge Fulton County's legal access to the area(s) in which a water service line connection is being made prior to the issuance of a Land Disturbance Permit. The easement area to be conveyed to the County consists of 729 square feet and is located Land Lots 607, 638 and 639 of the 1st District, 2nd Section of Fulton County, Georgia.

Community Impact: The community will benefit from the extension of the County's water system and the addition of a new commercial development to include office, storage and a day care center.

Department Recommendation: The Department of Real Estate and Asset Management recommends acceptance of the easement dedication.

Project Implications: Easement dedications by the owner of record to Fulton County are made a part of the public record and grant Fulton County access to perform construction, maintenance and upgrades to the water system once the proposed improvements are installed.

Community Issues/Concerns: None

Department Issues/Concerns: None

[BLANK SPACE ABOVE THIS LINE IS FOR THE SOLE USE OF THE CLERK OF SUPERIOR COURT]

THIS DOCUMENT MAY BE RECORDED ONLY BY PERSONNEL OF THE FULTON COUNTY LAND DIVISION

Return Recorded Document to:
Fulton County Land Division
141 Pryor Street, S.W. – Suite 8021
Atlanta, Georgia 30303

Project Name : Davis Drive Commercial Development Project
Tax Parcel Identification No.: 12 249006391062
Land Disturbance Permit No.: LDP# D210003, FC Project# 21-022WR
Zoning/Special Use Permit No.: _____
(if applicable)

For Fulton County Use Only

Approval Date: _____
Initials: _____

**WATER VAULT EASEMENT
(Corporate Form)**

STATE OF GEORGIA,
COUNTY OF FULTON

This indenture entered into this 13th day of January, 2022, between Davis Group Storage, a corporation duly organized under the laws of the State of Georgia, party of the first part (hereinafter referred to as Grantor), and **FULTON COUNTY**, a Political Subdivision of the State of Georgia, party of the second part.

WITNESSETH, that for and in consideration of \$1.00 cash in hand paid, at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged and in consideration of the benefit which will accrue to the undersigned from the installation of a water vault, water meter, and appurtenances on subject property, and in consideration of the benefits which will accrue to the subject property from the installation of a water vault, water meter, and appurtenances on the subject property, said Grantor has granted, bargained, sold and conveyed and by these presents does grant, bargain, sell and convey to the party of the second part and to successors and assigns the right, title, and privilege of an easement on subject property located in land lot(s) 607, 638, & 639 of the 1st District, 2nd Section (*if applicable*) of Fulton County, Georgia, and more particularly described as follows: To wit:

Davis Drive Commercial Development Project

Project Name

[See Exhibit "A" attached hereto and made a part hereof]

This right and easement herein granted being to occupy such portion of my property as would be sufficient for the construction, installation, access, maintenance and upgrade of a water vault, water meter and appurtenances according to the location and size of said water vault, water meter and appurtenances as shown on the map on file in the office of the Public Works Department of Fulton County, and which size and location may be modified from time to time including in the future after the date of this document to accommodate said water vault, water meter and appurtenances within the aforesaid boundaries of the above-described easement.

For the same consideration, Grantor(s) hereby convey and relinquish to FULTON COUNTY a right of access over Grantor's remaining lands as necessary for FULTON COUNTY to perform maintenance and repairs on the water vault structure, water meter and appurtenances on both a routine and emergency basis.

Grantor hereby warrants that it has the right to sell and convey this easement and right of access and binds itself, its successors and assigns forever to warrant and defend the right and title to the above described water vault easement unto the said FULTON COUNTY, its successors and assigns against the claims of all persons whomever by virtue of these presents.

Said Grantor hereby waives for itself, its successors and assigns all rights to any further compensation or claim to damages on account of the installation, access, upgrade or maintenance of said water vault, water meter and appurtenances for the use of the property as herein agreed.

IN WITNESS HEREOF said party of the first part has hereunto affixed its hand and seal on the day and year first above written.

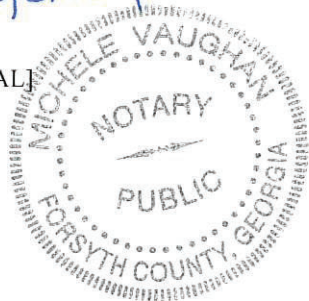
Signed, sealed and delivered this 13
day of Jan, 20 22
in the presence of:

[Signature]
Witness

[Signature]
Notary Public

9/23/2024

[NOTARIAL SEAL]

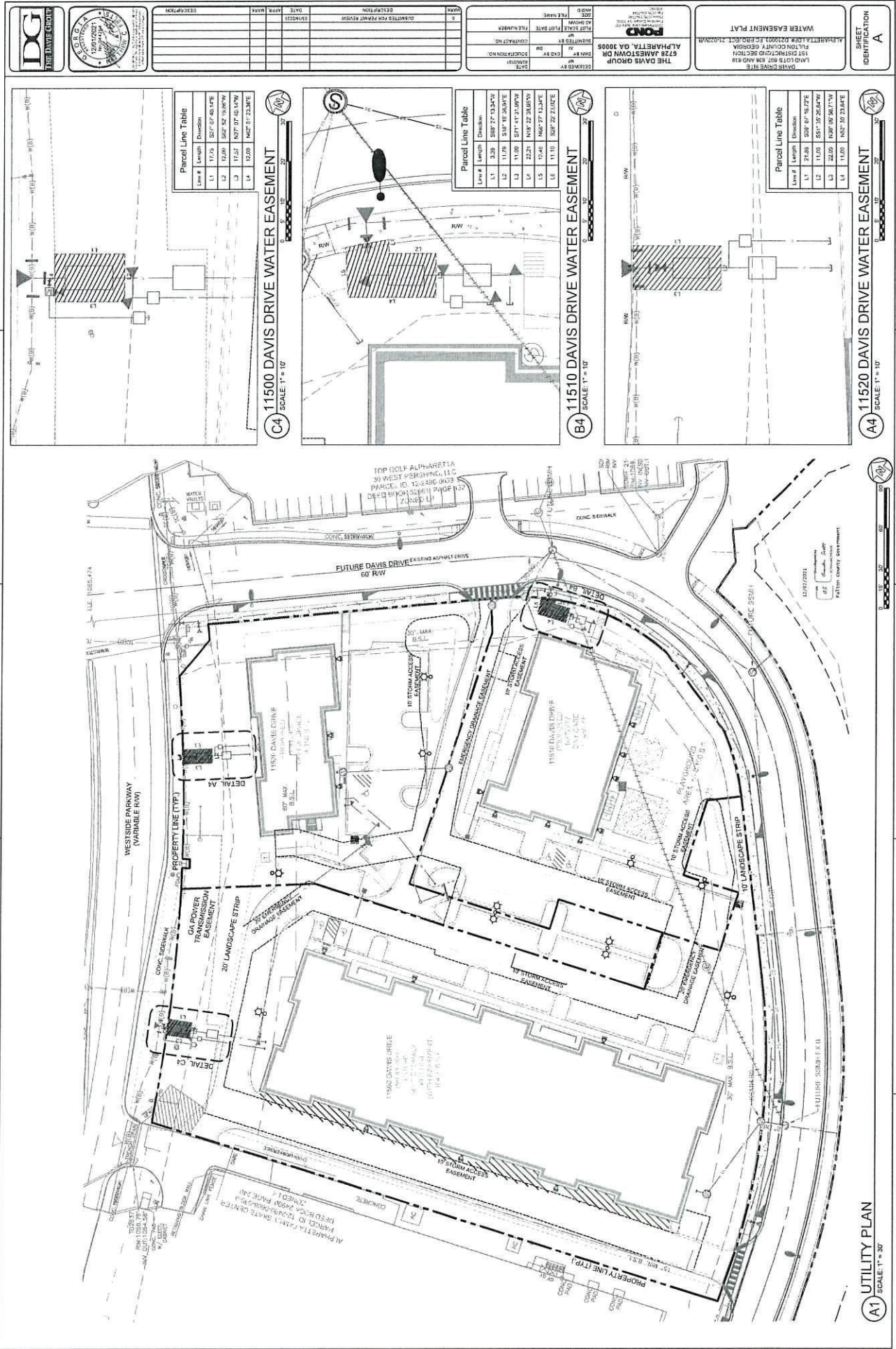


GRANTOR: Davis Group Storage, LLC
CORPORATE NAME

By: [Signature]
Print Name: Christopher W. Davis
Title: Manager

By: _____
Print Name: _____
Title: _____

[CORPORATE SEAL]



A1 UTILITY PLAN
SCALE: 1" = 32'

A4 11520 DAVIS DRIVE WATER EASEMENT
SCALE: 1" = 10'

C4 11500 DAVIS DRIVE WATER EASEMENT
SCALE: 1" = 10'

B4 11520 DAVIS DRIVE WATER EASEMENT
SCALE: 1" = 10'

A SHEET IDENTIFICATION

THE DAVIS GROUP
7878 JAMES TOWN DR
ALPHARETTA, GA 30005

PROJECT NO. 20210707-Davis Drive
DATE: 07/20/2021

DESIGNED BY: [Name]
CHECKED BY: [Name]
DATE: [Date]

CONTRACT NO. [Number]
SHEET NO. [Number]
TOTAL SHEETS: [Total]

NO.	DATE	DESCRIPTION
1	07/20/2021	ISSUED FOR PERMIT REVIEW

NO.	DATE	DESCRIPTION
1	07/20/2021	ISSUED FOR PERMIT REVIEW

THE DAVIS GROUP
7878 JAMES TOWN DR
ALPHARETTA, GA 30005

PROJECT NO. 20210707-Davis Drive
DATE: 07/20/2021

DESIGNED BY: [Name]
CHECKED BY: [Name]
DATE: [Date]

CONTRACT NO. [Number]
SHEET NO. [Number]
TOTAL SHEETS: [Total]

Parcel Line Table

Line #	Length	Bearing
L1	11.175	S07°07'46.11"W
L2	12.000	S82°52'30.00"W
L3	11.175	N27°07'46.11"W
L4	12.000	N82°52'30.00"W

Parcel Line Table

Line #	Length	Bearing
L1	3.30	S88°27'13.24"E
L2	11.175	S17°30'30.00"W
L3	11.175	E71°41'31.10"W
L4	22.21	N78°22'38.05"W
L5	15.46	N66°27'13.24"E
L6	11.175	S82°52'30.00"W

Parcel Line Table

Line #	Length	Bearing
L1	21.486	E08°07'59.27"E
L2	11.175	E55°55'26.64"W
L3	22.21	N78°22'38.05"W
L4	11.175	N82°52'30.00"W

Water Easement Legal Description – 11500 Davis Drive

From the Point of Beginning located at the Right-of-Way line south of Westside Parkway:
Thence, South 27°07'40" East, for a distance of 17.81 feet to a point of non-tangency;
Thence, South 62°52'20" West, for a distance of 12.00 feet to a point of non-tangency;
Thence, North 27°07'40" West, for a distance of 17.57 feet to a point of non-tangency;
Thence, North 61°44'26" East, for a distance of 12.00 feet to the Point of Beginning.

Said Easement contains 212.32 square feet.

12/02/2021

DS DocuSigned by:
BS *Brandon Scott*
2CA854492FB3456...
Fulton County Government

Water Easement Legal Description – 11510 Davis Drive

From the Point of Beginning located at the Right-of-Way line south of Davis Drive:
Thence, South 68°27'13" West, for a distance of 3.39 feet to a point of non-tangency;
Thence, South 18°19'37" East, for a distance of 11.79 feet to a point of non-tangency;
Thence, South 71°41'32" West, for a distance of 11.00 feet to a point of non-tangency;
Thence, North 18°22'39" West, for a distance of 22.21 feet to a point of non-tangency;
Thence, North 68°27'13" East, for a distance of 12.48 feet to a point of non-tangency;
Thence, South 28°22'23" East, for a distance of 11.10 feet to the Point of Beginning.

Said Easement contains 274.59 square feet.

12/02/2021

DocuSigned by:
DS
BS
Brandon Scott
2CA854492FB3456...
Fulton County Government

Water Easement Legal Description – 11520 Davis Drive

From the Point of Beginning located at the Right-of-Way line south of Westside Parkway:

Thence, South 38°07'17" East, for a distance of 21.88 feet to a point of non-tangency;

Thence, South 51°35'27" West, for a distance of 11.00 feet to a point of non-tangency;

Thence, North 38°06'59" West, for a distance of 22.05 feet to a point of non-tangency;

Thence, North 52°30'24" East, for a distance of 11.00 feet to the Point of Beginning.

Said Easement contains 241.59 square feet.

12/02/2021

DS DocuSigned by:
BS *Brandon Scott*
2CA854492FB3456...
Fulton County Government



Fulton County Board of Commissioners

Agenda Item Summary

Agenda Item No.: 22-0172

Meeting Date: 3/16/2022

Department

Real Estate and Asset Management

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Request approval of a Sewer Easement Dedication of 625 square feet to Fulton County, a political subdivision of the State of Georgia, from Green Implementation Group, LLC., for the purpose of constructing the Reserve at Newtown Project at 9435 Nesbitt Ferry Road, Johns Creek, Georgia 30022.

Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*

According to Article XXXIV. - Development Regulations, 34.4.1 Land disturbance permit prerequisites

Strategic Priority Area related to this item *(If yes, note strategic priority area below)*

Open and Responsible Government

Commission Districts Affected

- All Districts
- District 1
- District 2
- District 3
- District 4
- District 5
- District 6

Is this a purchasing item?

No

Summary & Background *(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)*

Scope of Work: The proposed Reserve at Newtown Road Project, a residential subdivision, requires a connection to the County's sewer system. Fulton County development regulations require that all new sewer line connections acknowledge Fulton County's ownership interests in the area(s) in which a connection is being made to the County's sewer system prior to the issuance of a Land Disturbance Permit. The easement area to be conveyed to the County consists of 625 square feet and is located in Land Lot 820 of the 1st District 2nd Section of Fulton County, Georgia.

Community Impact: The community will benefit from the extension of the County's sewer system and the addition of a new residential development

Department Recommendation: The Department of Real Estate and Asset Management recommends acceptance of the easement dedication.

Project Implications: Easement dedications by the owner of record to Fulton County are made a part of the public record and grant Fulton County access to perform construction, maintenance and upgrades to the County's sewer system once the proposed improvements are installed.

Community Issues/Concerns: None

Department Issues/Concerns: None

[BLANK SPACE ABOVE THIS LINE IS FOR THE SOLE USE OF THE CLERK OF SUPERIOR COURT

THIS DOCUMENT MUST ONLY BE RECORDED BY PERSONNEL OF THE FULTON COUNTY LAND DIVISION

Clerk: Please cross reference this instrument with Deed recorded in Deed Book 61021, Page 67, Fulton County Records and Deed Book 50272, Page 640, Fulton County Records

Return Recorded Document to: Fulton County Land Division 141 Pryor Street, S.W. — Suite 8021 Atlanta, Georgia 30303

Project Name : Tax Parcel Reserve at Newtown
Identification No.: Land 12 292208200244
Disturbance Permit No.: 21-090WR
Zoning/Special Use Permit No.: (if applicable) City of Johns Creek RZ 16-003

For Fulton County Use Only
Approval Date: _____
Initials: _____

**SEWER EASEMENT
(Corporate Form)**

STATE OF GEORGIA,
COUNTY OF FULTON

This indenture entered into this 22 day of November, 2021, between Green Implementation Group, LLC, a Limited liability company duly organized under the laws of the State of Georgia, party of the first part (hereinafter referred to as Grantor) and **FULTON COUNTY**, a Political Subdivision of the State of Georgia, party of the second part and Grantee.

WITNESSETH, that for and in consideration of \$1.00 in hand paid, at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged and in consideration of the benefits which will accrue to the undersigned from the construction of a sewer line through subject property, and in consideration of the benefits which will accrue to the subject property from the construction of a sewer line through subject property, said Grantor has granted, bargained, sold and conveyed and by these presents does grant, bargain, sell and convey to FULTON COUNTY and to successors and assigns the right, title, and privilege of easements through subject property located in Land Lot 820, of District 12, Fulton County, Georgia, and more particularly described as follows: To wit:

[See Exhibit "A" attached hereto and made a part hereof]

right and easement herein granted being to occupy such portion of my property as would be sufficient for the construction, access, maintenance and upgrade of a sewer line through my property according to the location and size of said sewer line as shown on the map and profile now on file in the office of the Public Works Department of Fulton County, and which size and location may be modified from time to time including in the future after the date of this document to accommodate said sewer line within the aforesaid boundaries of the above-described easement.

For the same consideration, Grantor hereby conveys and relinquishes to FULTON COUNTY a right of access over Grantor's remaining lands as necessary for FULTON COUNTY to perform maintenance and repairs on said sewer line on both a routine and emergency basis.

Said Grantor hereby warrants that it has the right to sell and convey said sewer line easement and right of access and binds itself, its successors and assigns forever to warrant and defend the right and title to the above described sewer line easement unto the said FULTON COUNTY, its successors and assigns against the claims of all persons whomever by virtue of these presents.

Said Grantor hereby waives for itself, its successors and assigns all rights to any further compensation or claim to damages on account of the construction, access, upgrade or maintenance of said sewer line for the use of the property as herein agreed.

IN WITNESS HEREOF said party of the first part has hereunto affixed his/her hand and seal on the day and year first above written.

Signed, sealed and delivered in the presence of:

GRANTOR: GREEN IMPLEMENTATION GROUP, LLC

Omer Sharis OMAS
Unofficial Witness

[Signature] (SEAL)
By: Alex Tsynman
Its: Manager

[Signature]
Notary Public
(NOTARIAL SEAL)



EXHIBIT

“A”

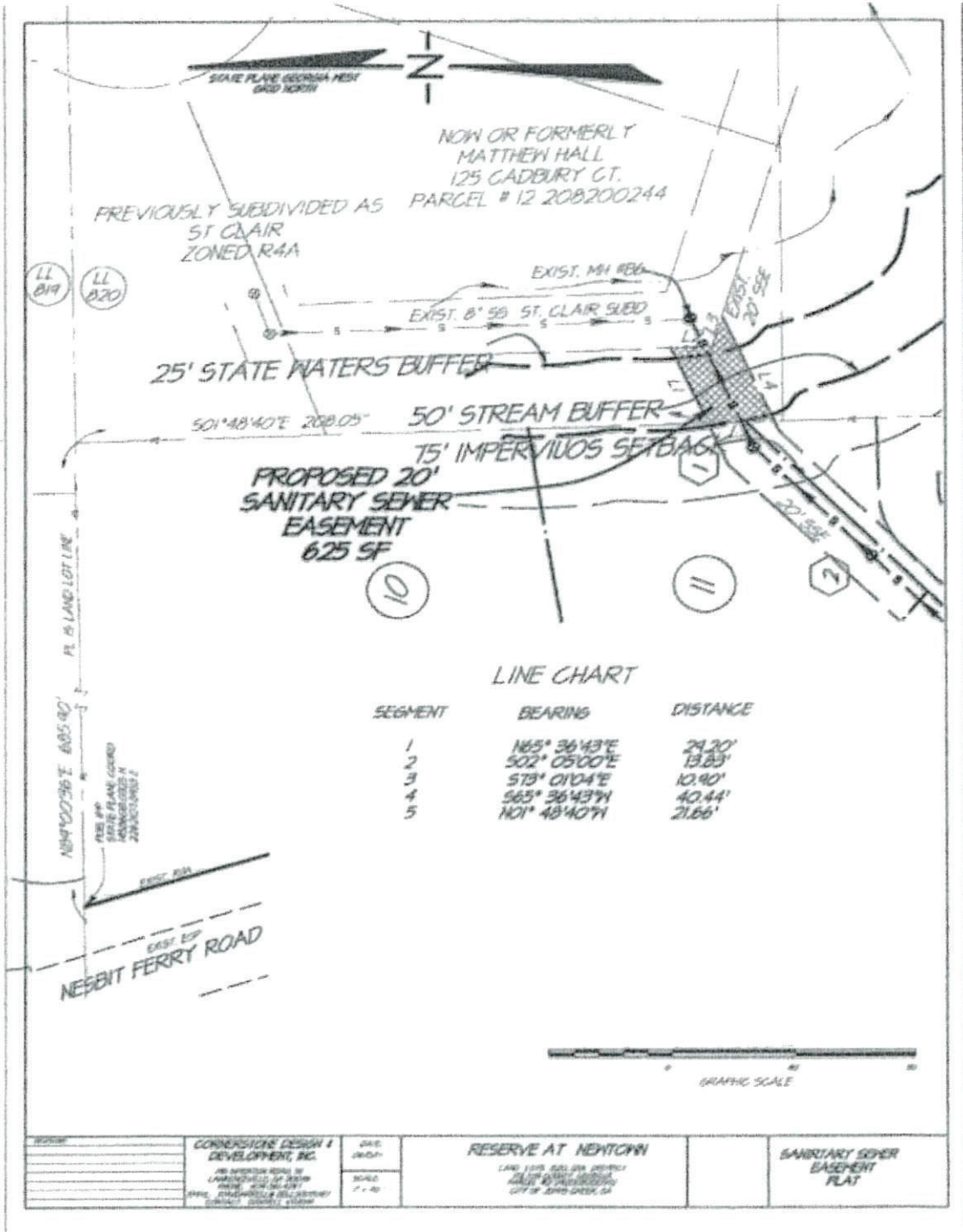
All that tract or parcel of land lying and being in Land Lot 820, 12th Land District, City of Johns Creek, Fulton County, Georgia, as shown on a survey and plat prepared by Cornerstone Design & Development, Inc. for Reserve at Newton, dated June 15, 2017, and being more particularly described as follows:

COMMENCING at a point located at the intersection of the land lot line common to Land Lots 819 and 820 at its intersection with the east right-of-way of Nesbit Ferry Road, State Plane Coordinate 1458608.0325N 2262107.8953 E; thence N 89° 00' 36" E 685.90 feet to a point; thence S 01° 48' 40" E 208.05 feet to a point located the TRUE POINT OF BEGINNING; thence N 65° 36' 43" E 29.20 feet; thence S 02° 05' 00" E 13.83 feet; thence S 73° 01' 04" E 10.90 feet; thence S 65° 36' 43" W 40.44 feet; thence N 01° 48' 40" W 21.66 feet to a point, said point being the TRUE POINT OF BEGINNING.

Said property contains 625 SF, more or less and as more particularly shown on the attached exhibit "A" which is incorporated herein by reference for a more full and complete description of said easement.

 01/27/2022
Wayne Allick Jr.

Fulton County Government
21-090WR:Reserve at Newtown



DS

01/27/2022

EXHIBIT A TO SEWER EASEMENT

Wayne Allick Jr.

Fulton County Government

21-090WR:Reserve at Newtown



Fulton County Board of Commissioners

Agenda Item Summary

Agenda Item No.: 22-0173

Meeting Date: 3/16/2022

Department

Real Estate and Asset Management

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Request approval of a Resolution declaring County-owned easement rights as surplus and authorizing the assignment of the Fulton County, Georgia Deed of Easement rights in non-County owned property at the intersection of Buffington Road and Roosevelt Highway (State Route No. 29) to the Georgia Department of Transportation (GDOT) for road purposes.

Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*

Pursuant to O.C.G.A. §36-9-3(a)(3)(A), the County may dispose of real property to any other body politic without first submitting the sale or conveyance to the process of an auction or the solicitation of sealed bids to a highest responsible bidder.

Strategic Priority Area related to this item *(If yes, note strategic priority area below)*

Open and Responsible Government

Commission Districts Affected

- All Districts
- District 1
- District 2
- District 3
- District 4
- District 5
- District 6

Is this a purchasing item?

No

Summary & Background *(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)*

Scope of Work: The Georgia Department of Transportation (“GDOT”) is requesting that Fulton County convey its real property interests obtained from CSX Transportation Inc. via a Deed of Easement, recorded in the Real Estate Records of Fulton County, Georgia in Deed Book 53791, Page 12 et seq. on May 8, 2014. The acquisition of Fulton County’s easement rights was obtained for

right-of-way project, CSCMQ -007-00(096). Fulton County is no longer handling the project and GDOT needs the easement rights to complete planned roadway improvements at the railway intersection of Buffington Road and Roosevelt Highway, State Route No. 29. Approval of Board of Commissioners is being requested to execute an assignment document to convey Fulton County's easement interests within the CSX right of way at this location to GDOT so that it may complete the road project.

Community Impact: The transfer of Fulton County's easement rights to GDOT will allow GDOT and their contractors to legally access the subject area and complete planned onsite improvements to the roadway system for the residents of this community.

Department Recommendation: : The Department of Real Estate and Asset Management recommends approval of the transfer of real property rights obtained from CSX Transportation, Inc., to GDOT for the purpose of completing roadway improvements at the railroad crossing of Buffington Road and Roosevelt Highway.

Project Implications: Pending approval, the transfer of Fulton County's property rights to GDOT will expedite the construction of planned roadway improvements to Buffington Road, a major roadway for the citizens of Fulton County.

Community Issues/Concerns: None

Department Issues/Concerns: None

History of BOC Agenda Item: This Item has not previously been before the BOC. It is not a Purchasing Item.

1 **A RESOLUTION DECLARING COUNTY-OWNED EASEMENTS RIGHTS AS**
2 **SURPLUS AND AUTHORIZING THE ASSIGNMENT OF THE FULTON COUNTY,**
3 **GEORGIA DEED OF EASEMENT RIGHTS IN NON-COUNTY OWNED PROPERTY AT**
4 **THE INTERSECTION OF BUFFINGTON ROAD AND ROOSEVELT HIGHWAY (STATE**
5 **ROUTE NO. 29) TO THE GEORGIA DEPARTMENT OF TRANSPORTATION (GDOT)**
6 **FOR ROAD PURPOSES; AND FOR OTHER PURPOSES.**

7 **WHEREAS**, on or about on March 24, 2014, Fulton County, Georgia (the “County”)
8 acquired a Deed of Easement (the “Easement”) from CSX Transportation, Inc. (“CSX”)
9 which was recorded in the Real Estate Records of Fulton County, Georgia in Deed Book
10 53791, Page 12 et seq. on May 8, 2014; and

11 **WHEREAS**, the Easement was acquired as part of a sidewalk improvement project
12 on Buffington Road (the “Project”) that passed over railroad tracks maintained by CSX
13 that are located in what was then unincorporated Fulton County and now within the
14 jurisdictional limits of the City of South Fulton; and

15 **WHEREAS**, the Easement was acquired using funds provided by the Georgia
16 Department of Transportation (“GDOT”) for that purpose; and

17 **WHEREAS**, GDOT has now taken over the Project and will complete all planned
18 roadway improvements and general construction at not cost to the local government; and

19 **WHEREAS**, the County has no further need for the Easement because it no longer
20 intends to perform the Project which is now located within the jurisdictional limits of the
21 City of South Fulton; and

22 **WHEREAS**, County staff has determined that assigning the County’s easement
23 rights in the Property to GDOT will best serve the public in allowing GDOT to perform the
24 Project; and

1 **WHEREAS**, GDOT is willing to accept the assignment of the County’s Easement;
2 and

3 **WHEREAS**, O.C.G.A. § 36-9-3(c) permits the County to sell, transfer, or convey
4 property to another body politic such as GDOT without competition; and

5 **NOW, THEREFORE, BE IT RESOLVED**, that the Board of Commissioners hereby
6 approves the assignment of the Easement to GDOT.

7 **BE IT FURTHER RESOLVED** that the Chairman of Fulton County Board of
8 Commissioners is authorized and directed to execute and deliver any and all documents
9 necessary to assign the Easement to GDOT.

10 **BE IT FURTHER RESOLVED**, that prior to execution of any documents, the
11 County Attorney shall approve any and all documents as to form and make any necessary
12 changes thereto to protect the County’s interests.

13 **BE IT FINALLY RESOLVED**, that this Resolution shall become effective upon its
14 adoption and that all resolutions and parts of resolutions in conflict with this Resolution
15 are hereby repealed to the extent of such conflict.

16 **SO PASSED AND ADOPTED**, this ____ day of March 2022.

17 **FULTON COUNTY BOARD OF COMMISSIONERS**

18
19
20 _____
21 Robert L. Pitts, Chairman

22
23

1 **ATTEST:**

2

3

4 _____
5 Tonya Grier,
6 Clerk to the Commission

7

8

8 **APPROVED AS TO FORM:**

9

10

11

12 _____
13 Y. Soo Jo
14 County Attorney

15

16

16 P:\CAProjects\Land\Buffington Road\3.8.22 Resolution Authorizing Assignment of Easement to GDOT(2).docx

Cross Reference: Book M-8, Page 152
Book 53791, Page 12

After recording, return to:

Johnson & Freeman, LLC.
6323 Roosevelt Highway
Union City, Georgia

ASSIGNMENT OF EASEMENT

STATE OF GEORGIA

Project No.: STP00-0000-13(948)

P.I. No.: 0013948

COUNTY OF FULTON

County: Fulton

THIS ASSIGNMENT OF EASEMENT (this "Assignment"), made and entered into as of the ____ day of March 2022, by and between FULTON COUNTY, GEORGIA, a political subdivision of the State of Georgia ("Assignor"), and the GEORGIA DEPARTMENT OF TRANSPORTATION ("Assignee").

NOW, THEREFORE, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) cash in hand paid by each party to the other party, and other good and valuable considerations, the receipt, adequacy, and sufficiency of which are hereby acknowledged, the parties hereto, intending to be legally bound, hereby agree as follows:

1. Assignment of Easements Rights. Assignor hereby assigns, conveys, transfers, and sets over unto Assignee all of Assignor's right, title, and interest in and to that certain Deed of Easement, executed on March 24, 2014, and recorded in the Real Estate Records of Fulton County, Georgia in Deed Book 53791, Page 12 *et seq.* on May 8, 2014.

2. Assumption. Assignee accepts the Assignment, and Assignee hereby assumes and agrees to perform all of the obligations of Assignor under the Assignment arising from and after the date hereof.

3. Miscellaneous. Time is of the essence of this Assignment. This Assignment shall be interpreted and governed in accordance with the laws of the State of Georgia. This Assignment shall be binding upon and shall inure to the benefit of Assignor, Assignee, and their respective successors, successors-in-title, assigns, heirs, executors, administrators, and

representatives. The headings inserted at the beginning of each Paragraph are for convenience only and do not add to or subtract from the meaning of the contents of the Paragraph. This Assignment represents the entire and complete agreement between the parties hereto and supersedes all prior negotiations, representations, or agreements, either written or oral, and cannot be varied except by written agreement between the parties. Should any provision of this Assignment require judicial interpretation, it is hereby agreed that the court interpreting or construing the same shall not apply a presumption that the terms hereof shall be more strictly construed against one party by reason of the rule of construction that a document is to be construed more strictly against the party who itself or through its agent prepared the same, it being agreed that the agents of all parties have participated in the preparation hereof. Each party may rely upon a facsimile, other electronically transmitted signatures, or "pdf" counterpart of this Assignment signed by the other party with the same effect as if such party had received an original counterpart signed by such other party.

4. Counterparts. To facilitate execution, this Assignment may be executed in as many counterparts as may be convenient or required. It shall not be necessary that the signature of, or on behalf of, each party, or that the signature of all persons required to bind any party, appear on each counterpart. All counterparts shall collectively constitute a single document. It shall not be necessary in making proof of this Assignment to produce or account for more than a single counterpart containing the respective signatures of, or on behalf of, each of the parties hereto. Any signature page to any counterpart may be detached from such counterpart without impairing the legal effect of the signatures thereon and thereafter attached to another counterpart identical thereto except having attached to it additional signature pages.

[Continued on Following Page]

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals as of the day and year first above written.

FULTON COUNTY, STATE OF GEORGIA

Robert L. Pitts, Chairman
Fulton County Board of Commissioners

Signed, sealed, and delivered
in the presence of:

Unofficial Witness

Notary Public
My commission expires: _____
Date of execution by notary
public: _____
[NOTARIAL SEAL]

ATTEST:

Tonya R. Grier, Clerk to the Commission

APPROVED AS TO FORM:

Y. Soo Jo
County Attorney

[Signatures Continued on Following Page]

GEORGIA DEPARTMENT OF
TRANSPORTATION

By: _____
Its: _____

Signed, sealed, and delivered
in the presence of:

Unofficial Witness

Notary Public

My commission expires: _____

Date of execution by notary
public: _____

[NOTARIAL SEAL]

P:\CAProjects\Land\Buffington Road\03.08.22 Assignment of Easement - Buffington Road.doc



Fulton County Board of Commissioners

Agenda Item Summary

Agenda Item No.: 22-0174

Meeting Date: 3/16/2022

Department

Public Works

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Request approval of a Memorandum of Agreement (MOA) between Fulton County and the Metropolitan North Georgia Water Planning District (MNGWPD) for continued participation in the District-wide Single-Family Residential Toilet Retrofit program in the total amount of \$30,000.00 for one year, effective upon execution.

Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*

Pursuant to O.C.G.A. Section 36-10-1 all contracts with Fulton County must be in writing on entered on the meeting minutes of the Board of Commissioners.

Strategic Priority Area related to this item *(If yes, note strategic priority area below)*

Health and Human Services

Commission Districts Affected

- All Districts
- District 1
- District 2
- District 3
- District 4
- District 5
- District 6

Is this a purchasing item?

No

Summary & Background *(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)*

Scope of Work: Emergency Water Conservation Measures (Board Item #07-0889) outlined a three-phased plan designed to encourage customers to reduce water usage. In addition to the three-phased plan, the Board agreed to participate in the toilet retrofit rebate program. The Department of Public Works recommends approval of a MOA for continued participation in the MNGWPD's Single-family High Efficiency Toilet (HET) Rebate Program as outlined in the MNGWPD's Water Resource Management Plan. The program applies to single-family homes (e.g. apartments, townhomes, and condominiums) built prior to 1993 and is administered

by the MNGWPD similar to the single-family toilet rebate program.

On March 17, 2021, the Board of Commissioners approved the 14th MOA with the MNGWPD (Board Item # 21-0200) allowing for Fulton County's continued participation in the District-wide residential toilet retrofit program. Under the 2021 MOA, Fulton County rebated 200 toilets, expended \$13,125 in total program costs and realized estimated daily water savings of over 3,480 gallons. The 2022 MOA will represent the 15th year Fulton County participates in this program.

The current program will provide \$75 rebates to homeowners who replace existing high-water-use toilets with ultra-high-efficiency toilets (UHET) using 1.1 gpf or less that have also received the EPA WaterSense certification. Each qualifying homeowner is allowed a maximum rebate of \$150. The Toilet Retrofit Program is administered by the MNGWPD and is a part of the Emergency Water Conservation Measures that were approved by the Board on November 7, 2007. Effective July 1, 2021 and forward, high-efficiency toilets (HET) using 1.28 gpf are no longer eligible for rebates.

Community Impact: Since the start of the program, Fulton County has issued 7,573 rebates totaling \$735,055 and has saved an estimated 130,334 gallons per day in water in water usage for the County. Continued participation in the Program would allow Public Works the ability to provide customers with incentives to encourage water conservation and assist in meeting the MNGWPD's goal of 11% reduction in per capita water usage by 2030.

Department Recommendation: The Department of Public Works recommends approval of a Memorandum of Agreement (MOA) for continued participation in the District-wide Single-family Toilet Retrofit program with the MNGWPD.

Project Implications: Discontinuation of the Program could potentially impact Public Works' ability to meet the MNGWPD's goal of 11% reduction in per capita water usage by 2030. Additionally, the implementation of a program to replace older, inefficient toilets with WaterSense labeled high efficiency toilets in single- and multi-family home is a requirement of the MNGWPD Water Resource Management Plan.

Community Issues/Concerns: The Department of Public Works is not aware of any issues/concerns raised by the community.

Department Issues/Concerns: The Department of Public Works does not have any issues or concerns with the agreement.

History of BOC Agenda Item: This MOA has been renewed under Board Item Numbers: 08-0196 (February 20, 2008); 09-0421 (April 15, 2009); 10-0271 (March 3, 2010); 11-0191 (March 2, 2011); 12-0215 (March 21, 2012); 13-0245 (April 5, 2013); 14-0225 (April 2, 2014); 15-0227 (March 18, 2015); 16-0116 (February 17, 2016); 17-0222 (March 15, 2017); 18-0105 (February 21, 2018); 19-0257 (April 10, 2019); 20-213 (March 18, 2020); and 21-200 (March 17, 2021).

Additional Information: To protect the interests of the County, the County Attorney shall approve the Memorandum of Agreement as to form and substance, and make any necessary modifications, prior to execution by the Chairman.

**MEMORANDUM OF AGREEMENT
FOR PARTICIPATION IN THE DISTRICT-WIDE
SINGLE FAMILY TOILET RETROFIT PROGRAM**

THIS AGREEMENT is made and entered into as of this _____ day of _____ 20_____, by and between, _____ (hereinafter referred to as the “Utility”) and the Metropolitan North Georgia Water Planning District (hereinafter referred to as the “District”) and is in effect as of _____ 20_____.

WITNESSETH:

WHEREAS, the Utility is responsible for developing and implementing a water conservation program within its service area; and

WHEREAS, the District will coordinate and manage a District-wide Toilet Retrofit Program (“the Program”) for single family residential customers by providing administrative services as stated in Duties of the District and

WHEREAS, the Utility desires to participate in the District-wide Program.

NOW, THEREFORE, in consideration of the premises and of the mutual covenants herein contained, and for other good and valuable consideration, the parties hereto agree as follows:

1. Duties of the Utilities

- a. Follows the administrative procedures developed by the District for the management of the program.
- b. Receives weekly notifications from the District of rebates to be processed and issue rebate credits to customers in a timely manner.
- c. Upon receipt of notification by the District of a customer’s eligibility for the toilet rebate, the Utility will respond to the District within 5 business days with notification of acceptance or rejection of each eligible customer and the reason for rejection.
- d. Answers customer questions about the status of their rebate credits (once their confirmation letters have been received).
- e. Agrees to pay District the processing fee for each toilet approved for rebate.
- f. Promotes the program through link on Utility websites, bill inserts, mailers, and/or other forms of communication.
- g. Verification of toilet installation is optional but would be the responsibility of the Utility.

2. Duties of the District

- a. Provides administrative services to process the rebate applications.
- b. Maintains a website, application form, and reporting database for utilities.
- c. Maintains a telephone number and email address for customer questions about the program and processing applications.
- d. Mails or makes available applications to single family residential customers only.
- e. Receives rebate application from customer and verifies eligibility. Eligibility is determined based on date of home construction, receipt of original toilet purchase receipt, copy of recent water bill in name of applicant and confirmation of eligible toilet model.
- f. Notifies the Utility of rebate amount to credit customer.
- g. Sends a confirmation/rejection letter to each customer.
- h. Provides management reports for Utilities to access on a regular basis.
- i. Invoices the Utility for the \$10.00 administrative fee for each toilet approved for rebate.
- j. Maintains billing accounts and financial records for three years after the completion of this Agreement and provide periodic status updates to the Utilities.
- k. Provides periodic invoices to each participating Utility for administrative fees.

3. Costs Paid by the Utility

The Utility hereby agrees to provide funding of \$_____ for this program for the term of the agreement unless the agreement is terminated at which time the Utility would fund any applications that have been approved by the District and Utility prior to termination. Funding is the total annual amount allocated by the Utility for rebate and administration fees for the term of this Agreement. In the event the Utility meets the previously stated funding amount prior to the expiration of this Agreement, the Utility is no longer obligated to provide rebates or administration fees.

The Utility further agrees that the District will only process rebates for toilets that have received the EPA WaterSense label. Rebates are only eligible for UHET toilets using 1.1gpf or less with a maximum rebate face value of \$75 per toilet. HET toilets using 1.28 gpf are no longer be eligible for rebates.

Additionally, the Utility agrees that an administrative charge of \$10.00 for each toilet approved for rebate will be charged. A customer can only receive two toilet rebates per property.

4. Payment Method

Utility will pay the \$10.00 administrative fee for each toilet approved for rebate to the District through periodic billings. Rebates will be issued by the Utility to participating Utility customers until the allotted rebate amount for the Utility is exhausted. The Utility may add additional funding at any time during their program participation by amending this Agreement.

5. Term

This Agreement shall become effective as of the date first written above and shall continue in full force and effect until_____. Either party may terminate this Agreement without cause by providing the other party written notice sixty (60) days prior to termination. This Agreement may be amended upon agreement of the parties. In the event of such termination, the Utility shall be obligated to pay all issued rebates and administrative costs associated with rebates approved prior to such termination.

IN WITNESS WHEREOF, the parties have hereto executed this Agreement as of the date first above written.

UTILITY

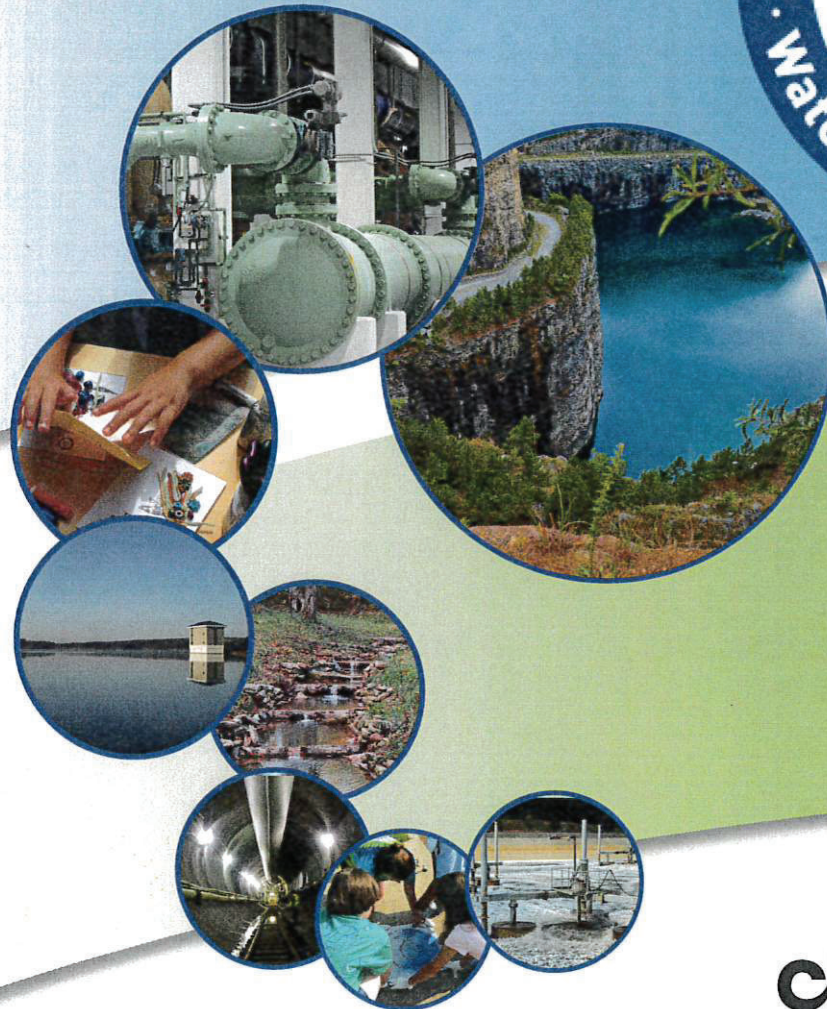
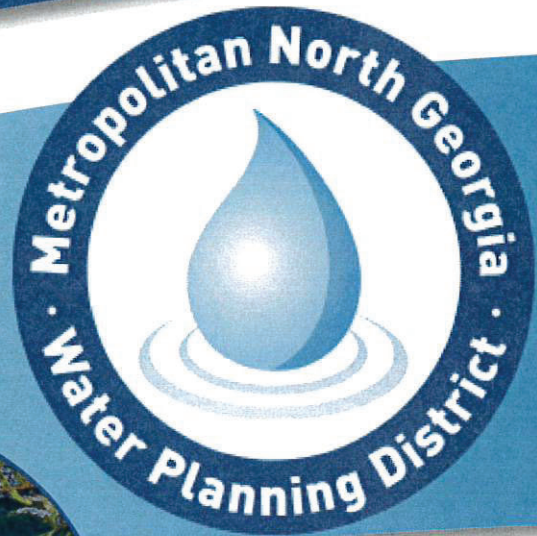
Tonya R. Grier
Fulton County
Clerk to the Commission

Robert L. Pitts, Chair
Fulton County
Board of Commission

METROPOLITAN NORTH GEORGIA
WATER PLANNING DISTRICT

By: _____
Title: Chairperson

WATER RESOURCE MANAGEMENT PLAN



Prepared by



June 2017

Amended December 2020

ACTION ITEM**WSWC-6: TOILET REPLACEMENT PROGRAM**

Intent	Responsible Party	In Coordination With
To reduce indoor water use and speed the conversion of older, inefficient toilets toward WaterSense labeled ultra high-efficiency toilets in single- and multi-family homes.	Local Water Provider	Local Government Local Wastewater Provider
Points of Integration		
This measure should result in decreased water demands, as well as decreased wastewater flows.		

Action Item: Implement a program to replace older, inefficient toilets with WaterSense labeled high-efficiency toilets using 1.1 gpf or less (WaterSense UHET) in single- and multi-family homes. WaterSense labeled toilets using 1.28 gpf will no longer be eligible for rebates after July 1, 2021.

Sub-Tasks: Each local water provider shall:

1. Establish a program to replace 3.5 gpf or greater toilets in single- and multi-family homes constructed prior to 1994 with WaterSense UHETs.
2. Provide information on opportunities to recycle any toilet being discarded pursuant to the toilet replacement program by linking to the Metro Water District website or other local resources.

Description: Single- and multi-family homes built prior to 1994 may contain inefficient toilets. While new toilets meet high efficiency standards, the replacement of older, inefficient toilets is needed to address existing stock and reduce indoor water use.

Implementation Guidance: Before the 1950s, new toilets typically used 7 gpf. By the end of the 1960s, new toilets typically used 5.5 gpf; in the 1980s, new toilets typically used 3.5 gpf. The federal Energy Policy Act of 1992 required all new toilets use no more than 1.6 gpf by 1994. In 2010 the Georgia Water Stewardship Act required that local governments adopt or amend local ordinances to require, among other things, that all new construction, on or after July 1, 2012, use WaterSense labeled toilets. WaterSense is a voluntary program of the EPA designed to identify and promote water efficient products and practices. WaterSense labeled toilets are independently certified to meet rigorous criteria for both performance and efficiency. Today, WaterSense UHETs are increasingly available with efficiency levels of 1.1 gpf or less.

This Action Item calls for a program to replace toilets in single and multifamily homes constructed prior to 1994 with WaterSense UHETs.

The toilet replacement program must specifically address toilet replacement rather than provide toilet retrofit devices. Examples of acceptable toilet replacement programs include the following:

- Rebate incentive program: Customer receives a water bill credit, cash or voucher to offset the cost of a new WaterSense UHET to be installed in a pre-1994 single- or multi-family home. Rebates shall be \$75.
- Direct install program: Customer exchanges a toilet from pre-1994 single- or multi-family homes for a WaterSense UHET with discounted installation through the local water provider.
- Other: Local water providers may create their own programs as long as the program actually results in the replacement of toilets in pre-1994 single- and multi-family homes with WaterSense UHETs. These programs may take a variety of forms, including but not limited to on-bill financing programs for toilet

replacements and programs requiring that toilets using 3.5 gpf or more be replaced as a condition of a customer establishing water service.

If a local water provider chooses to have a single replacement program covering both single and multi-family homes, funds may be made available on a first come, first served basis.

As a matter of customer service, rebates of 1.28 gpf may still be allowed as a hardship exception when a customer in good faith purchases a dual-flush toilet with one flush at 1.1 gpf or less or uses an outdated paper rebate application form provided by a retailer.

Due to the high value of rebate programs for multi-family homes, it is recommended that the local water provider include an inspection element in any multi-family rebate program to prevent possible fraud. This can be done through a physical inspection or by reviewing billing data post-installation.

The local water provider should provide information on available toilet recycling opportunities. There are recycling facilities in the region that will recycle crushed porcelain for various uses, such as a concrete aggregate or bathroom tile. Many homeowners may not be aware of recycling options when replacing a toilet.

Considerations for Enhanced Implementation: The optional considerations for enhanced implementation include the following:

- Add an additional requirement that program participants provide documentation or other proof that the replaced toilet uses 3.5 gpf or more, such as requiring a section on the rebate application form for the customer to record the gallons per flush of the old toilet or including a customer self-certification.
- Low-income and disadvantaged customers often live in pre-1994 single- and multi-family homes and spend a greater percentage of their income on utility bills. These customers may experience financial difficulties participating in a rebate incentive program if they cannot afford to purchase the new plumbing fixture before the rebate money is received. A voucher or direct install program for customers with a lower household income would encourage indoor water efficiency in pre-1994 single- and multi-family homes. As an example, the City of Atlanta's Care and Conserve program provides payment assistance to qualified customers.
- Local water providers may also consider placing toilet recycling containers at other local government buildings. The City of Atlanta provides free toilet recycling to its residential water customers at the Center for Hard to Recycle Materials. Gwinnett County Water Resources offers free toilet recycling to its residential customers by providing a recycling container for old toilets at its building. Gwinnett County Water Resources covers the cost of transporting the container to a local recycler. This free service is promoted to customers participating in the toilet replacement program and has kept hundreds of tons of porcelain from the landfill.
- Require recycling for all toilets replaced through the multi-family toilet replacement program. Some local water providers require the customer to agree to transport the used porcelain toilets to an approved recycler within the Metro Water District area. The customer must provide documentation from the recycler that the toilets were disposed properly before the rebate credit will be issued to the account.

Opportunities for Technical Assistance: The Metro Water District's Technical Assistance Program may provide support for implementation of this Action Item through the following types of activities:

- Administering a regional rebate program for single-family homes
- Creating and administering a regional rebate program for multi-family homes
- Offering a regional program for low-income and disadvantaged customers using grant funding
- Developing a regional list of toilet recycling facilities



Resources:

- EPA, WaterSense Toilets, information page, <https://www3.epa.gov/watersense/products/toilets.html>
- MaP Testing Premium Ultra-High-Efficiency Toilet page, <http://www.map-testing.com/content/info/menu/map-premium.html>



Fulton County Board of Commissioners

Agenda Item Summary

Agenda Item No.: 22-0175

Meeting Date: 3/16/2022

Department

Public Works

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Request approval of a Memorandum of Agreement (MOA) between Fulton County and the Metropolitan North Georgia Water Planning District (MNGWPD) for continued participation in the District-wide Multi-family High Efficiency (HET) Toilet Rebate Program administered by the MNGWPD and pursuant to the requirements of the MNGWPD's Water Resource Management Plan in the amount of \$30,000.00 for one year effective upon execution.

Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*

Pursuant to O.C.G.A. Section 36-10-1, all contracts with Fulton County must be in writing and entered on the meeting minutes of the Board of Commissioners; O.C.G.A. § 12-5-572 established the MNGWPD and charged it with addressing comprehensive water resource management planning from a regional perspective through policies, plans and intergovernmental coordination.

Strategic Priority Area related to this item *(If yes, note strategic priority area below)*

Health and Human Services

Commission Districts Affected

- All Districts
- District 1
- District 2
- District 3
- District 4
- District 5
- District 6

Is this a purchasing item?

No

Summary & Background *(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)*

Scope of Work: The Department of Public Works recommends approval of a MOA for continued participation in the MNGWPD's Multi-family High Efficiency Toilet (HET) Rebate Program as outlined

in the MNGWPD's Water Resource Management Plan. The program applies to multi-family homes (e.g. apartments, townhomes, and condominiums) built prior to 1993 and is administered by the MNGWPD similar to the single-family toilet rebate program.

On March 17, 2021, the Board of Commissioners approved the 4th MOA with the MNGWPD (Board Item # 21-0201) allowing for Fulton County's participation in the District-wide multi-family toilet retrofit program. Under the 2021 MOA, no rebates were issued. For 2022, the MNGWPD is pursuing alternative ways to promote participation in the program. The 2022 MOA represents the 5th year Fulton County will participate in the program.

In June 2010, Georgia adopted new standards to require more efficient plumbing fixtures with the Water Stewardship Bill. Starting in July 2012 high efficiency toilets (HETs) that use no more than 1.28 gallons of water per flush are required to be installed in residences. Additionally, the MNGWPD's Water Supply and Water Conservation Plan requires the implementation of a strategy to distribute, install, or provide incentives to replace higher flow fixtures in multi-family properties built in or prior to 1993.

The Multi-family High Efficiency Toilet (HET) Rebate Program provides \$75 rebates to the owners of townhomes, condominiums, and apartment dwellings that replace existing high-water-use toilets with ultra-high-efficiency toilets (UHET) using 1.1 gpf or less that have also received the EPA WaterSense certification. Effective July 1, 2021 and forward, high efficiency toilets (HET) using 1.28 gpf will no longer be eligible for rebates. The maximum rebate amount allowed per property is \$15,000.00. The program is administered by MNGWPD and includes a post-inspection component conducted by the MNGWPD.

Community Impact: Since the start of the program, Fulton County has issued 100 rebates totaling \$8,175 and has saved an estimated 2,939 gallons per day in water in water usage for the County. Continued participation in the Program would allow Public Works the ability to provide customers with incentives to encourage water conservation and assist in meeting the MNGWPD's goal of 11% reduction in per capita water usage by 2030.

Department Recommendation: The Department of Public Works recommends approval of a Memorandum of Agreement (MOA) for the continued participation in the District-wide Toilet Retrofit program for Multi-Use residences with the MNGWPD.

Project Implications: The implementation of a program to replace older, inefficient toilets with WaterSense labeled high efficiency toilets in single- and multi-family home is a requirement of the MNGWPD Water Resource Management Plan. Failure to participate in the program could potentially impact Fulton County's ability to meet the MNGWPD's goal of 11% reduction in per capita water usage by 2030.

Community Issues/Concerns: The Department of Public Works is not aware of any issues/concerns raised by the community.

Department Issues/Concerns: The Department of Public Works does not have any issues or concerns with the agreement.

History of BOC Agenda Item:

Previous renewals were approved by the BOC under Board Item Numbers: 18-0106 (February 21, 2018); 19-0256 (April 10, 2019); 20-0214 (March 18, 2020); and 21-0201 (March 17, 2021).

Additional Information:

To protect the interests of the County, the County Attorney shall approve the [e.g., contract, Intergovernmental Agreement, Memorandum of Understanding, etc.] as to form and substance, and make any necessary modification, prior to execution by the Chairman.

**MEMORANDUM OF AGREEMENT
PARTICIPATION IN THE DISTRICT’S MULTI-FAMILY TOILET REBATE
PROGRAM**

THIS AGREEMENT is made and entered into as of this _____ day of _____ 20_____, by and between, _____(hereinafter referred to as the “Utility”) and the Metropolitan North Georgia Water Planning District (hereinafter referred to as the “District”) and is in effect as of _____ 20_____.

WITNESSETH:

WHEREAS, the Utility is responsible for developing and implementing a water conservation program within its service area,

WHEREAS, the District will coordinate and manage a District-wide Multi-Family Toilet Rebate Program (“the Program”) for certain multi-family residential customers by providing administrative services as stated in Duties of the District, and

WHEREAS, the Utility desires to participate in the District-wide Program, and

NOW, THEREFORE, in consideration of the premises and of the mutual covenants herein contained, and for other good and valuable consideration, the parties hereto agree as follows:

1. Duties of the Utilities

- a. Follows the administrative procedures developed by the District for the management of the Program.
- b. Receives weekly notifications from the District of rebates to be processed and issue rebate credits to customers in a timely manner.
- c. Upon receipt of notification by the District of a customer’s eligibility for the toilet rebate, the Utility will respond to the District within 5 business days with notification of acceptance or rejection of each eligible customer and the reason for rejection.
- d. Answers customer questions about the status of their rebate credits (once their confirmation letters have been received).
- e. Agrees to pay District the administrative charge for each application approved for rebate.
- f. Promotes the Program through a link on the Utility’s website, bill inserts, mailers, and/or other forms of communication.
- g. On site verification of toilet installation is optional but would be the responsibility of the Utility.

2. Duties of the District

- a. Provides administrative services to process pre-approvals, rebate applications, and post-installation verification, which includes a virtual inspection of select toilets at each customer location when technically feasible.
- b. Maintains a website, pre-approval and application forms, and reporting database for utilities.

- c. Maintains a telephone number and email address for customer questions about the Program and processing applications.
- d. Makes available applications to multi-family residential customers only.
- e. Receives rebate application from customer and verifies eligibility. To be eligible, applicants must at a minimum (i) own or represent the owners of a multi-family residential building (no institutional or commercial buildings) on a master meter and built prior to 1994, (ii) plan to install a tank-type toilet (not flush-valve toilets), (iii) be current on their water bill, (iv) be applying to replace at least 30 toilets but not more than _____, and (v) obtain preapproval, install the new toilets, and schedule post-installation verification within a 90-day period.
- f. Inspect and approve new toilets in a post-installation virtual inspection with customer.
- g. Notifies the Utility of rebate amount to credit customer.
- h. Sends a confirmation/rejection letter to each customer.
- i. Provides management reports for Utilities to access on a regular basis.
- j. Invoices the Utility for the per-application administrative charges.
- k. Maintains billing accounts and financial records for three years after the completion of this Agreement and provide periodic status updates to the Utilities.

3. Costs Paid by Utility

The Utility hereby agrees to provide funding of \$_____ for this program for the term of the agreement unless the agreement is terminated at which time the Utility would fund any applications that have been approved by the District and Utility prior to termination. Funding is the total annual amount allocated by the Utility for rebate and administration fees for the term of this Agreement. In the event the Utility meets the previously stated funding amount prior to the expiration of this Agreement, the Utility is no longer obligated to provide rebates or administration fees.

The Utility further agrees that the District will only process rebates for toilets that have received the EPA WaterSense label. The Utility further agrees that the District will only process rebates for toilets that have received the EPA WaterSense label. Rebates are only eligible for UHET toilets using 1.1gpf or less with a maximum rebate face value of \$75 per toilet. HET toilets using 1.28 gpf are no longer be eligible for rebates.

Additionally, the Utility agrees that an administrative charge of \$400 for rebate applications covering 30 to 90 toilets and \$675 for rebate applications covering 91 or more toilets.

4. Payment Method

Utility will pay administrative charges to the District through periodic billings. Rebates will be issued by the Utility to participating Utility customers until the allotted rebate amount for the Utility is exhausted. The Utility may add additional funding at any time during their Program participation by amending this Agreement.

5. Term

This Agreement shall become effective as of the date first written above and shall continue in

full force and effect until _____. Either party may terminate this Agreement without cause by providing the other party written notice sixty (60) days prior to termination. This Agreement may be amended upon agreement of the parties. In the event of such termination, the Utility shall be obligated to pay all issued rebates and administrative charges associated with rebates approved prior to such termination.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals on the date and year first above written.

UTILITY

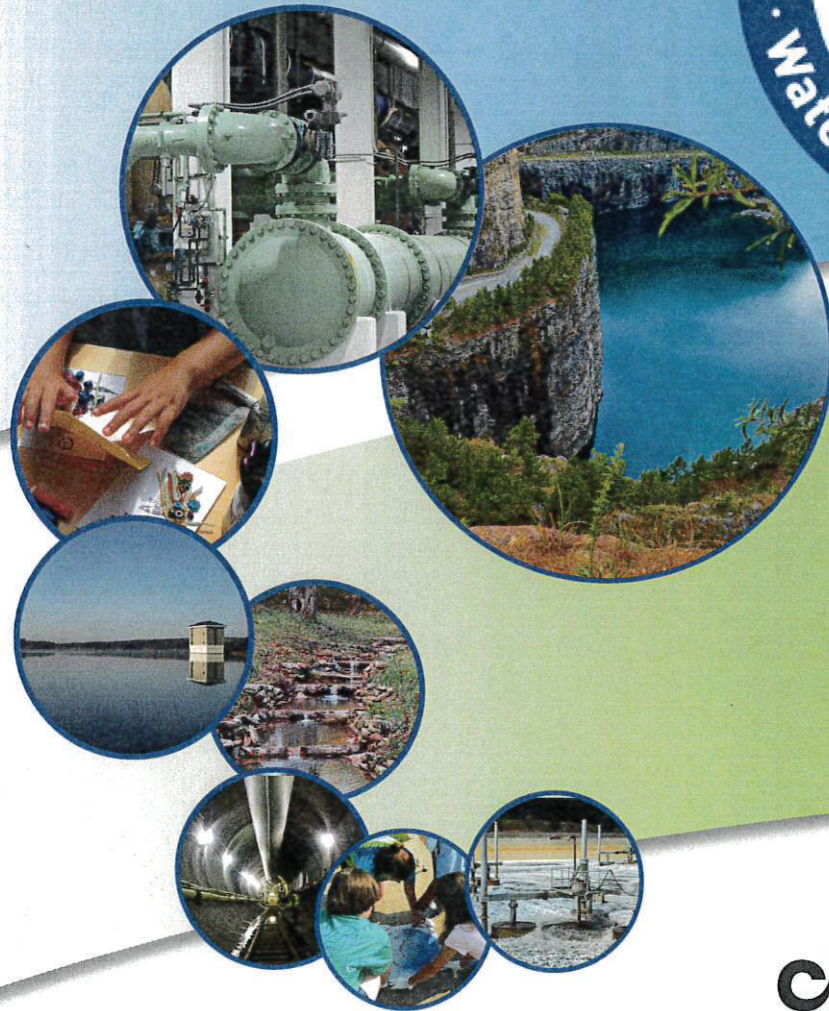
Tonya R. Grier
Fulton County
Clerk to the Commission

Robert L. Pitts, Chair
Fulton County
Board of Commission

METROPOLITAN NORTH GEORGIA
WATER PLANNING DISTRICT

By: _____
Title: Chairperson

WATER RESOURCE MANAGEMENT PLAN



Prepared by

ch2mSM



BLACK & VEATCH

June 2017

Amended December 2020

ACTION ITEM**WSWC-6: TOILET REPLACEMENT PROGRAM**

Intent	Responsible Party	In Coordination With
To reduce indoor water use and speed the conversion of older, inefficient toilets toward WaterSense labeled ultra high-efficiency toilets in single- and multi-family homes.	Local Water Provider	Local Government Local Wastewater Provider
Points of Integration		
This measure should result in decreased water demands, as well as decreased wastewater flows.		

Action Item: Implement a program to replace older, inefficient toilets with WaterSense labeled high-efficiency toilets using 1.1 gpf or less (WaterSense UHET) in single- and multi-family homes. WaterSense labeled toilets using 1.28 gpf will no longer be eligible for rebates after July 1, 2021.

Sub-Tasks: Each local water provider shall:

1. Establish a program to replace 3.5 gpf or greater toilets in single- and multi-family homes constructed prior to 1994 with WaterSense UHETs.
2. Provide information on opportunities to recycle any toilet being discarded pursuant to the toilet replacement program by linking to the Metro Water District website or other local resources.

Description: Single- and multi-family homes built prior to 1994 may contain inefficient toilets. While new toilets meet high efficiency standards, the replacement of older, inefficient toilets is needed to address existing stock and reduce indoor water use.

Implementation Guidance: Before the 1950s, new toilets typically used 7 gpf. By the end of the 1960s, new toilets typically used 5.5 gpf; in the 1980s, new toilets typically used 3.5 gpf. The federal Energy Policy Act of 1992 required all new toilets use no more than 1.6 gpf by 1994. In 2010 the Georgia Water Stewardship Act required that local governments adopt or amend local ordinances to require, among other things, that all new construction, on or after July 1, 2012, use WaterSense labeled toilets. WaterSense is a voluntary program of the EPA designed to identify and promote water efficient products and practices. WaterSense labeled toilets are independently certified to meet rigorous criteria for both performance and efficiency. Today, WaterSense UHETs are increasingly available with efficiency levels of 1.1 gpf or less.

This Action Item calls for a program to replace toilets in single and multifamily homes constructed prior to 1994 with WaterSense UHETs.

The toilet replacement program must specifically address toilet replacement rather than provide toilet retrofit devices. Examples of acceptable toilet replacement programs include the following:

- Rebate incentive program: Customer receives a water bill credit, cash or voucher to offset the cost of a new WaterSense UHET to be installed in a pre-1994 single- or multi-family home. Rebates shall be \$75.
- Direct install program: Customer exchanges a toilet from pre-1994 single- or multi-family homes for a WaterSense UHET with discounted installation through the local water provider.
- Other: Local water providers may create their own programs as long as the program actually results in the replacement of toilets in pre-1994 single- and multi-family homes with WaterSense UHETs. These programs may take a variety of forms, including but not limited to on-bill financing programs for toilet

replacements and programs requiring that toilets using 3.5 gpf or more be replaced as a condition of a customer establishing water service.

If a local water provider chooses to have a single replacement program covering both single and multi-family homes, funds may be made available on a first come, first served basis.

As a matter of customer service, rebates of 1.28 gpf may still be allowed as a hardship exception when a customer in good faith purchases a dual-flush toilet with one flush at 1.1 gpf or less or uses an outdated paper rebate application form provided by a retailer.

Due to the high value of rebate programs for multi-family homes, it is recommended that the local water provider include an inspection element in any multi-family rebate program to prevent possible fraud. This can be done through a physical inspection or by reviewing billing data post-installation.

The local water provider should provide information on available toilet recycling opportunities. There are recycling facilities in the region that will recycle crushed porcelain for various uses, such as a concrete aggregate or bathroom tile. Many homeowners may not be aware of recycling options when replacing a toilet.

Considerations for Enhanced Implementation: The optional considerations for enhanced implementation include the following:

- Add an additional requirement that program participants provide documentation or other proof that the replaced toilet uses 3.5 gpf or more, such as requiring a section on the rebate application form for the customer to record the gallons per flush of the old toilet or including a customer self-certification.
- Low-income and disadvantaged customers often live in pre-1994 single- and multi-family homes and spend a greater percentage of their income on utility bills. These customers may experience financial difficulties participating in a rebate incentive program if they cannot afford to purchase the new plumbing fixture before the rebate money is received. A voucher or direct install program for customers with a lower household income would encourage indoor water efficiency in pre-1994 single- and multi-family homes. As an example, the City of Atlanta's Care and Conserve program provides payment assistance to qualified customers.
- Local water providers may also consider placing toilet recycling containers at other local government buildings. The City of Atlanta provides free toilet recycling to its residential water customers at the Center for Hard to Recycle Materials. Gwinnett County Water Resources offers free toilet recycling to its residential customers by providing a recycling container for old toilets at its building. Gwinnett County Water Resources covers the cost of transporting the container to a local recycler. This free service is promoted to customers participating in the toilet replacement program and has kept hundreds of tons of porcelain from the landfill.
- Require recycling for all toilets replaced through the multi-family toilet replacement program. Some local water providers require the customer to agree to transport the used porcelain toilets to an approved recycler within the Metro Water District area. The customer must provide documentation from the recycler that the toilets were disposed properly before the rebate credit will be issued to the account.

Opportunities for Technical Assistance: The Metro Water District's Technical Assistance Program may provide support for implementation of this Action Item through the following types of activities:

- Administering a regional rebate program for single-family homes
- Creating and administering a regional rebate program for multi-family homes
- Offering a regional program for low-income and disadvantaged customers using grant funding
- Developing a regional list of toilet recycling facilities



Resources:

- EPA, WaterSense Toilets, information page, <https://www3.epa.gov/watersense/products/toilets.html>
- MaP Testing Premium Ultra-High-Efficiency Toilet page, <http://www.map-testing.com/content/info/menu/map-premium.html>



Fulton County Board of Commissioners

Agenda Item Summary

Agenda Item No.: 22-0176

Meeting Date: 3/16/2022

Department

Public Works

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Request approval of a change order less than 10% - Department of Public Works, 20RFP126602K-BKJ, Building Code Administration, Construction Management, and Planning Services to increase the hourly billing rates as outlined in the attached letter with NOVA Engineering and Environmental, LLC (Kennesaw, GA), to provide building code administration services, construction management services and planning services. No additional funding is required. Effective upon BOC approval.

Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*

In accordance with Purchasing Code Section 102-420, contract modifications within the scope of the contract and necessary for contract completion of the contract, in the specifications, services, time of performance or terms and conditions of the contract shall be forwarded to the Board of Commissioners for approval.

Strategic Priority Area related to this item *(If yes, note strategic priority area below)*

Health and Human Services

Commission Districts Affected

- All Districts
- District 1
- District 2
- District 3
- District 4
- District 5
- District 6

Is this a purchasing item?

Yes

Summary & Background *(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)*

Scope of Work:

The contract allows for NOVA to provide building code administration, construction management, and planning services associated with new development and redevelopment activity within the Fulton

Industrial District area of unincorporated Fulton County. This contract provides building code administration services on an as needed basis for the five following functional areas: administration, inspections of commercial buildings, inspections of residential buildings, commercial plan review and residential plan review.

The contract was renewed by the Board of Commissioners on October 20, 2021 (Agenda Item #21-0826). Shortly after the start of 2022, NOVA requested that their hourly rates be adjusted by 7.5% due to the increases in the Consumer Price Index (CPI) in 2021. The letter received by Public Works from NOVA with the proposed rates and supporting information may be found as Exhibit 3. If this contract with the revised hourly rates are approved, the contract amount will remain at \$390,000.00 for 2022 and will not be increased without BOC approval.

Community Impact: Approval of revised hourly increases will avoid delays in processing of permits and inspections associated with new and redevelopment in the unincorporated area of Fulton County.

Department Recommendation: The Department of Public Works recommends approval of change order less than 10% to the contract with NOVA not to exceed the awarded amount of \$325,000.00.

Project Implications: The increase in hourly rate will allow for NOVA to continue in their role to process, approve, and inspect new and redevelopment projects in the unincorporated area of Fulton County. Without this increase, it is likely that Fulton County would need to resolicit for these services.

Community Issues/Concerns: Public Works is not aware of any community issues or concerns.

Department Issues/Concerns: The Department of Public Works does not have any issues or concerns with the proposed hourly rates.

Contract Modification:

Current Contract History	BOC Item	Date	Dollar Amount
Original Award Amount	20-0992	12/16/2020	\$390,000.00
1st Renewal	21-0826	10/20/2021	\$325,000.00
Amendment No. 1			\$0.00
Total Revised Amount			\$715,000.00

Contract & Compliance Information *(Provide Contractor and Subcontractor details.)*

Contract Value: \$325,000.00
Prime Vendor: NOVA Engineering and Environmental, LLC
Prime Status: *Non-Minority*

Location: Kennesaw, GA
County: Cobb County
Prime Value: \$325,000.00 or 100.00%
Sub-Contractor: NONE

Total Contract Value: \$325,000.00 or 100.00%
Total M/FBE Value: \$-0-

Exhibits Attached

Exhibit 1: Change Order Agreement
Exhibit 2: Contractor's Performance Report
Exhibit 3: FC Building Codes Adm Services

Contact Information

David Clark, Director of Public Works

Contract Attached

Yes

Previous Contracts

Yes

Total Contract Value

Original Approved Amount: \$390,000.00
Previous Adjustments: \$325,000.00
This Request: \$0.00
TOTAL: \$715,000.00

Grant Information Summary

Amount Requested: Cash
Match Required: In-Kind
Start Date: Approval to Award
End Date: Apply & Accept
Match Account \$:

Fiscal Impact / Funding Source

Funding Line 1:

301-540-1252-1160: South Fulton Sub-District, Public Works, Professional Services - \$25,000.00

Agenda Item No.: 22-0176

Meeting Date: 3/16/2022

Funding Line 2:

301-540-1256-1160: South Fulton Sub-District, Public Works, Professional Services - \$125,000.00

Funding Line 3:

301-540-1257-1160: South Fulton Sub-District, Public Works, Professional Services - \$175,000.00

Key Contract Terms	
Start Date: BOC Approval	End Date: 12/31/2022
Cost Adjustment:	Renewal/Extension Terms:

Overall Contractor Performance Rating:

Would you select/recommend this vendor again?

Choose an item.

Report Period Start:
1/1/2021

Report Period End:
07/71/2021

CHANGE ORDER NO. 1 TO FORM OF CONTRACT

Contractor: **NOVA Engineering and Environmental, LLC**

Contract No. **20RFP126602K-BKJ – Building Code Administration, Construction Management, and Planning Services**

Address: **390 Kennesaw 75 Parkway, Suite 100**
City, State **Kennesaw, GA 30144**

Telephone: **770-425-0777**

E-mail address: swillenborg@usanova.com

Contact: **J. Stephen Willenborg**
Vice President

W I T N E S S E T H

WHEREAS, Fulton County (“County”) entered into a Contract with NOVA Engineering and Environmental, LLC to provide building code administration, construction management, and planning services for the unincorporated area of Fulton County dated January 1, 2021 on behalf of the Department of Public Works; and

WHEREAS, to increase current hourly rates of staff used to perform these services per the attached pricing sheet;

WHEREAS, the Contractor has performed satisfactorily over the period of the contract; and

WHEREAS, this Change Order No. 1 was approved by the Fulton County Board of Commissioners on March 16, 2022 Agenda Item #22-XXXX.

NOW, THEREFORE, the County and the Contractor agree as follows:

This Change Order No. 1 to Form of Contract is effective as of the 16th day of March, 2022, between the County and NOVA Engineering and Environmental, LLC, who agree that all Services specified will be performed by in accordance with this Change Order No. 1 to Form of Contract and the Contract Documents.

1. **SCOPE OF WORK TO BE PERFORMED:** Scope of work remains the same in providing professional services for building code administration, construction management, and planning services as needed.
2. **COMPENSATION:** No additional funding is required.
3. **LIABILITY OF COUNTY:** This Change Order No.1 to Form of Contract shall not

become binding on the County and the County shall incur no liability upon same until such agreement has been executed by the County Manager, attested to by the Clerk to the Commission and delivered to Contractor.

4. **EFFECT OF CHANGE ORDER NO. 1 TO FORM OF CONTRACT:** Except as modified by this Change Order No. 1 to Form of Contract, the Contract, and all Contract Documents, remain in full force and effect.

[INTENTIONALLY LEFT BLANK]

IN WITNESS THEREOF, the Parties hereto have caused this Contract to be executed by their duly authorized representatives as attested and witnessed and their corporate seals to be hereunto affixed as of the day and year date first above written.

OWNER:

FULTON COUNTY, GEORGIA

Robert L. Pitts, Chairman
Fulton County Board of Commissioners

ATTEST:

Tonya R. Grier
Clerk to the Commission

(Affix County Seal)

APPROVED AS TO FORM:

Office of the County Attorney

APPROVED AS TO CONTENT:

David Clark, Director
Department of Public Works

CONTRACTOR:

**NOVA Engineering and
Environmental, LLC**

J. Stephen Willenborg
Vice President

ATTEST:

Secretary/
Assistant Secretary

(Affix Corporate Seal)

ATTEST:

Notary Public

County: _____

Commission Expires: _____

(Affix Notary Seal)

ITEM#: _____ RCS: _____ RECESS MEETING	ITEM#: _____ RM: _____ REGULAR MEETING
--	--




**DEPARTMENT OF PURCHASING &
CONTRACT COMPLIANCE**

CONTRACTORS PERFORMANCE REPORT

PROFESSIONAL SERVICES

Report Period Start	Report Period End	Contract Period Start	Contract Period End
Purchaser Order Number		Purchase Order Date	
Department			
Bid Number		Service Commodity	
Contractor			
Performance Rating			
0 = Unsatisfactory	Archives contract requirements less than 50% of the time not responsive, effective and/or efficient; unacceptable delay; incompetence; high degree of customer dissatisfaction.		
1 = Poor	Archives contract requirements 70% of the time. Marginally responsive, effective and/or efficient; delays require significant adjustments to programs; key employees marginally capable; customer somewhat satisfied.		
2 = Satisfactory	Archives contract requirements 80% of the time. Generally responsive, effective and/or efficient; delays are excusable and/or results in minor programs adjustments; employees are capable and satisfactorily providing service without intervention; customers indicate satisfaction.		
3 = Good	Archives contract requirements 90% of the time. Usually responsive; effective and/or efficient; delays have not impact on programs/mission; key employees are highly competent and seldom require guidance; customers are highly satisfied		
4 = Excellent	Archives contract requirements 100% of the time. Immediately responsive; highly efficient and/or effective; no delays; key employees are experts and require minimal directions; customers expectations are exceeded.		
1. Quality of Goods/Services		(Specification Compliance – Technical Excellence – Reports/Administration – Personnel Qualification)	
	0		
	1		
	2		
	3		
	4		
2. Timeliness of Performance		(Were Milestones Met Per Contract – Response Time (per agreement, if applicable) – Responsiveness to Directions/ Change – On Time Completion Per Contract)	
	0		
	1		
	2		
	3		
	4		

3. Business Relations		(Responsiveness to Inquires – Prompt Problem Notifications)
	0	
	1	
	2	
	3	
	4	
4. Customer Satisfaction		(Met User Quality Expectations – Met Specification – Within Budget – Proper Invoicing – No Substitutions)
	0	
	1	
	2	
	3	
	4	
5. Contractors Key Personnel		(Credentials/Experience Appropriate – Effective Supervision/Management – Available as Needed)
	0	
	1	
	2	
	3	
	4	

Overall Performance Rating		Date	
Would you select/recommend this vendor again?			
Rating completed by:			
Department Head Name:			
Department Head Signature			

After completing the form:
 Submit to Purchasing
 Print a copy for your records
 Save the form



February 22, 2022

FULTON COUNTY
DEPARTMENT OF PUBLIC WORKS
141 Pryor Street, NW
Suite 6001
Atlanta, Georgia 30303

Attention: Mr. David E. Clark, PE
Director of Public Works

Subject: Proposed Billing Rates for Contract Extension
BUILDING CODE ADMINISTRATION, CONSTRUCTION MANAGEMENT AND PLANNING SERVICES
Fulton County Contract # 20RFP126602K-BKJ
NOVA Project Number 4122013

Dear Mr. Clark:

NOVA ENGINEERING AND ENVIRONMENTAL, LLC (NOVA) has completed the first year of the above-referenced annual contract for the Fulton County Department of Public Works. The County has recently approved extension of our contract for a second year, from January 1 through December 31, 2022. Per provisions of our Cost Proposal contained in this contract, we are requesting your consideration of increasing our hourly billing rates for this second year.

Our Cost Proposal noted that hourly billing rates would be adjusted on annual basis, in accordance with the Consumer Price Index (CPI) over that previous year. As a point of reference, the CPI in the United States (data from US Bureau of Labor Statistics) shows a 7.5% increase from January 2021 to January 2022. Attached to this letter is a screen shot from the BLS website that shows this increase.

The table below presents the titles and unit rates originally proposed for this contract, taken from our Cost Proposal. We have indicated the current billing rates and our proposed billing rates taking into account the CPI increase over the past 12 months. We request that our contract rates be increased to those shown below as soon as possible:

POSITION	CURRENT BILLING RATE (per hour)	PROPOSED BILLING RATE
Building Code Administration		
Administration	\$65	\$69.75
Commercial Plan Review	85	91.25
Residential Plan Review	85	91.25
Commercial Inspections	80	86.00
Residential Inspections	75	80.50
Special Services District Projects	65	69.75

Construction Management		
Engineering Review for Land Dev.	92.50	99.50
Site Dev./Infrastructure Inspections	67.50	72.50
MS4 and LIA Compliance	71.50	76.75
Planning Services		
Documents and Records Coordinator	37.50	40.25
Planner I	44.50	47.75
Planner II	53.50	57.50
Planner III	62.00	66.50
Senior Planner	66.00	71.00
Deputy Director	88.00	94.50

We appreciate the opportunity to continue providing building code, construction management, and planning services to Fulton County under this contract, and also appreciate the opportunity to adjust our billing rates for the extension period. If you have any questions or if we can be of further service please let us know.

Sincerely,

NOVA ENGINEERING AND ENVIRONMENTAL, LLC


J. Stephen Willenborg, PE
Vice President


Todd Tamasy, EIT
Senior Project Manager

Attachment: US Bureau of Labor CPI Screenshot (2 pages)



TED: The Economics Daily

FONT SIZE: [minus] [plus] PRINT: [print icon]

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Consumer prices up 7.5 percent over year ended January 2022

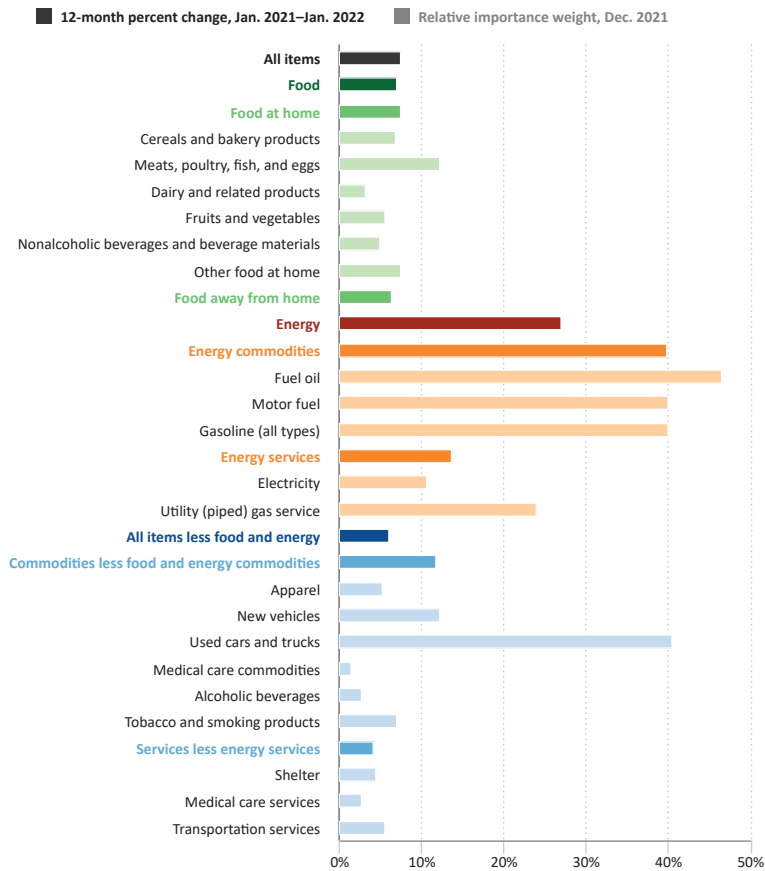
FEBRUARY 16, 2022

Over the 12 months from January 2021 to January 2022, the Consumer Price Index for All Urban Consumers (CPI-U) rose 7.5 percent. This is the largest 12-month increase since the 12-month period ending February 1982. Food prices increased 7.0 percent over the past year, while energy prices rose 27.0 percent.

CHART IMAGE | CHART DATA

Chart Image

Consumer Price Index for All Urban Consumers, 12-month percent change, by expenditure category, January 2022



Click legend items to change data display. Hover over chart to view data. Source: U.S. Bureau of Labor Statistics.



Chart Data

Consumer Price Index for All Urban Consumers, 12-month percent change, by expenditure category, January 2022

Expenditure category	12-month percent change, Jan. 2021-Jan. 2022	Relative importance weight, Dec. 2021
All items	7.5%	100.000%
Food	7.0	13.370
Food at home	7.4	8.165
Cereals and bakery products	6.8	1.030
Meats, poultry, fish, and eggs	12.2	1.888
Dairy and related products	3.1	0.752
Fruits and vegetables	5.6	1.408
Nonalcoholic beverages and beverage materials	5.0	0.933
Other food at home	7.4	2.153

Note: These data are not seasonally adjusted.

Expenditure category	12-month percent change, Jan. 2021–Jan. 2022	Relative importance weight, Dec. 2021
Food away from home	6.4	5.205
Energy	27.0	7.348
Energy commodities	39.9	4.014
Fuel oil	46.5	0.115
Motor fuel	40.0	3.822
Gasoline (all types)	40.0	3.748
Energy services	13.6	3.334
Electricity	10.7	2.454
Utility (piped) gas service	23.9	0.879
All items less food and energy	6.0	79.282
Commodities less food and energy commodities	11.7	21.699
Apparel	5.3	2.458
New vehicles	12.2	4.105
Used cars and trucks	40.5	4.143
Medical care commodities	1.4	1.524
Alcoholic beverages	2.7	0.889
Tobacco and smoking products	7.0	0.526
Services less energy services	4.1	57.583
Shelter	4.4	32.946
Medical care services	2.7	6.962
Transportation services	5.6	5.599

Note: These data are not seasonally adjusted.

Prices for food at home rose 7.4 percent over the last 12 months. All of the six major grocery store food groups increased over the period. By far the largest increase was that of meats, poultry, fish, and eggs, which rose 12.2 percent over the year. Prices for dairy and related products increased 3.1 percent, the smallest 12-month increase among in the food at home category.

Prices for food away from home rose 6.4 percent over the last year, the largest 12-month increase since January 1982.

Within the energy category, gasoline prices rose 40.0 percent over the last year, despite declining in January. Prices for natural gas rose 23.9 percent over the last 12 months, and prices for electricity rose 10.7 percent.

Prices for all items less food and energy index rose 6.0 percent, the largest 12-month change since the period ending August 1982. Within this grouping, prices for shelter increased 4.4 percent over the past year, prices for medical care services were up 2.7 percent, while prices for transportation services increased 5.6 percent.

These data are from the [Consumer Price Index](#) program and are not seasonally adjusted. To learn more, see "[Consumer Price Index — January 2022](#)." Also see [more charts related to the latest Consumer Price Index news release](#).

RELATED SUBJECTS

[Prices](#)

SUGGESTED CITATION

Bureau of Labor Statistics, U.S. Department of Labor, *The Economics Daily*, Consumer prices up 7.5 percent over year ended January 2022 at <https://www.bls.gov/opub/ted/2022/consumer-prices-up-7-5-percent-over-year-ended-january-2022.htm> (visited February 22, 2022).

OF INTEREST

Recent editions of *Spotlight on Statistics*

Spotlight on Statistics

- [Business Employment Dynamics by Age and Size of Firms](#)
Examines data on the age and employment size of firms from 1994 through 2019 and focuses on startups.
- [Occupational Employment and Wages in State and Local Government](#)
Compares the occupational mix and wages in the private sector, state government, and local government.
- [America's Recovery: Labor Market Characteristics of People with a Disability](#)
Looks into some of the major labor force characteristics of people with a disability.
- [Industry on Tap: Wineries](#) Examines historical employment trends for wineries and other components of the beverage manufacturing industry.
- [Impact of the Coronavirus Pandemic on Businesses and Employees by Industry](#)
Explores the coronavirus pandemic's impact on private industry businesses and workers.



Fulton County Board of Commissioners

Agenda Item Summary

Agenda Item No.: 22-0177

Meeting Date: 3/16/2022

Department

Library

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Request approval of the lowest responsible bidder - Fulton County Library System, 22ITB0111B-EC, E-Rate Category 1 - Broadband Internet Access in an amount not to exceed \$142,032.00 with AT&T Corporation (Atlanta, GA) to provide broadband internet access for all library locations. Effective July 1, 2022 through June 30, 2023 with three renewal options. This item is 100% grant Funded.

Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*

In accordance with Purchasing Code Section 102-373, all competitive sealed bids of more than \$49,999.99 shall be forwarded to the Board of Commissioners for approval.

Strategic Priority Area related to this item *(If yes, note strategic priority area below)*

Arts and Libraries

Commission Districts Affected

- All Districts
- District 1
- District 2
- District 3
- District 4
- District 5
- District 6

Is this a purchasing item?

Yes

Summary & Background: This action will provide internet access to library patrons for internet connectivity during library visits. The vendor will be required to participate in the Universal Service Support Mechanism for schools and libraries, known as "E-Rate", as authorized under the Federal Telecommunications Act of 1996. This contract may be totally or partially dependent upon the successful receipt of Universal Service Administrative Company Fund (USAC) subsidies commonly known as "E-Rate". There are currently 34 libraries providing Internet access and WAN connectivity with the capability to add any additional sites as required. This accessibility is necessary in order to provide internet access for library users of the Library System's website.

Scope of Work: This action allows the library to provide internet and Wi-Fi access to meet patrons' expectations for internet connectivity during their library visits.

Community Impact: Fulton County citizens are accustomed to free internet services when visiting library facilities. This service is especially critical during the pandemic. Internet service is provided at no additional cost to taxpayers.

Department Recommendation: The Fulton County Library System recommends approval.

Project Implications: The Fulton County Library System will lose the ability to provide free internet services through the E-Rate program.

Community Issues/Concerns: No Community Issues/Concerns

Department Issues/Concerns: No Department Issues/Concerns

Contract Modification: This is a new procurement.

Contract & Compliance Information *(Provide Contractor and Subcontractor details.)*

Contract Value: \$142,032.00
Prime Vendor: AT&T Corporation
Prime Status: Non-Minority
Location: Atlanta, GA
County: Fulton County
Prime Value: \$142,032.00 or 100.00%

Total Contract Value: \$142,032.00 or 100.00%
Total M/FBE Value: \$-0-

Exhibits Attached

Exhibit 1: Bid Tabulation Sheet
Exhibit 2: Contractor Performance Report

Contact Information *(Type Name, Title, Agency and Phone)*

Jamar Parker, Financial Systems Manager 404-771-7578

Contract Attached

No

Previous Contracts

No

Total Contract Value

Original Approved Amount: \$0.00
 Previous Adjustments: \$0.00
 This Request: \$142,032.00
 TOTAL: \$142,032.00

Grant Information Summary

Amount Requested: Cash
 Match Required: In-Kind
 Start Date: 07/01/2022 Approval to Award
 End Date: 06/30/2023 Apply & Accept
 Match Account \$:

Fiscal Impact / Funding Source

Funding Line 1: 461-650-UA22-1493: Grant Fund- Library - Universal Service Admin Co E-Rate - Telephone - Library

Funding Line 2: 461-650-ER22-1493: Grant Fund- Library - GPLS E-Rate Program-State Portion E-Rate - Telephone - Library

Key Contract Terms	
Start Date: 7/1/2022	End Date: 6/30/2023
Cost Adjustment:	Renewal/Extension Terms: 3 one-year renewal options

Overall Contractor Performance Rating:4.0

Would you select/recommend this vendor again?

Yes

Report Period Start: 7/1/2020
Report Period End: 6/30/2021



DEPARTMENT OF PURCHASING & CONTRACT COMPLIANCE

BID TABULATION SHEET

#22ITB0111B-EC, E-RATE CATEGORY 1 – BROADBAND INTERNET ACCESS

Date: February 24, 2022

Total Number of Bidders: 2

Elsa D. Castro

Chief Assistant Purchasing Agent

CONTRACTOR NAME	BID BOND YES/NO	TOTAL BASE BID AMOUNT	GA UTILITY LICENSE YES/NO	E-verify Number
*AT&T Services, Inc and Its Related Corporations	N/A	11,836.00 Monthly	N/A	322556
Comcast Business Communications, LLC	N/A	25,512.00 Monthly	N/A	1472475

*INDICATES BUSINESS IS LOCATED IN FULTON COUNTY

THE RESULTS RECEIVED IN RESPONSE TO THIS SOLICITATION DOES NOT REFLECT AWARD OF THIS CONTRACT. RESPONSES WILL BE FURTHER EVALUATED BY FULTON COUNTY REPRESENTATIVE



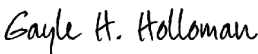
DEPARTMENT OF PURCHASING & CONTRACT COMPLIANCE

CONTRACTORS PERFORMANCE REPORT

PROFESSIONAL SERVICES

Report Period Start	Report Period End	Contract Period Start	Contract Period End
07/01/2021	06/30/2022	07/21/2021	06/31/2022
Purchaser Order Number		Purchase Order Date	
PO,650,21AT&T1001B-EC,2		10/21/2021	
Department			
Library			
Bid Number		Service Commodity	
		Internet Access - Telephone	
Contractor			
World Book			
Performance Rating			
0 = Unsatisfactory	Archives contract requirements less than 50% of the time not responsive, effective and/or efficient; unacceptable delay; incompetence; high degree of customer dissatisfaction.		
1 = Poor	Archives contract requirements 70% of the time. Marginally responsive, effective and/or efficient; delays require significant adjustments to programs; key employees marginally capable; customer somewhat satisfied.		
2 = Satisfactory	Archives contract requirements 80% of the time. Generally responsive, effective and/or efficient; delays are excusable and/or results in minor programs adjustments; employees are capable and satisfactorily providing service without intervention; customers indicate satisfaction.		
3 = Good	Archives contract requirements 90% of the time. Usually responsive; effective and/or efficient; delays have not impact on programs/mission; key employees are highly competent and seldom require guidance; customers are highly satisfied		
4 = Excellent	Archives contract requirements 100% of the time. Immediately responsive; highly efficient and/or effective; no delays; key employees are experts and require minimal directions; customers expectations are exceeded.		
1. Quality of Goods/Services		(Specification Compliance – Technical Excellence – Reports/Administration – Personnel Qualification)	
<input type="radio"/>	0	The quality of the connection is sufficient and meets expectations. The vendor uses qualified personnel in order to provide the requested service.	
<input type="radio"/>	1		
<input type="radio"/>	2		
<input type="radio"/>	3		
<input checked="" type="radio"/>	4		
2. Timeliness of Performance		(Were Milestones Met Per Contract – Response Time (per agreement, if applicable) – Responsiveness to Directions/ Change – On Time Completion Per Contract)	
<input type="radio"/>	0	The vendor was very responsive to any outages or issues at the all of the library locations. All services were provided based on scope and specs of the solicitation.	
<input type="radio"/>	1		
<input type="radio"/>	2		
<input type="radio"/>	3		
<input checked="" type="radio"/>	4		

3. Business Relations		(Responsiveness to Inquires – Prompt Problem Notifications)
<input type="radio"/>	0	This vendor has been very responsive to all inquiries. All issues were resolved within a reasonable amount of time.
<input type="radio"/>	1	
<input type="radio"/>	2	
<input type="radio"/>	3	
<input checked="" type="radio"/>	4	
4. Customer Satisfaction		(Met User Quality Expectations – Met Specification – Within Budget – Proper Invoicing – No Substitutions)
<input type="radio"/>	0	Provided speed and connectivity met all specifications and exceeded patrons expectations.
<input type="radio"/>	1	
<input type="radio"/>	2	
<input type="radio"/>	3	
<input checked="" type="radio"/>	4	
5. Contractors Key Personnel		(Credentials/Experience Appropriate – Effective Supervision/Management – Available as Needed)
<input type="radio"/>	0	Vendor's personnel provides excellent professional services.
<input type="radio"/>	1	
<input type="radio"/>	2	
<input type="radio"/>	3	
<input checked="" type="radio"/>	4	

Overall Performance Rating	4.00	Date	02/25/2022
Would you select/recommend this vendor again?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
Rating completed by:	Jamar Parker		
Department Head Name:	Gayle Holloman		
Department Head Signature	<small>DocuSigned by:</small>  <small>7DDA8F0E4E294B8...</small>		

After completing the form:
 Submit to Purchasing
 Print a copy for your records
 Save the form

Submit

Print

Save



Fulton County Board of Commissioners

Agenda Item Summary

Agenda Item No.: 22-0180

Meeting Date: 3/16/2022

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Presentation of Proclamations and Certificates.

Proclamation recognizing “National Nutrition Month.” (Hall)

Proclamation recognizing “Registered Dietician Nutritionist Appreciation Day.” **(Hall/BOC)**

Proclamation recognizing “2021 Georgia Communications Conference Team of the Year Appreciation Day.” **(Hall)**

Proclamation recognizing “Xernona Clayton Appreciation Day.” **(Hall)**

Proclamation recognizing “Carolyn M. Young Appreciation Day.” **(Hall)**

Proclamation recognizing “Police Chief Cassandra Jones Appreciation Day.” **(Hall)**

Proclamation recognizing “Dr. Christine King Farris Appreciation Day.” **(Hall)**

Proclamation recognizing “Pastor Jasmine Smothers Appreciation Day.” **(Hall)**

Proclamation recognizing “Dr. Rita Samuels Appreciation Day.” **(Hall)**

Proclamation recognizing “Henrietta Antoinin Appreciation Day.” **(Hall)**



Fulton County Board of Commissioners

Agenda Item Summary

Agenda Item No.: 22-0182

Meeting Date: 3/16/2022

Department

Finance

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Request public hearing to accept and consider public comments a regarding Modifications to the Fee Schedule for the Environmental Health Division of the Fulton County Board of Health, and Request for BOC Approval of such Modified Fee Schedule previously approved by the Fulton County Board of Health.

Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*

O.C.G.A 31-3-4(a)(6) provides in part that “No fees for environmental health services may be charged unless the schedule of fees for such services has been approved by the county governing authority.”

Strategic Priority Area related to this item *(If yes, note strategic priority area below)*

Open and Responsible Government

Commission Districts Affected

- All Districts
- District 1
- District 2
- District 3
- District 4
- District 5
- District 6

Is this a purchasing item?

No

Summary & Background *(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)*

Scope of Work: The Finance Department, as a conduit for the Board of Health to obtain the governing authority’s approval required by state law, recommends approval from the Board of

Commissioners of the Updated Fee Schedule for Environmental Health Services provided by the Fulton County Board of Health, as approved by the District Health Director and the Board of Health at the October 27, 2021 regular board meeting. The Fee Schedule Revisions serve to (1) add fees for new inspection and review activities the Board of Health provides for new modalities of food service such as pop-up restaurants, food trucks, and the like; (2) remove fees for services the Board of Health no longer provides such as private swimming pool inspections; (3) combine certain services into more easily understood categories to improved client understanding and to provide better customer service; (4) to modestly increase fees below the cost of living increases in the area to continue to support the ability of the division to hire enough staff to provide the services throughout the county; and (5) reorganize the chart to improve a customer's ability to search the document and locate the appropriate categories of applicable fees.

Community Impact: Improve clarity of fees for customers, modernize the types of fees to fit the new modalities of food service, and provide modest fee increases to support full staffing to maintain regular and timely inspections and responses to complaints in the county.

Department Recommendation: Approve

Project Implications:

Community Issues/Concerns:

Department Issues/Concerns:

**Fulton County Board of Health
Environmental Health Section
Fee Schedule**

Service Number	Description - Foodservice	Fee
	New Facility Plan Review Risk Type I (include Mobile Foodservice Operation with Base and Unit in Fulton)	450.00
	New Facility Plan Review Risk Type II (include Mobile Foodservice Operation with Base and Unit in Fulton)	600.00
	New Facility Plan Review Risk Type III (include Mobile Foodservice Operation with Base and Unit in Fulton)	750.00
	Administrative Fee for Existing Facility Change of Ownership or Name Change with NO Changes to Menu, Equipment or Structure	250.00
	Plan Review for Existing Facility (Major: Any structural or equipment changes involving floors, walls, ceilings, plumbing, etc.)	350.00
	Plan Review for Existing Facility (Minor: Equipment relocation, resurfacing, menu change requiring additional equipment or space, etc.)	200.00
	HACCP/Variance Review for Existing Facility	150.00
	Plan Resubmission (plan revision after 1st free re-submittal)	250.00
	Assessment for a Letter of Approval for a Vendor at a Pop-up Foodservice Operation	150.00
	Assessment for a Letter of Approval for a Facilitator of a Pop-up Foodservice Operation Location	300.00
	Mobile Foodservice Unit/Extended Foodservice Unit Base of Operations Assessment (for permitted food service establishments only)	150.00
	⁽¹⁾ Mobile Foodservice Unit (Base of Operations and Unit) Plan Review	600.00
	Mobile Foodservice Unit from Outside County or Extended Foodservice Unit Connected to a Permitted Foodservice In County Plan Review	300.00
	Non-profit Inspection Fee per Vendor	100.00
	Temporary Foodservice Organizer Plan Review	300.00
	Temporary Foodservice Plan Review	200.00
	Temporary Foodservice Inspection Fee (1-7 Day Event)	100.00 (permit & inspection)
	Temporary Foodservice Inspection Fee (8 -14 Day Event)	200.00 (permit & inspection)

**Fulton County Board of Health
Environmental Health Section
Fee Schedule**

	Annual Foodservice Inspection Fee (Risk Type I - add \$100 per bar or satellite kitchen within the same building; include Mobile Foodservice Operation with Base and Unit in Fulton)	450.00*
	Annual Foodservice Inspection Fee (Risk Type II - add \$150 per bar or satellite kitchen within the same building; include Mobile Foodservice Operation with Base and Unit in Fulton)	600.00*
	Annual Foodservice Inspection Fee (Risk Type III - add \$150 per bar or satellite kitchen within the same building; include Mobile Foodservice Operation with Base and Unit in Fulton)	750.00*
	Provisional Permit Fee (All Risk Types)	200.00
	Mobile/ Extended Foodservice Unit (Base of Operations located in a different county) Annual Inspection Fee	300.00
	Re-inspection Fee at Owner's Request (for a better score after receiving a passing score)	700.00
	Description - Land Use	
	Sub division Lot Review	200.00/ lot
	Residential Lot Site Review (new, review for residential pool installation, etc.)	200.00
	Commercial Lot Site Review	300.00
	Site Assessment Visit for Project Development (e.g., Environmental Assessment Requests, Road Widening, etc.)	300.00/ site visit or 300.00/ acre
	New Residential OSSM Construction Permit with Inspection	300.00
	New Commercial OSSM Construction Permit with Inspection up to 2000 gallons / day	450.00
	New Commercial OSSM Construction Permit with Inspection over 2001 gallons/ day	600.00
	Residential Repair or Modification Review, Permit & Inspection	250.00
	Residential Minor Repair (non -absorption field related) Permit & Inspection	200.00
	Commercial Repair or Modification Review, Permit & Inspection	300.00
	Existing System Evaluation (no permit issued)	200.00
	² Re-inspection of OSSM Construction Installation (if unapproved at first inspection)	125.00
	Septic or Portable Sanitation Pumper Truck Inspection & Permit	400.00

**Fulton County Board of Health
Environmental Health Section
Fee Schedule**

	Plan Re-submission Review (after 1 st free re-submittal)	250.00
	Well Location Review & Permit (includes one sample if requested)	250.00
	Well Water Sampling for Fecal Coliform	110.00
	Septic Tank Contractor Certification Test with Proctoring	110.00
	Description - Public Swimming Pools	
	Plan Review for Pool less than or equal to 1000 square feet (new, renovation or major modification) & Construct Permit	525.00
	Plan Review for Pool 1001 to 2000 square feet (new, renovation or major modification) & Construction Permit	600.00
	Plan Review for Pool greater than or equal to 2001 square feet (new, renovation or major modification) & Construction Permit	1200.00
	Plan Review for Pool with Features (diving board, play features, slide, etc.)	Add 150.00
	Plan Review for Change of Ownership or Name Change without Modifications or Renovation (Hydraulic Equipment Review Required)	250.00
	Plan Re-submission Review (after 1 st free re-submittal)	250.00
	Piping Pressure Test Inspection	200.00
	Piping Pressure Test Re-inspection	200.00
	Annual Inspection Fee for Seasonal Pool with Operational Permit	525.00
	Annual Inspection Fee for Year Round Pool with Operational Permit	700.00
	⁽³⁾ Re-inspection Fee (after 1 st free re-inspection for Unsatisfactory Compliance)	250.00
	Re-inspection Fee (Requested by Owner after Satisfactory Score)	700.00
	Certified Pool Contractor Test / Re-test	220.00
	Contractor Certification / Re-certification Fee	110.00
	Description - Tourist Accommodations	
	Plan Review for 1 to 20 Rooms	375.00
	Plan Review for 21 to 50 Rooms	525.00

**Fulton County Board of Health
Environmental Health Section
Fee Schedule**

	Plan Review for 51 to 100 Rooms	675.00
	Plan Review for More than 100 Rooms	825.00
	Plan Re-submission (after 1 st free re-submittal)	250.00
	Plan Review for Existing Facility (Remodel)	300.00
	Administrative Fee for Change of Ownership or Name Change with no Remodel)	250.00
	Annual Inspection Fee (1-20 Rooms)	475.00
	Annual Inspection Fee (21-50 Rooms)	650.00
	Annual Inspection Fee (51-100 Rooms)	775.00
	Annual Inspection Fee (101+ Rooms)	900.00
	Re-inspection Fee (Requested by Owner after receiving passing score)	700.00
	Description - Body Art	
	⁽⁴⁾ Plan Review for New Establishment or Major Modification/ Renovation to Existing Establishment	700.00
	Administrative Fee for Change of Ownership (no changes to structure, equipment layout, renovations, etc.)	300.00
	Plan Re-submission (after 1 st free re-submittal)	350.00
	Annual Inspection Fee for Body Art Facility	550.00
	Re-inspection Fee (Requested by Owner after passing score)	700.00
	Body Art Exam/ Re-examination Fee	125.00
	Body Artist License	150.00
	Body Artist License Transfer Fee	150.00
	Guest Body Artist License	75.00/week
	Temporary Body Art Establishment Permit (1-7 days)	400.00
	Description - Solid Waste Plan Review	
	Solid Waste (up to 7 cubic yards)	200.00
	Solid Waste (8 to 32 cubic yards)	220.00
	Solid Waste (33 to 56 cubic yards)	300.00
	Solid Waste (57 to 80 cubic yards)	350.00

**Fulton County Board of Health
Environmental Health Section
Fee Schedule**

	Solid Waste (81+ cubic yards)	450.00
	Description - Miscellaneous	
	Administrative Fee for Record Search	15.00 per ¼ hour
	Late Fee (for any invoice)	20.00/day (max double fee)
	Special Event (Nonprofit & For Profit) Plan Review (No food vendors)	100.00
	Operating without a Valid Permit	Double Fee
	Administrative Fee for Liquor License Application Review (Any Type of Facility)	220.00
	Replacement of Lost Permit or License	125.00
	On Site Consultation	125.00
	Return Check Fee	51.00
	Re-stamping of Previously Approved Plans	125.00
	Plan Review Service or Inspection Fee for Government (Any Program)	0.00

Justification of fee increases and changes: The proposed fee schedule has been updated to reflect the actual services that are provided by the Environmental Health section. The current fees include services that are no longer performed by the Environmental Health Section or are for services that are not authorized by law to be provided by the Environmental Health Section. Since the adoption of the current fees, additional types of services have been added and the current fees do not include those types of services (e.g., "Pop-up" foodservice operation assessments, nonprofit food vendor inspection costs, etc.). Under the current set of fees, there are several scenarios that are not included and which make it difficult to charge the correct amount for the services provided (e.g., a change of ownership of a restaurant with no change to the menu or equipment would only require time and work from an administrative staff member and not require the time and work from an EHS to conduct an entire plan review). The current fees are also somewhat difficult to attribute exact meanings for the service. In the document for the proposed fees, everything has been organized by program and itemized according to service to help with clarity. Highlighted sections are either new fees or re-wording for clarification. In the far right column, a comparison is provided based on the measurable inflation rate since 2015. Core inflation averaged 2.16% per year between 2015 and 2021 (vs all-CPI inflation of 2.47%), for an inflation total of 13.69%. (Source: <https://www.in2013dollars.com/us/inflation/2015?amount=1>)

**Some foodservice establishments have several bars or satellite kitchens within the same building. These facilities take additional time to inspect. Because the bars and satellites are connected to the main kitchen, everything has to operate under one foodservice permit. In the past, a foodservice permit was issued to each bar; however this is not permissible per the food rules nor does it make sense because*

**Fulton County Board of Health
Environmental Health Section
Fee Schedule**

that means each bar or satellite kitchen would have to be inspected independently with an additional inspection report requiring additional time.

- (1) It makes more sense to combine this into one fee because a mobile unit is required to have a Base of Operation. If someone wants to open a Base of Operation for a Mobile Food Unit in Fulton County, even if they will not operate in Fulton, they are required to obtain a Mobile Food Unit permit alongside the Base of Operation permit because the entire operation has to be assessed as one operation.*

- (2),(3) In my opinion, there should just be one fee that is charged for re-inspections, no matter how many are required. This makes it easier on staff so that they do not have to try and figure out if it is the first re-inspection or the 5th. The same amount of work would be done for each re-inspection so it just makes better sense to keep it at one price.*

- (4) We currently do not have a fee for any renovation on a Body Art Establishment, only a plan review fee for a new establishment.*

Approved and Recommended By:

Lynn A. Paxton, MD MPH
Lynn Paxton, M.D., District Medical Director

10/22/2021

Date

Galen C. Baxter
Galen C. Baxter, REHS, District EH Director

10-20-21

Date

**Fulton County Board Of Health (FBOH)
Regular Meeting Minutes
Wednesday, October 27, 2021
10:30A.M.**

Via ZOOM Teleconference: +1 646 558 8656 US: Meeting ID: 826 5571 1199

Board Members Present

BOH Chair Jack Hardin
BOH Vice Chair Renay Blumenthal
Secretary Lynne Meadows
Council Member Carla Smith
Dr. Kathi Amille Earles

Board Members Absent

Clint Owens
BOC Chairman Robb Pitts

I. CALL TO ORDER

The meeting of the Fulton County Board of Health was called to order by Chairman Jack Hardin at 10:30am. This meeting is continuing in the teleconference format due to the ongoing COVID-19 emergency conditions in the area.

II. OLD BUSINESS

APPROVAL OF MINUTES: Regular Board Meeting of July 28, 2021

Mr. Hardin, asked for a motion to approve the minutes for the Regular Board meeting of July 28, 2021. Ms. Blumenthal moved the approval and Ms. Meadows seconded the motion. The motion passed unanimously.

All Members in Favor: Hardin, Blumenthal, Meadows, Smith, and Kathi A. Earles.
All Members Against: None.
Abstentions: None

III. NEW BUSINESS

Call for Public Comment

No public comments were reported.

DISTRICT DIRECTOR'S BOARD REPORT

District Health Director, Lynn A. Paxton presented a PowerPoint presentation providing data on the COVID cases, and Vaccines for Fulton County. The presentation reported as follows:

- The COVID-19 presentation information is gathered from the Epidemiology report that comes out twice a week and is widely available for review.
- In September we started to see a decline in the COVID-19 Cases numbers, and the death tolls as well.
- With regard to Delta variants, reports show that numbers are higher among young people, numbers for older people has decreased, and the numbers of those fully vaccinated increased for this group.
- The FDA advisory is recommending that the COVID vaccines be given to children 5 to 11 years old, and hopefully this will be approved soon with recommendations by the Centers for Disease Control and Prevention.
- Dr. Paxton advised in terms of the workplace that we should continue to follow the CDC guidelines (wear mask), and get fully vaccinated for COVID-19. While cases are decreasing, we are considered to be in the “substantial transmissibility” category in terms of COVID risk in the county.
- Dr. Paxton introduced and welcome the new I.T. Director for FCBOH, Joseph Mays.
- Dr. Paxton announced that FCBOH has a big hiring surge going on. We are expected to fill many of our vacant positions.

A Request for approval of revised Environmental Health Fee Schedule from Galen Baxter, Director of Environmental Health Services.

Mr. Baxter provided a statement to the Board on the proposed revisions to the Environmental Fee schedule as follows:

- It been 6 years since the last Fee schedule has been updated and during that time period there have been some additional services that Environmental Health has needed to provide (due to the evolving nature of food service, for example) that were not contemplated under our current schedule.
- Under our current fee schedule some of the language, and the way we have the layout for fees can be a little confusing for clients, so some of the proposed changes serve to clean this up. Some of the services on the list are no longer under the authority of the Board of Health, so they have been removed.
- Mr. Baxter described the proposed fee increases to the Board, noting in response to a question about how Fulton fees compare locally that the Fulton fee are higher than neighboring jurisdictions, this is justified because the number of facilities that must be inspected and serviced each year in Fulton County, and the number of staff needed to accomplish this, greatly outweighs the numbers for other jurisdictions.

- Mr. Baxter pointed out that the proposed fee increase were maintained at amounts lower than they would be if he had applied a general cost of living adjustment.
- Mr. Baxter stated he would like the Board to approve this updated Fee schedule to modernize it, update the fees, and make it easier to follow for clients.
- Mr. Baxter and Ms. Culler indicated to the Board Members that one item on the presented chart, the administrative fee for court related preparations, would not be sought, and will be removed from the fee schedule.
- Ms. Culler indicated that the last fee increases were based upon a 33.3% increase across all fees, as approved by the Fulton County Board of Commissioners in 2015, and were designed at the time to provide greater staffing capacity for the division.
- Ms. Culler stated the Fulton County Board of Commissioners will have to vote and approve on the Fee schedule, as well, before this is finalized

Mr. Hardin requested a motion to approve the revised Fee schedule. Ms. Blumenthal moved approval, and Dr. Earles seconded the motion. The Board passed unanimously.

All Members in Favor: Hardin, Blumenthal, Meadows, Smith, and Earles.
 All Members Against: None.
 Abstentions: None

ESTABLISHMENT OF BOARD MEETING DATES FOR 2022

Ms. Culler called for future Quarterly Board meetings to be established as follows:

- January 26, 2022
- April 27, 2022
- July 27, 2022
- October 26, 2022

All Members in Favor: Hardin, Blumenthal, Meadows, Smith, and Kathi A. Earles
 All Members Against: None.
 Abstentions: None

Budget

Beverly Stanley, District Administrator gave proposed budget for SFY22 FCBOH 1st quarter budget vs expenses.

- Ms. Stanley provided updates, and budget adjustment information to the board.
- Tyler Technologies' system (MUNIS) has been instrumental to FCBOH as we prepare for the upcoming audit.
- Ms. Stanley provided a snapshot of the different funding sources and grants.
- FCBOH is conducting monthly roundtables discussions to ensure that we are on track with spending 25 percent of the funds provided through the state Programmatic grants in aids.

All Members in Favor: Hardin, Blumenthal, Meadows, Smith, Owens, Pitts and Earles.

All Members Against: None.

Abstentions: None

Donation Report

None to report.

IV. EXECUTIVE SESSION

The Board had no business for Executive Session.

V. BOARD COMMENT

Councilwoman Carla Smith indicated that this was her last meeting as a member of the Board, due to her decision not to run again for City Council. Mr. Hardin, Dr. Paxton, and the board members thanked Councilwoman Carla Smith for her dedication, indicating she has been a great contributor to the board, and will be missed. We wish her well.

VI. ADJOURNMENT

The board convened its regular meeting at 11:17am.

Lynn A. Paxton, M.D., M.P.H.
Fulton County Board of Health
District Health Director

Jack Hardin
Fulton County Board of Health
Chairman

DRAFT

**Fulton County Board of Health
Environmental Health Section
Fee Schedule**

This document shows the Board of Health approved Environmental Health Fee Schedule organized by program and itemized according to service to help with clarity. Highlighted sections are either new fees or re-worded categories for clarification. The far left column provides the previously assigned “service number” for each fee to aid in comparison of the new and old charts.

Previously Assigned Service Number	Description - Foodservice	Fee
10	New Facility Plan Review Risk Type I (include Mobile Foodservice Operation with Base and Unit in Fulton)	450.00
11	New Facility Plan Review Risk Type II (include Mobile Foodservice Operation with Base and Unit in Fulton)	600.00
12	New Facility Plan Review Risk Type III (include Mobile Foodservice Operation with Base and Unit in Fulton)	750.00
New	Administrative Fee for Existing Facility Change of Ownership or Name Change with NO Changes to Menu, Equipment or Structure	250.00
New	Plan Review for Existing Facility (Major: Any structural or equipment changes involving floors, walls, ceilings, plumbing, etc.)	350.00
New	Plan Review for Existing Facility (Minor: Equipment relocation, resurfacing, menu change requiring additional equipment or space, etc.)	200.00
15	HACCP/Variance Review for Existing Facility	150.00
34	Plan Resubmission (plan revision after 1 st free re-submittal)	250.00
New	Assessment for a Letter of Approval for a Vendor at a Pop -up Foodservice Operation	150.00
New	Assessment for a Letter of Approval for a Facilitator of a Pop -up Foodservice Operation Location	300.00
New	Mobile Foodservice Unit/Extended Foodservice Unit Base of Operations Assessment (for permitted food service establishments only)	150.00
13 and New (see footnote)	⁽¹⁾ Mobile Foodservice Unit (Base of Operations and Unit) Plan Review	600.00
13	Mobile Foodservice Unit from Outside County or Extended Foodservice Unit Connected to a Permitted Foodservice In County Plan Review	300.00
New	Non-profit Inspection Fee per Vendor	100.00
New	Temporary Foodservice Organizer Plan Review	300.00
New	Temporary Foodservice Plan Review	200.00
51 or 52	Temporary Foodservice Inspection Fee (1-7 Day Event)	100.00 (permit & inspection) <u>37.00/ day or</u> 73.00 / day Dependent Upon risk

**Fulton County Board of Health
Environmental Health Section
Fee Schedule**

51 or 52	Temporary Foodservice Inspection Fee (8 -14 Day Event)	200.00 (permit & inspection) 37.00/ day or 73.00/ day dependent Upon risk
Modified 57	Annual Foodservice Inspection Fee (Risk Type I - add \$100 per bar or satellite kitchen within the same building; include Mobile Foodservice Operation with Base and Unit in Fulton)	450.00 (base)
Modified 58	Annual Foodservice Inspection Fee (Risk Type II - add \$150 per bar or satellite kitchen within the same building; include Mobile Foodservice Operation with Base and Unit in Fulton)	600.00 (base)
Modified 59	Annual Foodservice Inspection Fee (Risk Type III - add \$150 per bar or satellite kitchen within the same building; include Mobile Foodservice Operation with Base and Unit in Fulton)	750.00 (base)
New	Provisional Permit Fee (All Risk Types)	200.00
60	Mobile/ Extended Foodservice Unit (Base of Operations located in a different county) Annual Inspection Fee	300.00
55	Re-inspection Fee at Owner's Request (for a better score after receiving a passing score)	700.00
	Description - Land Use	
8	Sub division Lot Review	200.00/ lot
9	Residential Lot Site Review (new, review for residential pool installation, etc.)	200.00
1 & 2	Commercial Lot Site Review	300.00
130	Site Assessment Visit for Project Development (e.g., Environmental Assessment Requests, Road Widening, etc.)	300.00/ site visit or 300.00/ acre
6	New Residential OSSM Construction Permit with Inspection	300.00
65	New Commercial OSSM Construction Permit with Inspection up to 2000 gallons / day	450.00
66	New Commercial OSSM Construction Permit with Inspection over 2001 gallons/day	600.00
New	Residential Repair or Modification Review, Permit & Inspection	250.00
New	Residential Minor Repair (non -absorption field related) Permit & Inspection	200.00
New	Commercial Repair or Modification Review, Permit & Inspection	300.00
135	Existing System Evaluation (no permit issued)	200.00

**Fulton County Board of Health
Environmental Health Section
Fee Schedule**

39	Re-inspection of OSSM Construction Installation (if unapproved at first inspection)	1 25.00 146.00 (1 st) 293.00 (2 nd) 439.00(3 rd)
45 and New	Septic or Portable Sanitation Pumper Truck Inspection & Permit	400.00

34	Plan Re-submission Review (after 1 st free re-submittal)	250.00
80	Well Location Review & Permit (includes one sample if requested)	250.00
41	Well Water Sampling for Fecal Coliform	110.00
133	Septic Tank Contractor Certification Test with Proctoring	110.00
	Description - Public Swimming Pools	
16	Plan Review for Pool less than or equal to 1000 square feet (new, renovation or major modification) & Construct Permit (includes piping pressure test inspection)	525.00
17	Plan Review for Pool 1001 to 2000 square feet (new, renovation or major modification) & Construction Permit (includes piping pressure test inspection)	600.00
18	Plan Review for Pool greater than or equal to 2001 square feet (new, renovation or major modification) & Construction Permit	1200.00
22	Plan Review for Pool with Features (diving board, play features, slide, etc.)	Add 150.00
New	Plan Review for Change of Ownership or Name Change without Modifications or Renovation (Hydraulic Equipment Review Required)	250.00
34	Plan Re-submission Review (after 1 st free re-submittal)	250.00
N/A	Piping Pressure Test Inspection - Included with Plan Review Fee	200.00
New	Piping Pressure Test Re-inspection	200.00
87	Annual Inspection Fee for Seasonal Pool with Operational Permit	525.00
New	Annual Inspection Fee for Year Round Pool with Operational Permit	700.00
39	(³) Re-inspection Fee (after 1 st free re-inspection for Unsatisfactory Compliance)	250.00 146.00c(1 st) 293.00 (2 nd) 439.00 (3 rd)
New	Re-inspection Fee (Requested by Owner after Satisfactory Score)	700.00

**Fulton County Board of Health
Environmental Health Section
Fee Schedule**

114	Certified Pool Contractor Test / Re-test	220.00
115	Contractor Certification / Re-certification Fee	110.00
	Description - Tourist Accommodations	
30	Plan Review for 1 to 20 Rooms	375.00
31	Plan Review for 21 to 50 Rooms	525.00

32	Plan Review for 51 to 100 Rooms	675.00
33	Plan Review for More than 100 Rooms	825.00
34	Plan Re-submission (after 1 st free re-submittal)	250.00
New	Plan Review for Existing Facility (Remodel)	300.00
New	Administrative Fee for Change of Ownership or Name Change with no Remodel)	250.00
60	Annual Inspection Fee (1-20 Rooms)	475.00
62	Annual Inspection Fee {21-50 Rooms)	650.00
63	Annual Inspection Fee (51-100 Rooms)	775.00
64	Annual Inspection Fee (101+ Rooms)	900.00
55	Re-inspection Fee (Requested by Owner after receiving passing score)	700.00
	Description - Body Art	
38	Plan Review for New Establishment or Major Modification/ Renovation to Existing Establishment	700.00
New	Administrative Fee for Change of Ownership (no changes to structure, equipment layout, renovations, etc.)	300.00
34	Plan Re-submission (after 1 st free re-submittal)	350.00
38	Annual Inspection Fee for Body Art Facility	550.00
New	Re-inspection Fee (Requested by Owner after passing score)	700.00
New (not clearly defined in current schedule)	Body Art Exam/ Re-examination Fee	125.00
53	Body Artist License	150.00
New	Body Artist License Transfer Fee	150.00
54	Guest Body Artist License	75.00/week 67.00/week
	Temporary Body Art Establishment Permit (1-7 days)	400.00

**Fulton County Board of Health
Environmental Health Section
Fee Schedule**

	Description - Solid Waste Plan Review	
25	Solid Waste (up to 7 cubic yards)	200.00
26	Solid Waste (8 to 32 cubic yards)	220.00
27	Solid Waste (33 to 56 cubic yards)	300.00
28	Solid Waste (57 to 80 cubic yards)	350.00
29	Solid Waste (81+ cubic yards)	450.00
	Description - Miscellaneous	
122	Administrative Fee for Record Search	15.00 per ¼ hour
124	Late Fee (for any invoice)	20.00/day (max double fee)
96	Special Event (Nonprofit & For Profit) Plan Review (No food vendors)	100.00
125	Operating without a Valid Permit	Double Fee
108	Administrative Fee for Liquor License Application Review (Any Type of Facility)	220.00
136	Replacement of Lost Permit or License	125.00
121	On Site Consultation	125.00
127	Return Check Fee	51.00
137	Re-stamping of Previously Approved Plans	125.00
36	Plan Review Service or Inspection Fee for Government (Any Program)	0.00

Notice of Intent to Incorporate

Notice is given that Articles of Incorporation, which will incorporate **Pour Over Love Foundation, Inc.**, have been delivered to the Secretary of State for filing in accordance with the Georgia Non-Profit Corporation Code. The initial registered office of the corporation will be located at U.S. PO Box 8821, 1190 N Highland Ave NE, Atlanta, GA 30306, and its initial registered agent at such address is Ryan Jaskot.

ARTICLES OF AMENDMENT

Notice of Change of Corporate Name

Notice is given that articles of amendment, which will change the name of **Apart Capital Markets Inc.** to **Apart Capital Inc.**, have been delivered to The Secretary of State for filing in accordance with the Georgia Business Corporation Code. The registered office of the corporation is located at 300 Colonial Center Parkway Roswell, Georgia 30075.

ARTICLES OF DISSOLUTION

Notice of Intent to Dissolve

Notice is given that a Notice of Intent to Dissolve **JT 325 Hudson Corp.**, a Georgia Corporation with its registered office located at Ponce City Market, 675 Ponce de Leon Ave. NE, 7th Floor, Atlanta, Georgia 30308, has been delivered to the Secretary of State for filing in accordance with the Georgia Business Corporation Code.

Notice of Intent to Dissolve

Notice is given that a Notice of Intent to Dissolve **JT South Shore Center Corp.**, a Georgia Corporation with its registered office located at Ponce City Market, 675 Ponce de Leon Ave. NE, 7th Floor, Atlanta, Georgia 30308, has been delivered to the Secretary of State for filing in accordance with the Georgia Business Corporation Code.

TRADE NAME

APPLICATION TO REGISTER A BUSINESS TO BE CONDUCTED UNDER A TRADE NAME

STATE OF GEORGIA
COUNTY OF FULTON

The undersigned hereby certifies that it is conducting a business in the City of Alpharetta, County of Fulton, State of Georgia under the name of:

Papster Analytics

and that the nature of the business is Software as a service (SaaS) and that said business is composed of the following: (Limited Liability) Business address:

Papster, LLC
3500 Schooner Ridge
Alpharetta, GA 30005

This affidavit is made in compliance with Georgia Code Annotated Title 10 Chapter 1 Section 490.

APPLICATION TO REGISTER A BUSINESS TO BE CONDUCTED UNDER A TRADE NAME

STATE OF GEORGIA
COUNTY OF FULTON

The undersigned hereby certifies that it is conducting a business in the City of Atlanta, County of Fulton, State of Georgia under the name of:

Simple Fast Loans

and that the nature of the business is loan servicing and underwriting and that said business is composed of the following: (Corporation) Business address:

Fulton Loan Servicing, Inc./Fulton Underwriting and Credit Risk, Inc.
8601 Dunwoody PL, Ste 406
Atlanta, GA 30350

This affidavit is made in compliance with Georgia Code Annotated Title 10 Chapter 1 Section 490.

The undersigned hereby certify that they are conducting a business in the City of Atlanta, County of Fulton, State of Georgia under the name of

MISSIONSQUARE INVESTMENTS,

and that the nature of the business is to provide investment advisory and investment management services and other financial services authorized by applicable law to organizations and natural persons, and that said business is composed of the following corporation:

VANTAGEPOINT INVESTMENT ADVISERS, LLC,
777 North Capitol St., Ste. 600,
Washington, DC 20002

#0000557440:10/18-2AS

GOVERNMENT NOTICES

INVITATION TO BID

The Atlanta Regional Commission (ARC) is seeking proposals to solicit a firm for payroll processing and associated services. This solicitation is available on the ARC website at <https://atlantaregional.org/procurement/>. This RFP closes November 18, 2021. Any requests for a physical copy of the RFP should be sent to the Atlanta Regional Commission ATTN: Danielle Gunn, 229 Peachtree Street, Suite 100, Atlanta, GA 30303, or BusinessServicesRFP@atlantaregional.org. ARC is an equal opportunity employer and is committed to a policy of nondiscrimination in its operations.

PUBLIC HEARING

NOTICE City of Hapeville

A Public Hearing will be held by the City of Hapeville Board of Appeals on **Thursday, November 18, 2021 at 6:00 p.m.** at the City of Hapeville Municipal Annex located at 700 Doug Davis Drive, Hapeville, Georgia 30354. The meeting will also be made available to the public by live streaming only via teleconference/videoconference in accordance with O.C.G.A § 50-14-1(g) at <https://ga-hapeville3.civicplus.com/562/>. Agendas-and-Minutes to consider the following request:

Variance Requests:

Variance requests to reduce the front yard setback at 551 Woodrow Avenue, Parcel Identification Number 14-0094-0002-033-7. The property is zoned R-SF, Residential Single-Family and is subject to the zoning regulations under Section 93-22.1-1 of the City of Hapeville

Zoning Ordinance.

Applicant: Garrett Coley

Variance requests to reduce the maximum building height from 35' to 44' for the properties located at 781 North Central Avenue, 789 North Central Avenue, 0 North Central Avenue, 803 North Central Avenue, 809 North Central Avenue, 813 North Central Avenue, and 819 North Central Avenue, Parcel Identification Numbers 14-0098-0011-011-8, 14-0098-0011-012-6, 14-0098-0011-013-4, 14-0098-0011-014-2, 14-0098-0011-015-9, 14-0098-0011-018-3. The properties are zoned V, Village and are subject to the zoning regulations under Section 93-11.5 of the City of Hapeville Zoning Ordinance.

Applicant: North & Central Venture Partners, LLC

Variance request to reduce the required open space from 20 percent to 13.8 percent at 3602 S. Fulton Avenue, 647 Chestnut Street, 651 Chestnut Street, 3633 Georgia Avenue, 3627 Georgia Avenue and 3617 Georgia Avenue, Parcel Identification Numbers 14-0098-0021-048-8, 14-0098-0021-047-0, 14-0098-0021-052-0, 14-0098-0021-051-2, 14-0098-0021-049-6, 14-0098-0021-050-4. The properties are zoned RMU, Residential Mixed Use and are subject to the zoning regulations under Section 93-11.5-10 of the City of Hapeville Zoning Ordinance.

Applicant: D.R. Horton, Inc.

Public Hearing Comments: For those who are unable to physically attend the meeting, citizen comments must be emailed to the Planning and Economic Development Manager at asenter@hapeville.org or called in at 404-669-8269 no later than 5:00 p.m. on November 17, 2021. When emailing or verbally delivering your comment to the Planning and Economic Development Manager, please include your name, address, the agenda item, and the comment for or against the item. All comments submitted to the Planning and Economic Development Manager will be read into the record. Citizens may not make comments on public hearing agenda items via livestream or video conference. #0000559036:10/25-1AS

NOTICE City of Hapeville

A Public Hearing will be held by the City of Hapeville Mayor and Council on **Tuesday, November 9, 2021 at 6:00 p.m.** at the City of Hapeville Municipal Annex located at 700 Doug Davis Drive, Hapeville, Georgia 30354. The meeting will be made available to the public by live streaming only via teleconference/videoconference in accordance with O.C.G.A § 50-14-1(g) at <https://ga-hapeville3.civicplus.com/562/>. Agendas-and-Minutes to consider the following:

Rezoning Request:
Rezoning requests for the property located at 400 Porsche Avenue on land lot 96 of the 14th District, City of Hapeville, Fulton County, Georgia, Parcel Identification Number 14.0096.LL0585 from P-D, Planned Unit Development to B-P, Business Park for an office/financial institution development.

Public Hearing Comments: For those who are unable to physically attend the meeting, citizen comments must be emailed to the City Clerk at sssted@hapeville.org or called in at 404-766-3004 no later than 5:00 p.m. on November 8, 2021. When emailing or verbally delivering your comment to the City Clerk, please include your name, address, the agenda item, and the comment for or against the item. All comments submitted to the City Clerk will be read into the record during the meeting. Citizens may not make comments on public hearing agenda items via teleconference/videoconference. #0000559035:10/25-1AS

NOTICE City of Hapeville

A Public Hearing will be held by the City of Hapeville Mayor and Council on **Tuesday, November 9, 2021 at 6:00 p.m.** at the City of Hapeville Municipal Annex located at 700 Doug Davis Drive, Hapeville, Georgia 30354. The meeting will be made available to the public by live streaming only via teleconference/videoconference in accordance with O.C.G.A § 50-14-1(g) at <https://ga-hapeville3.civicplus.com/562/>. Agendas-and-Minutes to consider the following:

Consideration of an Ordinance to amend Chapter 2 (Administration), Article 2 (Mayor and Council), Section 2-2-5 (Rules and procedures of Mayor and Council) to provide for appropriate rules and procedures for City Council meetings.

Public Hearing Comments: For those who are unable to physically attend the meeting, citizen comments must be emailed to the City Clerk at sssted@hapeville.org or called in at 404-766-3004 no later than 5:00 p.m. on November 8, 2021. When emailing or verbally delivering your comment to the City Clerk, please include your name, address, the agenda item, and the comment for or against the item. All comments submitted to the City Clerk will be read into the record during the meeting. Citizens may not make comments on public hearing agenda items via teleconference/videoconference. #0000559034:10/25-1AS

PUBLIC MEETING

October 2021 Fulton Leadership Academy Meetings:
Academic Meeting **Tuesday, October 26, 2021, at 4:30pm**
Finance/HR Meeting **Wednesday, October 27, 2021, at 1:30pm**
Board Executive Session **October 28, 2021, at 4:30pm**
Board Meeting **October 28, 2021, at 6:00pm**
For more information regarding the upcoming meetings, please visit our website at www.fultonleadershipacademy.net

Public Notice

The Fulton County Board of Health will hold its quarterly board meeting on **October 27, 2021, starting at**

10:30am. In response to the ongoing pandemic pursuant to O.C.G.A. 50-14-1(d)(1), the meeting conducted via Zoom. The Board will consider to the Rules for Sewage Disposal the adoption of the Environmental Health Fee S. The proposed changes are available for review [/www.fultoncountygga.gov/services/health/public-health](http://www.fultoncountygga.gov/services/health/public-health). A public hearing to take amendments will be held during the meeting and print vote.

Anyone wishing to attend the meeting may virtually by logging in to: <https://us02web.zoom.us/j/84581260994?M01ScckdXYJfIcWVCTjhgQkoxSHu1dz09>

Meeting ID: 845 8126 0994
Passcode: FCQ2k07

To join via teleconference please dial: (646) 558-8656, enter passcode: 845812609, (312) 626-6799, enter passcode: 8458126099.

Interested parties can submit comments in the ways: 1. Type their comments during the meeting using the Zoom chat box; 2. Email the comments to Dorothy.Gaines@fultoncountygga.gov. Request before 5pm on October 26, 2021 to access to address the board via Zoom. #0000558896:10/22-3kmo

Re: **October 28, 2021** Meeting of the Private Colleges and Universities Authority

To Whom It May Concern:

In order to comply with O.C.G.A. § 50-14-1, hereby notifying you that the Private Colleges and Universities Authority (the "Authority") will hold a meeting at 11:00 a.m. on Thursday, October 28, 2021 at the offices of Alston & Bird LLP, located at 120 Peachtree Street, Atlanta, Georgia 30309. All parties interested in attending the meeting should plan to use one or more of the following methods:

VIA ZOOM MEETING:

Join Zoom Meeting
<https://tinyurl.com/47r3zad6>

Meeting ID: 874 6176 1080
Password: 463086

One tap mobile
+13017158592,,87461761080# US (Washington)
+13126266799,,87461761080# US (Chicago)

Dial by your location

+1 301 715 8592 US (Washington DC)
+1 312 626 6799 US (Chicago)
+1 646 558 8656 US (New York)
+1 253 215 8782 US (Tacoma)
+1 346 248 7799 US (Houston)
+1 720 707 2699 US (Denver)
833 548 0276 US Toll-free
833 548 0282 US Toll-free
877 853 5247 US Toll-free
888 788 0099 US Toll-free

Meeting ID: 874 6176 1080
Password: 463086

Join by SIP
87461761080@zoomcrc.com
Join by H.323
162.255.37.11 (US West)
162.255.36.11 (US East)

Meeting ID: 874 6176 1080
Password: 463086

Any persons attending the meeting by one of the above methods shall state that they are there to the meeting of the Authority.

At this meeting, the Authority will consider the following: (i) a supplemental bond resolution, among documents, related to the proposed issuance of Private Colleges and Universities Authority Re Bonds (The Savannah College of Art and Design), Series 2021; (ii) the Treasurer's Report of the Authority; (iii) approval of the Minutes from the September 24, 2021 meeting of the Authority; and (iv) other business of the Authority. Any questions in advance of the meeting can be directed to counsel for the Authority at amber.pelot@alston.com or carlos.encalston.com. #0000558320:10/21-6AS

MISC. GOVERNMENT NOTICES NOTICE OF COURT HEARING

GEORGIA, FULTON
COUNTY CITY OF ATLANTA

TO: ALL INTERESTED PARTIES
WHERE: CITY OF ATLANTA MUNICIPAL COURTS
WHEN: NOVEMBER 22, 2021 AT 9:00 A.M.

THE CITY OF ATLANTA HAS FILED A NUISANCE COMPLAINT (CIVIL ACTION NO. 21CH000011) against Plaintiff #501721 AGAINST THE PROPERTY LOCATED AT 900 NEW TOWN CIRCLE SOUTHEAST ATLANTA, GEORGIA 30315. PARCEL ID NO(S): 14-0025-LL-8; 14-0025-LL-006-0; and 14-0008-LL-023-6. A hearing has been set for **NOVEMBER 22, 2021 AT 9:00 A.M.** at the City of Atlanta Municipal Court, Court 5A, to determine if the relief requested in the Plaintiff Complaint should be granted.

Notice of Application for Readmission

Board to Determine Fitness of Bar Applicants
Supreme Court of Georgia

Samuel Jackson Brantley

has applied for readmission to the bar of Georgia. Comments or recommendations should be submitted to the



Fulton County Board of Commissioners

Agenda Item Summary

Agenda Item No.: 22-0183

Meeting Date: 3/16/2022

Department

County Manager

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Presentation of COVID-19 Operational Response Update.

Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*

Strategic Priority Area related to this item *(If yes, note strategic priority area below)*

Open and Responsible Government

Commission Districts Affected

All Districts

District 1

District 2

District 3

District 4

District 5

District 6

Is this a purchasing item?

No



Fulton County Board of Commissioners

Agenda Item Summary

Agenda Item No.: 22-0184

Meeting Date: 3/16/2022

Department

Purchasing & Contract Compliance

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Request ratification of emergency procurement - County Manager, Countywide Emergency Procurements.

Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*

In accordance with Purchasing Code Section 102-385, when the County Manager has approved an emergency procurement, the item shall be forwarded to the Board of Commissioners for ratification.

STRATEGIC PRIORITY AREA RELATED TO THIS ITEM *(If yes, note strategic priority area below)*

Open and Responsible Government

IS THIS A PURCHASING ITEM?

Yes

SUMMARY & BACKGROUND *(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)*

Scope of Work: Attached is a list of emergency procurements for the County for the period 2/2022 through 3/7/2022.

CONTRACT MODIFICATION

CONTRACT & COMPLIANCE INFORMATION *(Provide Contractor and Subcontractor details.)*

Not Applicable

EXHIBITS ATTACHED *(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)*

Exhibit 1: List of County Emergency Procurements

CONTACT INFORMATION *(Type Name, Title, Agency and Phone)*

Matthew Kallmyer, Dir, Atlanta-Fulton County Emergency Management Agency, (404) 612-5660

CONTRACT ATTACHED

No

PREVIOUS CONTRACTS

No

TOTAL CONTRACT VALUE

Original Approved Amount: 0.00
Previous Adjustments: 0.00
This Request: 0.00
TOTAL: 0.00

GRANT INFORMATION SUMMARY

Amount Requested:	0.00	<input type="checkbox"/>	Cash
Match Required:	0.00	<input type="checkbox"/>	In-Kind
Start Date:	0.00	<input type="checkbox"/>	Approval to Award
End Date:	0.00	<input type="checkbox"/>	Apply & Accept
Match Account \$:	0.00		

FISCAL IMPACT / FUNDING SOURCE

Funding line to be identified at time of request by Finance Department

FULTON COUNTY EMERGENCY PROCUREMENTS 2/2022 – 3/7/2022

EMERGENCY RENTAL ASSISTANCE PROGRAM

Date	Description of Emergency	Department/ User Agency	Contractor/Vendor Name	Certification Classification	Source	Amount
	No Report for this period					
			TOTAL			\$0.00

FEMA

Date	Description of Emergency	Department/ User Agency	Contractor/Vendor Name	Certification Classification	Source	Amount
	No Report for this period					
			TOTAL			\$0.00

AMERICAN RESCUE PLAN

Date	Description of Emergency	Department/ User Agency	Contractor/Vendor Name	Certification Classification	Source	Amount
2/3/2022	E-Gift Cards (1500) Vaccination Incentives	External Affairs	Capital Ideas, Inc.	FBE	ARPA	\$158,000.00
2/10/2022	Pilot Vaccine Program to provide gift card incentives to increase COVID-19 vaccination rates in neighborhoods with low vaccination rates within Fulton County as determined by the GA Dept of Public Health	Fulton County Board of Health	Fulton County Board of Health	Government	ARPA	\$204,028.95
2/18/2022	Reimbursement of overtime payment for City of Alpharetta officers providing traffic safety and security services at North Fulton COVID-19 Testing Sites	AFCEMA	City of Alpharetta	Government	ARPA	\$29,639.86
2/24/2022	Truck Liner and accessories for Warehouse Vehicle	AFCEMA	KMAC Enterprises, Inc.	Majority	ARPA	\$1,429.00
2/24/2022	Forklift Rental July - Sept 2021 for 4700 North Point Parkway Warehouse	AFCEMA	Sunbelt Rentals	Majority	ARPA	\$2,283.40
2/24/2022	Forklift Rental Oct - Dec 2021 for 4700 North Point Parkway Warehouse	AFCEMA	Sunbelt Rentals	Majority	ARPA	\$3,425.10

2/25/2022	Furniture and furniture installation Court Backlog Project – 136 Pryor St	County Manager	5 Star Office Furniture, Inc.	FBE	ARPA	\$73,863.00
3/4/2022	Advertising strategy to support the County's efforts for COVID-19 Booster Awareness	External Affairs	New Fitzco, LLC	Majority	ARPA	\$40,000.00
3/4/2022	Advertising strategy to support the County's efforts to increase awareness of behavioral health resources related to the mental health crisis facing residents due COVID-19 pandemic	External Affairs	New Fitzco, LLC	Majority	ARPA	\$260,000.00
			TOTAL			\$772,669.31

OTHER EMERGENCY PROCUREMENTS						
Date	Description of Emergency	Department/ User Agency	Contractor/Vendor Name	Certification Classification	Source	Amount
	No Report for this period					
			TOTAL			\$

Funding Source Legend

EERF	Emergency Expenditure Reserve Fund
FEMA Reimb	FEMA Reimbursement
ERAP	Emergency Rental Assistance
ARP	American Rescue Plan

Certification Classification Legend

DBE	Disadvantage Business Enterprise
FBE	Female Business Enterprise
MBE	Minority Business Enterprise
SBE	Small Business Enterprise
SDVBE	Services Disable Veteran Business Enterprise

**Participation Spend does not include Government or Non-Profit Organizations*

GRAND TOTAL	\$772,669.31	
*PARTICIPATION GRAND TOTAL	\$539,000.50	
Certified Firms	\$231,863.00	43.02%

TOTAL SPEND 2022	\$1,995,845.11	
*PARTICIPATION SPEND 2022	\$1,762,176.30	
TOTAL PARTICIPATION SPEND 2022	\$578,913.00	32.85%



Fulton County Board of Commissioners

Agenda Item Summary

Agenda Item No.: 22-0185

Meeting Date: 3/16/2022

Department

Finance

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Request approval of a Board Resolution to amend the Fulton County 401(a) Defined Contribution Plan to add a participant voluntary after-tax contribution feature to the Plan.

Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*

In accordance with Board policy, recommendations for amendments to the Fulton County 401(a) Defined Contribution Plan that affect Plan Benefits must be considered and approved by the Board of Commissioners.

Strategic Priority Area related to this item *(If yes, note strategic priority area below)*

Open and Responsible Government

Commission Districts Affected

- All Districts
- District 1
- District 2
- District 3
- District 4
- District 5
- District 6

Is this a purchasing item?

No

Summary & Background *(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)*

Scope of Work: Fulton County has adopted and maintains the Fulton County 401(a) Defined Contribution Plan, which was last amended and restated effective as of January 1, 2013. The Finance Department requests approval to amend the 401(a) Defined Contribution Plan to add a participant voluntary after-tax contribution feature to the Plan. The Administrative Committee of the Fulton County Defined Contribution Plan at their February 23, 2022 regular meeting voted to approve the third amendment of the Plan to add the participant after-tax contribution feature. Participants' 401 (a) Defined Contribution after-tax contributions will be placed in a separate account which will be

managed side-by-side with their traditional pre-tax mandatory 401(a) Defined Contributions Plan. No County match will be deposited into the voluntary after-tax account, and the combined IRS annual contribution limit to the pre-tax and post-tax accounts is \$61,000 for 2022. The current administrator of the Plan is Empower formerly Mass Mutual.

Community Impact: None

Department Recommendation: The Defined Contribution Plan Administrative Committee and the Finance Department recommends approval of the resolution to adopt the third Amendment to the 401 (a) Defined Contribution Plan which adds the participant voluntary after-tax contribution feature to the Plan.

Project Implications: None

Community Issues/Concerns: None

Department Issues/Concerns: None

RESOLUTIONS OF THE FULTON COUNTY
BOARD OF COMMISSIONERS

RESOLUTIONS OF THE FULTON COUNTY BOARD OF COMMISSIONERS APPROVING AN AMENDMENT TO THE FULTON COUNTY DEFINED CONTRIBUTION PLAN TO AMEND THE PLAN TO ADD A PARTICIPANT AFTER-TAX CONTRIBUTION FEATURE TO THE PLAN, AND AUTHORIZING THE CHAIRMAN OF THE BOARD OF COMMISSIONERS OR HIS DESIGNEE TO EXECUTE THE AMENDMENT.

WHEREAS, Fulton County (the “County”) has adopted and maintains the Fulton County Defined Contribution Plan (the “Plan”); and

WHEREAS, the County now wishes to amend the Plan to add a participant voluntary after-tax contribution feature to the Plan;

NOW, THEREFORE, BE IT RESOLVED, that the Fulton County Board of Commissioners (the “Board of Commissioners”) hereby authorizes and approves the adoption of the Third Amendment to the Fulton County Defined Contribution Plan, substantially in the form attached hereto (the “Amendment”).

BE IT FURTHER RESOLVED, that the Chairman of the Board of Commissioners or his designee is hereby authorized, empowered and directed to take all actions and to execute and deliver all agreements, instruments, indentures, and documents as he shall deem necessary to carry out the intent of the foregoing resolutions, including, without limitation, the execution and delivery of the Amendment.

BE IT FURTHER RESOLVED, that the signature of the Chairman of the Board of Commissioners or any designee on any agreement, instrument, indenture, or document shall be conclusive evidence of his authority.

BE IT FINALLY RESOLVED, that this Resolution and Amendment shall become effective when adopted, and that all resolutions and parts of resolutions in conflict with this Resolution are hereby repealed to the extent of the conflict.

SO PASSED AND ADOPTED by the Board of Commissioners of Fulton County, Georgia, this ____ day of _____, 2022.

FULTON COUNTY BOARD OF COMMISSIONERS

By: _____
Robb Pitts, Chairman

ATTEST:

APPROVED AS TO FORM:

Tonya R. Grier, Clerk to the Commission

Soo Jo, County Attorney

**THIRD AMENDMENT TO THE
FULTON COUNTY DEFINED CONTRIBUTION PLAN**

This THIRD AMENDMENT is made as of this _____ day of _____, 2022, by the Fulton County Board of Commissioners (the “Board of Commissioners”).

WITNESSETH:

WHEREAS, Fulton County (the “County”) maintains the Fulton County Defined Contribution Plan (the “Plan”), which was last amended and restated effective as of January 1, 2013; and

WHEREAS, the County now wishes to amend the Plan to add a participant voluntary after-tax contribution feature to the Plan;

NOW, THEREFORE, the County does hereby amend the Plan, effective as of the date of this Amendment,

1. By renumbering Section 2.56 as Section 2.58 and adding new Sections 2.56 and 2.57 to the Plan as follows:

“2.57 ‘Voluntary Employee Contributions’ means the non-deductible after-tax contributions to the Trust Fund made by the Participant pursuant to Section 4.12.

2.58 ‘Voluntary Employee Contribution Account’ means the separate subaccount established and maintained on behalf of a Participant or his Beneficiary to reflect his interest in the Trust Fund attributable to Voluntary Employee Contributions.”

2. By adding a new Section 4.12 to the Plan as follows:

“4.12 Voluntary Employee Contributions. Subject to such rules and procedures, as the Administrative Committee may from time to time prescribe, each Participant who is an Eligible Employee may elect to have the Employer withhold from his Compensation (on an after-tax basis) Voluntary Employee Contributions in a whole percentage of that Participant’s Compensation for any payroll period, subject to the limitations of Section 5.3. Voluntary Employee Contributions shall be made to the Trust Fund through regular payroll deductions or in such other manner as shall be agreed upon by each Participant and the Administrative Committee. The Administrative Committee may, at any time, suspend the making of any further Voluntary Employee Contributions. Voluntary Employee Contributions made by a Participant shall be allocated to the Voluntary Employee Contribution Account of such Participant as soon as reasonably practicable following receipt by the Trustee.”

3. By deleting the first sentence of Section 6.2(b) of the Plan in its entirety and substituting therefor the following:

“All Participants shall at all times be fully vested in their Mandatory Employee Contributions, Voluntary Employee Contributions, and Rollover Accounts.”

4. By adding a new Section 6.7(f) to the Plan as follows:

“(f) In-Service Distribution of Voluntary Employee Contribution Account. Notwithstanding anything in the Plan to the contrary, a Participant may request a distribution of all or part of his Voluntary Employee Contribution Account under the Plan at any time. Any such request must be made in accordance with such rules and conditions as the Administrative Committee may from time to time adopt. Such distribution shall be made as soon as administratively feasible after the request is made.”

Except as specifically amended hereby, the Plan shall remain in full force and effect.

IN WITNESS WHEREOF, the County has caused this Third Amendment to be executed as of the day and year first above written, in its name, by and through the Board of Commissioners.

FULTON COUNTY BOARD OF COMMISSIONERS

By: _____
Robb Pitts, Chairman

ATTEST:

APPROVED AS TO FORM:

Tonya R. Grier, Clerk to the Commission

Soo Jo, County Attorney



Fulton County Board of Commissioners

Agenda Item Summary

Agenda Item No.: 22-0186

Meeting Date: 3/16/2022

Department

Finance

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Request approval of a Resolution authorizing the release of a Request for Proposal to financial institutions and authorizing the County Manager in conjunction with the Chief Financial Officer and County Attorney to accept the lowest most responsive bid for a short-term loan or line of credit for the County's 2022 General Fund Tax Anticipation Notes ("TAN").

Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*

Department of Finance seeks approval of a Resolution releasing a Request for Proposal for a Tax Anticipation Note or other alternative financing arrangement including a privately placed loan, draw down or line of credit arrangement in an amount up to \$175,000,000 and acceptance of the lowest most responsive bidder.

Strategic Priority Area related to this item *(If yes, note strategic priority area below)*

Open and Responsible Government

Commission Districts Affected

- All Districts
- District 1
- District 2
- District 3
- District 4
- District 5
- District 6

Is this a purchasing item?

No

Summary & Background *(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)*

Scope of Work: The Temporary Loans provisions of the Georgia Constitution (Article IX, Section V, Paragraph V of the Georgia Constitution of 1983 and O.C.G.A. § 36-80-2), permit-the use of a line of credit/loan structure which conforms with all of the requirements of the Georgia Constitution's temporary loan provisions. The Georgia Constitution provides that a city or county may obtain

‘temporary loans in each year to pay expenses,’ so long as: (1) The total amount of all such temporary loans does not exceed 75% of the gross amount of taxes collected in the preceding year; (2) The temporary loan is payable on or before December 31 of the year in which it is made; (3) The municipality has no other temporary loans from previous years that remain unpaid; and (4) The temporary loan is for no more than the total anticipated revenue for the municipality for the year in which it is made.

A TAN is a form of temporary borrowing or loan which the County has obtained in recent years. It is not, however, the only form which such borrowings may take. A line of credit or privately placed loan from a bank or other financial institution would also qualify as “other evidence of indebtedness” under the Temporary Borrowing Clause. To that end, the Department of Finance seeks approval by the BOC to release a Request for Proposal for a 2022 TAN up to \$175,000,000 and other alternative solutions including a draw down feature or line of credit arrangement which would allow the County to make draws on a periodic basis and acceptance of the lowest most responsive bidder. In the aggregate, the draw downs on the line of credit, should it be selected, will not exceed the County’s maximum borrowing limit and the temporary loan limits in the Georgia Constitution.

Community Impact: Allows cash for General fund operations until property tax receipts arrive in late 2022.

Department Recommendation: Recommend approval

Project Implications: Provides short term cash financing for operational needs in 2022.

Community Issues/Concerns: None

Department Issues/Concerns: None

Contract Modification (*Delete this chart only if the Requested Action is for a NEW award. Simply insert the text “New Procurement.” If the Requested Action is for a Contract Modification ((Renewal, Amendment, Change Order, Extension, Increase Spending Authority)), the chart should remain and be completed.*)

Current Contract History	BOC Item	Date	Dollar Amount
Original Award Amount			\$.00
1st Renewal			\$.00
2 nd Renewal			\$.00
Extension #1			\$.00
Total Revised Amount			\$.00

Contract & Compliance Information (*Provide Contractor and Subcontractor details.*)

N/A

Exhibits Attached (*Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.*)

Contact Information (*Type Name, Title, Agency and Phone*)

Hakeem Oshikoya, Finance Director 404-612-7641

Contract Attached

No

Previous Contracts

Choose an item.

Total Contract Value

Original Approved Amount:

Previous Adjustments:

This Request:

TOTAL:

Grant Information Summary

Amount Requested:

Match Required:

Start Date:

End Date:

Match Account \$:

- Cash
- In-Kind
- Approval to Award
- Apply & Accept

Fiscal Impact / Funding Source

Funding Line 1:

General fund, Non-Agency, Cost of Issuance 100-999-D100-1609

Funding Line 2:

Funding Line 3:

Funding Line 4:

Funding Line 5:

Key Contract Terms	
Start Date: Upon approval	End Date: 12/31/2022
Cost Adjustment:	Renewal/Extension Terms:

Overall Contractor Performance Rating:

Would you select/recommend this vendor again?

Choose an item.

Report Period Start: **Report Period End:**

**RESOLUTION OF THE BOARD OF COMMISSIONERS
OF FULTON COUNTY, GEORGIA
AUTHORIZING, AMONG OTHER THINGS, THE
ISSUANCE AND SALE OF GENERAL FUND TAX ANTICIPATION NOTES
IN THE AGGREGATE PRINCIPAL AMOUNT OF \$175,000,000**

WHEREAS, the Board of Commissioners of Fulton County, Georgia (the “**Board of Commissioners**”) is charged with the duties of contracting debts and managing the affairs of Fulton County, Georgia (the “**County**”); and

WHEREAS, the Board of Commissioners has determined that it is in the best interest of the County to borrow money to pay current expenses for calendar year 2022 in anticipation of the receipt of taxes levied or to be levied for the General Fund; and

WHEREAS, the County is authorized by Article IX, Section V, Paragraph V of the Constitution of the State of Georgia of 1983 and Section 36-80-2 of the Official Code of Georgia Annotated, to borrow money to pay current expenses during any calendar year and to evidence such borrowing by issuing tax anticipation notes in anticipation of the receipt of taxes levied or to be levied for the General Fund for expenses payable in such calendar year; and

WHEREAS, the County is authorized by Article IX, Section IV, Paragraph I of the Constitution of the State of Georgia of 1983 to levy and collect taxes; and

WHEREAS, the County proposes to issue its General Fund Tax Anticipation Notes in the aggregate principal amount of \$175,000,000 (the “**Notes**”) to pay the current expenses of the County.

WHEREAS, in connection with the offering of the Notes, the County will request bids from financial institutions for a temporary loan (including, but not limited to, a line of credit) relating to such Notes (the "Request for Bids"), and the County proposes to authorize the use of the same in connection with the offering of the Notes.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Fulton County, Georgia, as follows:

Section 1. Findings. The Board of Commissioners hereby finds and determines as follows: (a) the aggregate principal amount of the Notes herein authorized (\$175,000,000) does not exceed \$511,962,734, being 75% of the total gross income from taxes collected by the County in calendar year 2021 for the General Fund (\$682,616,979); (b) the aggregate principal amount of the Notes, together with other contracts, notes, warrants or obligations of the County for current expenses in calendar year 2022 for the General Fund, do not exceed the total anticipated tax revenues of the County for the General Fund for calendar year 2022; (c) no temporary loan or other contract, note, warrant or other obligation for current expenses incurred in calendar year 2021 or any prior calendar year remains unpaid as of the date hereof; and (d) a need exists for the County to borrow \$175,000,000 to pay current expenses of the County in calendar year 2022 prior to the receipt of sufficient revenues from taxes levied or to be levied for the General Fund for 2022.

Section 2. Authorization of Distribution of the Request for Bids. The distribution of the Request for Bids relating to the Notes, and the solicitation of offers for purchase of the Notes from prospective purchasers by or on behalf of the County are hereby authorized. The Request for Bids shall be in such form as may be approved by the County Manager, in consultation with the Chief Financial Officer of the County and the County Attorney, and the distribution or publication of the Request for Bids shall be conclusive evidence of any such approval.

Section 3. Approval and Ratification of Certain Documents and Actions. The actions of the County Manager, the Chief Financial Officer of the County, the financial advisor to the County, and any other officials, officers, employees, agents or attorneys representing the County, in causing information with respect to the County and the Notes to be prepared and distributed to potential purchasers of the Notes, and in advertising the Notes for sale, including the preparation, use and circulation of the Request for Bids, are hereby approved, ratified and confirmed.

Section 4. Acceptance of Winning Bid. The County Manager, after consultation with the Chief Financial Officer of the County and the County Attorney, is hereby authorized to accept the bid of and award the sale of the Notes to the responsible bidder (the "Purchaser") whose bid (a) results in the lowest net interest cost to the County and (b) best meets the needs of the County, determined as set forth in the Request for Bids; provided, that the County Manager is not authorized to accept any bid for less than 100% of the par value of the Notes. Following the acceptance of the winning bid, the County Manager shall provide information concerning such bid, including the name of the winning Purchaser, the interest rate of the Notes and the net interest cost of the Notes, to the Board of Commissioners.

Section 5. Authorization of Notes. There is hereby authorized to be issued tax anticipation notes of the County in the aggregate principal amount of \$175,000,000 which shall be designated "Fulton County, Georgia General Fund Tax Anticipation Notes, Series 2022" (the "Notes"). The Notes shall be dated as of the date of delivery thereof to the Purchaser (as herein defined) and shall bear interest at the rate per annum, calculated on the basis of a 360-day year comprised of twelve 30-day months, all as provided in, and in accordance with, the Purchaser's winning bid; shall be payable as to principal and interest by wire transfer upon surrender of the Notes to the persons who are registered owners on December 31, 2022 and shall be payable as to principal and interest in lawful money of the United States of America; shall be issued in \$100,000 denominations or any integral multiple of \$5,000 in excess thereof; shall be numbered R-1 upward; and shall mature and interest shall be payable on December 31, 2022. The Notes shall be issued in the form of fully registered notes. The Notes shall be executed by the manual or facsimile signature of the Chairman of the Board of Commissioners and by the manual or facsimile signature of the Clerk thereof, and the corporate seal of the County shall be impressed or imprinted thereon. In case any officer whose signature shall be affixed to the Notes or who shall have sealed any of the Notes shall cease to be such officer before the Notes so signed and sealed shall have been actually delivered, the Notes, nevertheless, shall be valid Notes of the County and may be delivered as such notwithstanding the fact that such officer or officers may have ceased to be such officer or officers of the County when the Notes shall be actually delivered.

Section 6. Approval of Form of Notes. The Notes as initially issued shall be issued in substantially the form attached hereto as **Exhibit A** subject to such minor changes, insertions or omissions as may be approved by the Chairman of the Board of Commissioners, and the execution and delivery of the Notes shall be conclusive evidence of such approval.

Section 7. Designation of Paving Agent. The Chief Financial Officer of the County is hereby designated as Paying Agent, Note Registrar and Authenticating Agent with respect to the Notes. The Chief Financial Officer, upon consultation with the County Attorney, is hereby authorized to designate U.S. Bank National Association as Deputy Paying Agent, Deputy Note Registrar and Deputy Authenticating Agent, as necessary or convenient. Any actions or responsibilities which may be undertaken by the Paying Agent, Note Registrar and/or Authenticating Agent, as the case may be, may also be taken by the Deputy Paying Agent, Deputy Note Registrar and/or Deputy Authenticating Agent, as the case may be.

Section 8. Tax Revenues Used to Repay Notes. The County agrees to use for payment of the Notes and the interest thereon a sufficient portion of the revenues received by the County from taxes levied or to be levied for calendar year 2022 for the General Fund and other funds available for such purpose.

Section 9. Authentication of Notes. Only such Notes as shall have endorsed thereon a certificate of authentication substantially in the form hereinabove set forth duly executed by the Note Registrar shall be deemed to be validly issued hereunder. No Notes shall be valid or obligatory for any purpose unless and until such certificate of authentication shall have been executed by the Note Registrar, and such executed certificate of the Note Registrar upon any such Note shall be conclusive evidence that such Note has been authenticated and delivered hereunder. Said certificate of authentication on any Note shall be deemed to have been executed by the Note Registrar, but it shall not be necessary that the same authorized signatory sign the certificate of authentication on all of the Notes.

Section 10. Transfer and Exchange of Notes. The Note Registrar shall cause to be kept books for the registration of transfer of the Notes. Notes may be registered and transferred on the books of registration by the registered owner thereof in person or by his duly authorized attorney, upon surrender thereof, together with a written instrument of transfer executed by the owner or his duly authorized attorney. Upon surrender for registration of transfer of any Note at the principal corporate office of the Note Registrar, the Chairman of the Board of Commissioners shall execute, and the Note Registrar shall authenticate and deliver in the name of the transferee or transferees, a new Note or Notes of the same aggregate principal amount and tenor and of any authorized denomination or denominations, numbered consecutively in order of issuance according to the records of the Note Registrar.

The Notes may be exchanged at the principal corporate office of the Note Registrar for an equal aggregate principal amount of Notes of the same aggregate principal amount and tenor and of any authorized denomination or denominations. The Chairman of the Board of Commissioners shall execute, and the Note Registrar shall authenticate and deliver, Notes, which the owner of Notes making such exchange is entitled to receive, bearing numbers not contemporaneously then outstanding.

Such transfers of registration or exchanges of Notes shall be without charge to the owner of such Notes, but any tax or other governmental charge, required to be paid with respect to the same shall be paid by the owner of the Note requesting such transfer or exchange as a condition precedent to the exercise of such privilege.

All Notes surrendered upon any transfer provided for in this Resolution shall be promptly cancelled by the Note Registrar and shall not be reissued. Upon request of the County a certificate evidencing such cancellation shall be furnished by the Note Registrar to the County.

Section 11. Registered Owners. The person in whose name any Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of either principal or interest shall be made only to or upon the order of the registered owner thereof or his duly authorized attorney, but such registration may be changed as hereinabove provided. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

Section 12. Mutilated or Destroyed Notes. In case any Note shall become mutilated or be destroyed or lost, the County may cause • to be executed, authenticated and delivered a new Note of like date and tenor in exchange or substitution for any such Note upon, in the case of a mutilated Note, surrender of such Note, or in the case of destroyed or lost Note, the owners filing with the County, the Paying Agent and the Note Registrar evidence satisfactory to them that such Note was destroyed or lost and providing indemnity satisfactory to them. If any such Note shall have matured, instead of issuing a new Note, the County may pay the same.

Section 13. Redemption. The Notes are not subject to redemption prior to maturity as is more fully provided in the foregoing form thereof.

Section 14. Tax Covenants and Representations. The Notes are being issued by the County for the governmental purpose of providing funds for the current expenses of the County for the year 2022, in compliance with the conditions necessary for the interest income on the Notes to be excludable from gross income for federal income taxation pursuant to the provisions of Section 103(a) of the Internal Revenue Code of 1986, as amended (the “Code”). It is the intention of the County that the interest on the Notes be and remain excludable from gross income for federal income tax purposes, and, to that end, the County hereby covenants with the holders of the Notes, as follows:

(a) It will not take any action, or fail to take any action, if any such action or failure to take action would adversely affect the tax-exempt status of the interest on the Notes under Section 103 of the Code.

(b) It will not directly or indirectly use or permit the use of any proceeds of the Notes or any other funds of the County or take or omit to take any action in a way that would cause the Notes to be (i) “private activity bonds” within the meaning of Section 141 of the Code, (ii) obligations which are “federally guaranteed” within the meaning of Section 149 of the Code or (iii) “hedge bonds” within the meaning of Section 149 of the Code. Without limiting the foregoing, the County will not allow 10% or more of the proceeds of the Notes to be used in the trade or

business of any private business and will not loan 5% or more of the proceeds of the Notes to any nongovernmental units.

(c) It will not directly or indirectly use or permit the use of any proceeds of the Notes or any other funds of the County or take or omit to take any action that would cause the Notes to be “arbitrage bonds” within the meaning of Section 148 of the Code. The County anticipates that no rebate of any investment earnings to the Department of Treasury of the United States will be required by Section 148(f) of the Code at any time while the Notes are outstanding. However, in the event that such rebate is required, the County hereby covenants to comply with all requirements of Section 148 of the Code to the extent applicable to the Notes.

(d) The County will cause to be completed and filed with the Internal Revenue Service the information required by Section 149(e) of the Code, (Treasury Form 8038-G) prior to or simultaneously with the issuance of the Notes.

Section 15. Approval of Tax Certificate. The Chairman of the Board of Commissioners and the Chief Financial Officer of the County, or either of them, are hereby authorized to execute on behalf of the County a Non-Arbitrage Certificate and Tax Covenants to assure the owners of the Notes and McGuireWoods LLP, Note Counsel, that the interest on the Notes will remain excludable from gross income for federal income tax purposes and that the proceeds of the Notes will not be used in a manner which would result in the Notes being “arbitrage bonds” within the meaning of Section 148 of the Code.

Section 16. General Authority. From and after the date of adoption of this Resolution, any member of the Board of Commissioners and the officers of the County are hereby authorized to do such acts and things, and to execute and deliver all such certificates or agreements as may be necessary or desirable in connection with the issuance of the Notes. All actions of the Board of Commissioners, officers or agents of the County taken in connection therewith prior to the date hereof are hereby ratified and confirmed.

Section 17. No Continuing Disclosure Undertaking. The Notes will be initially offered in authorized denominations of \$100,000 or more, with a maturity of nine months or less and as such, pursuant to paragraph (b)(5)(d)(1)(ii) of Rule 15c2-12, the Notes will be exempt from the requirements of Rule 15c2-12. Notwithstanding the foregoing, the County may agree to provide certain financial information and operating data to the Purchaser, subject to consultation with the County Attorney and Chief Financial Officer of the County.

Section 18. Sale of Notes. The sale of the Notes to the Purchaser for the price (equal to par, plus a premium (as applicable) and less commitment fees, Purchaser's counsel and/or any Purchaser's discount, as applicable), and at the rate, arbitrage yield, net interest cost (NIC) and total interest, all as set forth in the winning bid as determined pursuant to Section 4 of this Resolution is hereby authorized, ratified and approved; provided, however that the NIC shall not exceed 5%.

Section 19. Tax Levy for Payment of Note. For the purpose of providing funds for the payment of the principal of and interest on the Notes, there shall be and hereby is assessed and levied and there shall hereafter be collected a direct tax upon all real and personal property

now or hereafter subject to taxation within the corporate limits of Fulton County, Georgia, the net proceeds of which will be in a sufficient amount to produce such sums as are required to pay the principal and interest thereon. Said sums are irrevocably pledged and appropriated to the payment of the principal and interest, when due on the Notes, and the provisions to meet the requirements of this Resolution shall hereafter be made in due time and manner so that the Notes, including both principal and interest, shall be fully paid at maturity.

Section 20. Post Issuance Tax Compliance. The County has in place Post-Issuance Tax Compliance Policies and Procedures as required by the Internal Revenue Service in connection with filing Form 8038-G for the Notes and other tax-exempt obligations of the County.

Section 21. Custody and Application of Proceeds of Notes. Upon the issuance and delivery of the Notes, the Chief Financial Officer is hereby authorized and directed to pay the costs of preparing the Notes, including the fees and expenses of the Financial Advisor, Note Counsel, Disclosure Counsel (as applicable) and expenses associated with the limited competitive bidding process utilized by the County relating to the sale of the Notes, and obtaining a CUSIP Number, if required, and all other customary costs of issuance of the Notes in an amount approved by the Chief Financial Officer. The balance of the proceeds of the sale of the Notes (or draws upon any line of credit or similar facility entered into in connection with the sale of the Notes) shall be deposited in the operating account of the County to be applied toward the payment of its current expenses in calendar year 2022.

Section 22. Approval and Ratification of Certain Documents and Actions. The actions of the County Manager, the Chief Financial Officer of the County, the County Attorney, the financial advisor to the County, and any other official, officer, employee, agent or attorney in causing information with respect to the Notes to be distributed to potential investors, and the limited competitive bidding process utilized in connection with the sale of such Notes, are hereby authorized, ratified and confirmed.

Section 23. Effective Date. This Resolution shall be in full force and effect immediately upon its adoption, and any and all resolutions or parts of resolutions in conflict with this Resolution shall be, and they are, to the extent of such conflict, hereby repealed.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

Adopted and approved this ____ day of April, 2022.

Approved:

[SEAL]

By: _____
Robert L. Pitts, Chairman
Board of Commissioners of
Fulton County, Georgia

ATTEST:

Tonya R. Grier, Clerk
Board of Commissioners of Fulton County, Georgia

Approved as to form:

Y. Soo Jo
County Attorney

CLERK'S CERTIFICATE

I, Tonya R. Grier, Clerk of the Board of Commissioners of Fulton County, Georgia, DO HEREBY CERTIFY that the foregoing pages of typewritten material constitute a true and correct copy of a resolution duly adopted by the Board of Commissioners of Fulton County at a duly called and constituted meeting of said Board held on April ____, 2022, which meeting was open to the public and at which a quorum was present and acting throughout, that all notices of such meeting required by any sunshine law to be given were duly given, and that all the original of said resolution appears of record in the Minute Book of the Board of Commissioners which is in my custody and control.

I further certify that said resolution has not been amended, modified or repealed.

WITNESS my official signature and the corporate seal of Fulton County, Georgia as of the ____ day of April, 2022.

[SEAL]

Tonya R. Grier, Clerk
Board of Commissioners of Fulton County,
Georgia

EXHIBIT A

[FORM OF NOTE]

UNITED STATES OF AMERICA

STATE OF GEORGIA

FULTON COUNTY, GEORGIA

GENERAL FUND

TAX ANTICIPATION NOTES,

SERIES 2022

Number R-1

Maturity Date

[]

Date of Original Issue

[]

CUSIP

[]

Principal Amount: ONE HUNDRED SEVENTY-FIVE MILLION AND NO/100 DOLLARS (\$175,000,000.00)

Registered Owner: [TO BE DETERMINED]

KNOW ALL MEN BY THESE PRESENTS: FULTON COUNTY, GEORGIA, a political subdivision of the State of Georgia (the "**County**"), for value received, hereby promises to pay the principal amount set forth above, together with interest thereon at the rate of []% per annum (calculated on the basis of a 360-day year comprised of twelve 30-day months), in immediately available funds, on the maturity date set forth above, to the registered owner hereof.

Both principal hereof and interest hereon are payable by wire transfer by the Chief Financial Officer, as paying agent, note registrar and authenticating agent [or any deputy paying agent, note registrar and authenticating agent (as applicable)] (the "**Paying Agent**"), to the person who is the registered owner hereof as of December 31, 2022 upon surrender hereof. Both principal hereof and interest are payable in lawful money of the United States of America.

The County also promises to pay any and all amounts owed by the County as arbitrage rebate pursuant to Section 148 of the Internal Revenue Code of 1986, as amended and any amounts expended by any owner of this Note in connection with the collection of amounts owed hereunder, including, but not limited to attorney fees.

This Note is one of a series of tax anticipation notes in the aggregate principal amount of \$175,000,000 authorized by a resolution (the "**Resolution**") duly adopted by the Board of Commissioners of Fulton County, Georgia (the "**Board of Commissioners**") on April ___, 2022 in accordance with Article IX, Section V, Paragraph V of the Constitution of the State of Georgia and Section 36-80-2 of the Official Code of Georgia Annotated, for the purpose of making a temporary loan to pay current expenses of the County in calendar year 2022.

This Note is issued in anticipation of the receipt of taxes levied or to be levied for the General Fund in calendar year 2022. The principal amount of this Note together with all other temporary loans, notes, warrants or similar obligations does not exceed 75% of the total revenues from taxes collected for the General Fund by the County in calendar year 2021 and does not exceed, together with other contracts, notes, warrants and obligations of the County for calendar year 2022 payable from the General Fund, the total anticipated revenues from taxes of the County for the General Fund for calendar year 2022. No temporary loan or other contract, note, warrant or other obligation for current expenses incurred in calendar year 2021 or any prior calendar year remains unpaid.

This Note is being issued in physical, certificated form, and evidences ownership of [all or a portion of] the Notes in principal amounts of \$100,000 or integral multiples of \$5,000 in excess thereof, and with transfers subject to the provisions set forth herein and in the Resolution and the other documents and agreements relating to the Notes. The principal and interest on the Notes are payable by the Paying Agent to the registered owner.

This Note is not subject to prepayment prior to maturity.

[This Note may only be transferred in a transaction exempt from registration under the Securities Act of 1933, as amended, as provided in the documents and agreements relating to the Notes.]

This Note may be registered as transferred by the registered owner hereof in person or by the owner's attorney duly authorized in writing, but only in the manner, subject to the limitations specified in the Resolution, and upon surrender and cancellation of this Note. Upon such registration of transfer, a new note or notes of the same aggregate principal amount and tenor and of any authorized denomination or denominations will be issued to the transferee in exchange therefor.

This Note may be exchanged for an equal aggregate principal amount of Notes of the same aggregate principal amount and tenor of any authorized denomination or denominations, in the manner and subject to the conditions provided in the Resolution and the documents and agreements relating to the Notes. No service charge shall be made for any registration of transfer or exchange hereinbefore referred to, but the Paying Agent may require payment of a sum sufficient to cover any tax or other governmental charge as a condition precedent to the exercise of such privilege.

The person in whose name this Note is registered shall be deemed and regarded as the absolute owner hereof for all purposes, and payment of or on account of either principal

or interest made to such registered owner shall be valid and effectual to satisfy and discharge the liability upon this Note to the extent of the sum or sums so paid.

It is hereby certified, recited and declared that all acts, conditions and things required by the Constitution and laws of the State of Georgia to be done precedent to or as a condition to the issuance of this Note have been properly done, have happened and have been performed in the manner required by the Constitution and laws of the State of Georgia; that the tax levies in anticipation of which this Note is issued are or will be valid and legal levies; that the County will use a sufficient amount of the proceeds of such tax levies and other available funds for the payment of this Note and the interest hereon; and that this Note, together with all other indebtedness of the County, is within every debt or other limit provided by the Constitution and laws of the State of Georgia.

All capitalized terms used but not defined herein shall have the meanings assigned to them in the Resolution.

IN WITNESS WHEREOF, the County acting by and through the Board of Commissioners, has caused this Note to be executed in its corporate name by the manual signature of the Chairman of the Board of Commissioners, and attested by the manual signature of the Clerk of the Board of Commissioners and the corporate seal of the County to be impressed or imprinted hereon, all as of the date of original issue as shown above.

FULTON COUNTY, GEORGIA

By: _____
Chairman, Board of Commissioners,
Fulton County, Georgia

(SEAL)

ATTEST

Clerk, Board of Commissioners,
Fulton County, Georgia

CERTIFICATE OF AUTHENTICATION

This is one of the Notes described in the within mentioned authorizing resolution of Fulton County, Georgia adopted on [_____, 2022], and is hereby authenticated.

FULTON COUNTY, GEORGIA

By: _____
Chief Financial Officer

Date of Authentication: [_____, 2022]

* * * * *

ASSIGNMENT FOR TRANSFER

FOR VALUE RECEIVED, the undersigned hereby sells, assigns and transfers

unto

[PLEASE INSERT SOCIAL SECURITY OR OTHER IDENTIFYING NUMBER OF ASSIGNEE

_____]

the within Note of Fulton County, Georgia and does hereby constitute and appoint _____ attorney to transfer the said Note on the books of the Note Registrar, with full power of substitution in the premise.

Date:

In the presence of: _____
Noteholder

NOTICE: The signature to this Assignment must correspond with the name as it appears upon the face of the within Note in every particular, without alteration or enlargement or any change whatever.

* * * * *



Fulton County Board of Commissioners

Agenda Item Summary

Agenda Item No.: 22-0187

Meeting Date: 3/16/2022

Department

Registration & Elections

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Request approval to conduct the City of Atlanta Special Bond Election on May 24, 2022, in conjunction with the General Primary Election.

Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*

In accordance with the Georgia Election Code Section 21-2-45, The governing authority of any municipality may authorize any county within which that municipality wholly or partially lies to conduct any or all elections held pursuant to this chapter.

Strategic Priority Area related to this item *(If yes, note strategic priority area below)*

Open and Responsible Government

Commission Districts Affected

- All Districts
- District 1
- District 2
- District 3
- District 4
- District 5
- District 6

Is this a purchasing item?

No

Summary & Background *(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)*

A Call was published for a special election where the City of Atlanta on May 24, 2022, in conjunction with the General Primary Election that will be held in all the precincts of the City of Atlanta. The voters will determine the question of whether General Obligation Public Improvement Bonds in an aggregate principal amount not to exceed \$213,010,000, for the purpose of providing funds for public safety, parks, and recreational facilities.

Agenda Item No.: 22-0187

Meeting Date: 3/16/2022

Scope of Work:

Community Impact:

Department Recommendation: To approve conduct of special bond election.

Project Implications:

Community Issues/Concerns:

Department Issues/Concerns:



Fulton County Board of Commissioners

Agenda Item Summary

Agenda Item No.: 22-0188

Meeting Date: 3/16/2022

Department

Registration & Elections

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Request approval to conduct the City of Atlanta Special Bond Election for Public Improvement for roads, sidewalks, pathways, trails and related transportation, park, and playground on May 24, 2022, in conjunction with the General Primary Election.

In accordance with the Georgia Election Code Section 21-2-45, The governing authority of any municipality may authorize any county within which that municipality wholly or partially lies to conduct any or all elections held pursuant to this chapter.

Strategic Priority Area related to this item *(If yes, note strategic priority area below)*

Open and Responsible Government

Commission Districts Affected

- All Districts
- District 1
- District 2
- District 3
- District 4
- District 5
- District 6

Is this a purchasing item?

No

Summary & Background *(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)*

A Call was published for a special election where the City of Atlanta on May 24, 2022, in conjunction with the General Primary Election that will be held in all of the precincts of the City of Atlanta. The voters will determine the question of whether General Obligation Public Improvement Bonds in an aggregate principal amount not to exceed \$192,990,000, for the purpose of providing funds for roads, sidewalks, pathways, trails and related transportation, park and playground improvements.

Scope of Work:

Agenda Item No.: 22-0188

Meeting Date: 3/16/2022

Community Impact:

Department Recommendation:

Project Implications:

Community Issues/Concerns:

Department Issues/Concerns:



CITY COUNCIL
ATLANTA, GEORGIA

21-R-3927

A RESOLUTION BY COUNCILMEMBER CARLA SMITH AMENDED BY TRANSPORTATION (#3) AND FINANCE/EXECUTIVE COMMITTEES AND SUBSTITUTED BY THE ATLANTA CITY COUNCIL CALLING FOR THE IMPOSITION, BY THE FULTON COUNTY COMMISSION, OF A TRANSPORTATION SPECIAL PURPOSE LOCAL OPTION SALES AND USE TAX (“TSPLOST”), TO FUND TRANSPORTATION PURPOSES AND A REFERENDUM ELECTION THEREON; TO APPROVE THE SUBMISSION OF A LIST OF TRANSPORTATION PROJECTS AND PURPOSES TO FULTON COUNTY; TO SPECIFY THE AGGREGATE MAXIMUM COSTS OF SUCH PURPOSES TO BE FUNDED BY THE TSPLOST; TO SPECIFY THE MAXIMUM PERIOD OF TIME THE TSPLOST WILL BE IMPOSED; AND FOR OTHER PURPOSES.(FAVORABLE AS AMENDED BY TRANSPORTATION COMMITTEE 12/1/21)

WHEREAS, an Act of the General Assembly of the State of Georgia, designated Senate Bill 369 and made effective on April 26, 2016, added a new Part 3 to Article 5A of Chapter 8 of Title 48 of the Official Code of Georgia Annotated (“SB 369”); and

WHEREAS, SB 369 allows the City of Atlanta (“City”), as a metropolitan municipality special district, to impose a transportation special purpose local option sales and use tax (“TSPLOST”) within the City, for a limited period of time, to fund transportation purposes; and

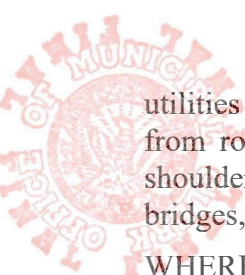
WHEREAS, under SB 369, “transportation purposes” means and includes roads, bridges, public transit, rails, airports, buses, seaports, including without limitation road, street, and bridge purposes pursuant to paragraph (1) of subsection (b) of Section 48-8-121 of the Official Code of Georgia Annotated (“O.C.G.A”), and all accompanying infrastructure and services necessary to provide access to these transportation facilities; and

WHEREAS, pursuant to Resolution 16-R-3712, adopted by the Atlanta City Council on July 18, 2016 and approved by the Mayor on the same day, the City approved a TSPLOST and a referendum election thereon, pursuant to Part 3 of Article SA of Chapter 8 of Title 48 of the Official Code of Georgia Annotated, for the sole purpose of funding the transportation purposes as defined in SB 369; and

WHEREAS, Resolution 16-R-3712 provided for a list of projects and purposes qualifying as transportation purposes proposed to be funded from the TSPLOST consistent with the statewide strategic transportation plan; and

WHEREAS, the citizens of Atlanta voted in favor of the TSPLOST during the November 8, 2016 election; and

WHEREAS, the road, street, and bridge purposes contained in paragraph (1) of subsection (b) of O.C.G.A. § 48-8-121 include acquisition of rights of way for roads, streets, bridges, sidewalks, and bicycle paths; construction of roads, streets, bridges, sidewalks, and bicycle paths; renovation and improvement of roads, streets, bridges, sidewalks, and bicycle paths, including resurfacing; relocation of



utilities for roads, streets, bridges, sidewalks, and bicycle paths; improvement of surface-water drainage from roads, streets, bridges, sidewalks, and bicycle paths; and patching, leveling, milling, widening, shoulder preparation, culvert repair, and other repairs necessary for the preservation of roads, streets, bridges, sidewalks, and bicycle paths; and

WHEREAS, the City shall finalize a list of specific transportation purposes to be funded by the proceeds of the TSPLOST, which list shall be submitted by supplemental resolution to this Resolution; and

WHEREAS, the City has the ability to change the projects as deemed necessary; and

WHEREAS, the City Council of the City believes the most feasible plan for funding a portion of the City's transportation purposes is to impose a TSPLOST pursuant to Part 3 of Article 5A of Chapter 8 of Title 48 of the O.C.G.A: and

WHEREAS, Part 3 of Article 5A of Chapter 8 of Title 48 of the O.C.G.A. requires the City to submit a list of transportation purposes and the question of whether the tax should be approved to the governing authority of Fulton County; and

WHEREAS, it is in the best interests of the City to submit a list of transportation purposes and the question of whether the TSPLOST should be approved to the Fulton County Board of Commissioners.

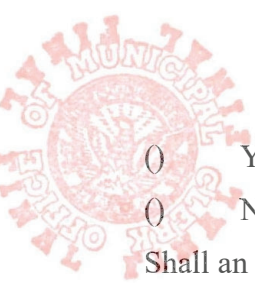
NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF

ATLANTA, GEORGIA, to call for the imposition, by the Fulton County Board of Commissioners, of a transportation special purpose local option sales and use tax ("TSPLOST") and a referendum election thereon, pursuant to Part 3 of Article 5A of Chapter 8 of Title 48 of the Official Code of Georgia Annotated ("O.C.G.A"), for the sole purpose of funding the transportation purposes as defined in SB 369.

BE IT FURTHER RESOLVED, that a list of the projects and purposes qualifying as transportation purposes proposed to be funded from the TSPLOST, including an expenditure of at least thirty percent (30%) of the estimated revenue from the TSPLOST on projects consistent with the state wide strategic transportation plan, as defined in paragraph (6) of subsection (a) of O.C.G.A Section 32-2-22, which is attached as Exhibit A, shall be transmitted to the Fulton County Commission for its approval.

BE IT FURTHER RESOLVED, that, if the Fulton County Board of Commissioners approves the list of transportation projects and purposes, the Fulton County Board of Commissioners shall follow the procedure described in SB 369 to notify the Fulton County Board of Registration and Elections to call for the imposition of the TSPLOST and for the proposal to be presented to the qualified voters within the City at the next scheduled election.

BE IT FURTHER RESOLVED, that the ballot submitting the question of the imposition of the TSPLOST to the voters within the City shall have written or printed thereon the following:



YES

NO

Shall an additional 0.4 percent sales tax be collected in the City of Atlanta for 5 years for the purpose of transportation improvements and congestion reduction?

BE IT FURTHER RESOLVED, that the City Council of the City of Atlanta hereby directs the Fulton County Board of Registration and Elections to call and conduct the election, to canvass the returns, declare the result of the election, and certify the results to the Secretary of State and to the State Revenue Commissioner, as provided by SB 369.

BE IT FURTHER RESOLVED, that the Municipal Clerk is hereby ordered and directed to furnish the Fulton County Board of Registration and Elections with a duly certified copy of this resolution in order that the Fulton County Board of Registration and Elections may take such action as provided by SB 369.

BE IT FURTHER RESOLVED, that the proposed TSPLOST shall be imposed at a rate of 0.4 percent and the maximum amount of net proceeds to be collected from the proposed TSPLOST is Three Hundred **Fifty** Million Dollars and Zero Cents (\$350,000,000.00) (“Maximum Amount”).

BE IT FURTHER RESOLVED, that the proposed TSPLOST shall commence on the first day of the next succeeding calendar quarter that begins more than eighty (80) days after the date of the election at which the TSPLOST was approved by the voters and continue for up to five (5) years thereafter, or until such time the TSPLOST has raised revenues sufficient to provide the City the net proceeds equal to or greater than the Maximum Amount, whichever comes first.

BE IT FURTHER RESOLVED, that following the expiration of the proposed TSPLOST, the City may re-impose a TSPLOST in the same manner as provided in Part 3 of Article 5A of Chapter 8 of Title 48 of the O.C.G.A.

BE IT FURTHER RESOLVED that any revisions or alterations to this project list, and any additional revenue received from sales tax, must come to City Council for authorization and dispersal.

BE IT FINALLY RESOLVED, that any resolutions in conflict with this resolution are hereby waived to the extent of the conflict only.

A true copy,

Foris Webb III
Municipal Clerk

ADOPTED *as amended* by the Atlanta City Council
APPROVED per City Charter Section 2-403

DEC 06, 2021
DEC 15, 2021



EXHIBIT A

City of Atlanta - 2022 TSPLOST - Project List



City of Atlanta – 2022 TSPLOST – Project List

\$350,000,000

Project Name	CD	Cost
Safer Streets (Detail Below)	Citywide	90,569,338
Sidewalks - New Sidewalk Installs on Major Streets (Detail Below)	Citywide	61,011,529
Sidewalks - Sidewalk Repair on Major Streets	Citywide	41,667,195
Sidewalks - State Route Sidewalk & Paths (Hollowell, Memorial, Moreland, Northside Parkway, Roswell and others)	Citywide	8,750,000
Overhead	Citywide	39,000,000
Inflation Escalation Costs	Citywide	31,500,000
State of Georgia 1% Costs	Citywide	3,150,000
Bridge Maintenance, Repair and Replacement	Citywide	18,000,000
Bridges - Cheshire Bridge Emergency Repair	Citywide	7,000,000
Strategic Traffic Calming (Speed Humps, Cushions, etc)	Citywide	10,350,001
Traffic Signals	Citywide	10,000,000
Mount Paran Resurfacing & Safety Improvements	8	3,500,000
Bus Shelters & Bus Rider Experience Improvements	Citywide	3,400,000
Northside Paving (Muscogee, Tall Pines, Laurel, Laurel Forest)	8	3,250,000
Trolley Trail Beltline Connection, Spurs & Extension	5	2,851,937
Contribution to PATH SW Beltline Connector Trail	11	1,000,000
Proctor Creek Greenway Segment 4	9	4,500,000
Peachtree Creek Greenway	6, 7	6,000,000
North Highland Repaving and Safety Improvements	6	4,500,000

Detail on Safe Streets Projects

Project Name	Length	AVG PCI	Low PCI	SEM Score	Estimated Cost (\$M)
Cleveland Ave Pedestrian & Safety Improvements	3	83	53	1.0	2.0
Lee Street Trail (Southside Bike Project) & Safety Improvements	2.7	-	-	0.9	5.0
McDaniels Safe Street & Protected Bike Lanes	1.75	57	27	0.9	4.8
Lowery Safe Street & Protected Bike Lanes	3	54	26	0.9	6.9
RDA-Georgia Safe Street & Protected Bike Lanes	2.3	68	27	0.9	8.0
Peachtree Safe Street	2.6	53	30	0.9	9.7
Pryor & Central Safe Street & Protected Bike Lanes	3.7	43	27	0.9	10.3
Westlake MARTA Station Safe Intersection Project at MLK & West Lake	0.25	51	32	0.9	0.8
Courtland Dedicated Bus Lanes & Courtland / Piedmont Protected Bike Lanes near Georgia State University & Safety Improvements	2	57	40	0.7	5.0
Whitehall Safe Street & Protected Bike Lanes	1.1	49	29	0.6	2.0
Ralph McGill / Ivan Allen Safe Street & Protected Bike Lanes	2.4	40	22	0.6	8.0
Lenox Road Safe Street & Multipurpose Path	0.3	49	20	0.4	6.0
Midtown Safe Street Corridor (Extension of 10th Street Protected Bike Lane / Peachtree Pl Low Stress Bikeway)	1	-	-	0.4	2.0
South Boulevard Safe Street & Protected Bike Lane	2.1	48	25	0.4	1.8
Monroe Safe Street	2	42	29	0.4	4.0
15th Street Safe Street Corridor from Arts Center MARTA Station to Piedmont Park	0.6	50	35	0	1.9
Euclid Ave Safe Street & Little 5 Points Streetscape	0.6	50	24	-0.2	3.0
Sidney Marcus Safe Street & PATH 400 Link to Lindbergh MARTA Station	0.4	37	20	-0.2	3.4
Central Park Place Safe Street & Protected Bike Lanes	0.8	58	31	-0.3	2.0
Marietta Blvd Rebuild Local Match & Safety Improvements	3	53	37	-0.3	4.0
Total					90.6



Detail on Sidewalk Installs on Major Streets

Rank	Corridor	SEM Score of Most Needed Segment	Total Corridor Cost
1	WEST LAKE AVE	1.85	265,385
2	CLEVELAND AVE	1.75	1,553,190
3	PRYOR	1.50	843,322
4	BOULDER PARK DR	1.48	827,231
5	FAIRBURN RD	1.46	2,358,394
6	HIGHTOWER RD	1.42	273,233
7	LINKWOOD RD	1.28	1,870,043
8	BROWNS MILL RD	1.17	10,279,739
9	CAMPBELLTON RD	1.17	3,980,366
10	DELOWE DR	1.17	1,145,431
11	BOONE/COLLIER DR	1.07	4,186,033
12	SYLVAN RD	1.03	821,179
13	HOLLYWOOD RD	1.01	48,325
14	MARIETTA BLVD	1.00	1,915,782
15	MARTIN LUTHER KING JR	0.98	746,815
16	HARWELL RD	0.89	450,501
17	MCDANIEL ST	0.88	606,924

Rank	Corridor	SEM Score of Most Needed Segment	Total Corridor Cost
18	MOUNT ZION RD	0.85	3,019,364
19	MOUNT GILEAD RD	0.85	2,578,432
20	HANK AARON DR SW	0.83	338,072
21	BARGE RD	0.83	1,473,571
22	FULTON INDUSTRIAL B	0.72	8,667
23	LAKEWOOD AVE	0.72	1,196,414
24	CENTRAL AVE	0.70	714,155
25	PANTHER TRL	0.66	829,320
26	OAKLAND DR	0.43	188,115
27	HARBIN ROAD	N/A	1,796,568
28	UNIVERSITY AVE	0.41	172,860
29	DONNELLY AVE	0.41	313,944
30	CHILDRESS DR	0.38	819,411
31	FORREST HILLS DR	0.38	212,177
32	LENOX RD	0.35	1,043,955
33	SANDTOWN RD	0.31	570,923
34	BEECHER	0.27	2,792,231

Rank	Corridor	SEM Score of Most Needed Segment	Total Corridor Cost
35	HALL ST	0.24	244,751
36	PACES FERRY RD	0.21	233,428
37	HOWELL MILL RD	0.20	810,717
38	CHESHIRE BRIDGE RD	0.18	46,649
39	2ND AVE	0.15	118,615
40	RICHLAND RD	0.05	189,325
41	NORTH AVE	0.04	59,097
42	NORTH SIDE SIDEWAL	N/A	3,873,527
43	ELLSWORTH INDUSTRI	N/A	530,303
44	MOORES MILL RD	(0.14)	390,713
45	CONSTITUTION RD	(0.19)	603,932
46	14TH ST	(0.28)	107,066
47	EUCLID AVE	(0.32)	449,877
48	CHATTAHOOCHEE AVE	(0.41)	1,920,599
49	OAKDALE RD	(0.52)	139,906
50	RALPH MCGILL BLVD	(0.55)	45,409
51	17TH ST	(0.78)	1,007,543

New Sidewalk Installs: 51 Corridors, 30 Miles, \$61M Investment



CITY COUNCIL
ATLANTA, GEORGIA

21-R-3927

SPONSOR SIGNATURES

Carla Smith
Carla Smith, Councilmember, District 1



CITY COUNCIL
ATLANTA, GEORGIA

21-R-3927

A RESOLUTION BY COUNCILMEMBER CARLA SMITH AMENDED BY TRANSPORTATION (#3) AND FINANCE/EXECUTIVE COMMITTEES AND SUBSTITUTED BY THE ATLANTA CITY COUNCIL CALLING FOR THE IMPOSITION, BY THE FULTON COUNTY COMMISSION, OF A TRANSPORTATION SPECIAL PURPOSE LOCAL OPTION SALES AND USE TAX (“TSPLOST”), TO FUND TRANSPORTATION PURPOSES AND A REFERENDUM ELECTION THEREON; TO APPROVE THE SUBMISSION OF A LIST OF TRANSPORTATION PROJECTS AND PURPOSES TO FULTON COUNTY; TO SPECIFY THE AGGREGATE MAXIMUM COSTS OF SUCH PURPOSES TO BE FUNDED BY THE TSPLOST; TO SPECIFY THE MAXIMUM PERIOD OF TIME THE TSPLOST WILL BE IMPOSED; AND FOR OTHER PURPOSES.(FAVORABLE AS AMENDED BY TRANSPORTATION COMMITTEE 12/1/21)

Workflow List:

Atlanta City Council	Completed	09/20/2021 1:00 PM
Transportation Committee	Completed	09/29/2021 9:30 AM
Atlanta City Council	Completed	10/04/2021 1:00 PM
Finance/Executive Committee	Completed	09/29/2021 1:30 PM
Atlanta City Council	Completed	10/04/2021 1:00 PM
Transportation Committee	Completed	10/13/2021 9:30 AM
Atlanta City Council	Completed	10/18/2021 1:00 PM
Finance/Executive Committee	Completed	10/13/2021 1:30 PM
Atlanta City Council	Completed	10/18/2021 1:00 PM
Finance/Executive Committee	Completed	10/27/2021 1:30 PM
Transportation Committee	Completed	10/27/2021 9:30 AM
Atlanta City Council	Completed	11/01/2021 1:00 PM
Transportation Committee	Completed	11/10/2021 9:30 AM
Atlanta City Council	Completed	11/15/2021 1:00 PM
Finance/Executive Committee	Completed	11/10/2021 1:30 PM
Transportation Committee	Completed	12/01/2021 9:30 AM
Atlanta City Council	Completed	12/06/2021 1:00 PM
Finance/Executive Committee	Completed	12/01/2021 1:30 PM

HISTORY:

09/20/21 Atlanta City Council REFERRED WITHOUT OBJECTION

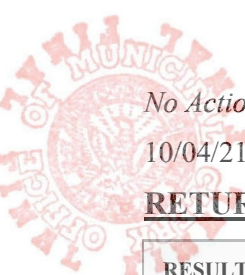
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

RESULT:	REFERRED WITHOUT OBJECTION	Next: 9/29/2021 9:30 AM
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09/29/21 Transportation Committee HELD IN COMMITTEE

RESULT:	HELD IN COMMITTEE [UNANIMOUS]	Next: 10/4/2021 1:00 PM
MOVER:	Andre Dickens, Chair	
SECONDER:	Marci Collier Overstreet, District 11	
AYES:	Dickens, Westmoreland, Ide, Matzigkeit, Overstreet	
ABSENT:	Amir R Farokhi, Antonio Brown	

09/29/21 Finance/Executive Committee



No Action Required. This item is being held in Public Safety and Legal Administration Committee.

10/04/21 Atlanta City Council RETURNED AS HELD

RETURNED AS HELD TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION

RESULT:	RETURNED AS HELD	Next: 10/13/2021 9:30 AM
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10/13/21 Transportation Committee

10/13/21 Finance/Executive Committee

No Action Required. This item is being held in Transportation Committee.

10/18/21 Atlanta City Council RETURNED AS HELD

RETURNED AS HELD TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION

RESULT:	RETURNED AS HELD	Next: 10/27/2021 9:30 AM
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10/27/21 Transportation Committee HELD IN COMMITTEE

RESULT:	HELD IN COMMITTEE	Next: 11/1/2021 1:00 PM
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10/27/21 Finance/Executive Committee

No Action Required. This item is being held in Transportation Committee.

11/01/21 Atlanta City Council RETURNED AS HELD

RETURNED AS HELD TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION

RESULT:	RETURNED AS HELD	Next: 11/10/2021 9:30 AM
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11/10/21 Transportation Committee HELD IN COMMITTEE

RESULT:	HELD IN COMMITTEE	Next: 11/15/2021 1:00 PM
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11/10/21 Finance/Executive Committee

No Action Required. This item is being held in Transportation Committee

11/15/21 Atlanta City Council RETURNED AS HELD

RETURNED AS HELD TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION

RESULT:	RETURNED AS HELD	Next: 12/1/2021 9:30 AM
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12/01/21 Transportation Committee FAVORABLE AS AMENDED

RESULT:	FAVORABLE AS AMENDED [UNANIMOUS]	Next: 12/6/2021 1:00 PM
MOVER:	Marci Collier Overstreet, District 11	
SECONDER:	Matt Westmoreland, Post 2 At Large	
AYES:	Matt Westmoreland, Amir R Farokhi, Jennifer N. Ide, Marci Collier Overstreet	
ABSENT:	Andre Dickens, Antonio Brown, J. P. Matzigkeit	

12/01/21 Finance/Executive Committee FAVORABLE AS AMENDED



RESULT: FAVORABLE AS AMENDED [5 TO 0]
MOVER: Jennifer N. Ide, Chair, District 6
SECONDER: Matt Westmoreland, Post 2 At Large
AYES: Ide, Westmoreland, Archibong, Matzigkeit, Sheperd
ABSTAIN: Howard Shook
ABSENT: Andre Dickens

12/06/2021
AMENDED

Atlanta City Council

ADOPTED SUBSTITUTE AS

RESULT: ADOPTED SUBSTITUTE AS AMENDED [UNANIMOUS]
MOVER: Jennifer N. Ide, Councilmember, District 6
SECONDER: Howard Shook, Councilmember, District 7
AYES: Bond, Westmoreland, Dickens, Smith, Farokhi, Brown, Winslow, Archibong, Ide, Shook, Matzigkeit, Hillis, Boone, Overstreet, Sheperd

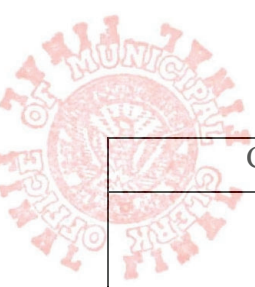
A RESOLUTION BY COUNCILMEMBER CARLA SMITH AMENDED BY TRANSPORTATION (#3) AND FINANCE/EXECUTIVE COMMITTEES AND SUBSTITUTED BY THE ATLANTA CITY COUNCIL CALLING FOR THE IMPOSITION, BY THE FULTON COUNTY COMMISSION, OF A TRANSPORTATION SPECIAL PURPOSE LOCAL OPTION SALES AND USE TAX (“TSPLOST”), TO FUND TRANSPORTATION PURPOSES AND A REFERENDUM ELECTION THEREON; TO APPROVE THE SUBMISSION OF A LIST OF TRANSPORTATION PROJECTS AND PURPOSES TO FULTON COUNTY; TO SPECIFY THE AGGREGATE MAXIMUM COSTS OF SUCH PURPOSES TO BE FUNDED BY THE TSPLOST; TO SPECIFY THE MAXIMUM PERIOD OF TIME THE TSPLOST WILL BE IMPOSED; AND FOR OTHER PURPOSES.

VOTE RECORD - RESOLUTION 21-R-3927						
<input type="checkbox"/> ADOPTED <input type="checkbox"/> ADVERSED <input type="checkbox"/> FAVORABLE <input type="checkbox"/> ACCEPTED AND FILED <input type="checkbox"/> REFERRED TO COMMITTEE <input type="checkbox"/> HELD IN COMMITTEE <input type="checkbox"/> TABLED <input type="checkbox"/> DEFERRED <input type="checkbox"/> RECONSIDERED <input type="checkbox"/> FILED <input type="checkbox"/> FILED BY COMMITTEE <input type="checkbox"/> FAVORABLE ON SUBSTITUTE <input type="checkbox"/> FAVORABLE AS AMENDED <input type="checkbox"/> QUESTION CALLED <input type="checkbox"/> SUBSTITUTED <input type="checkbox"/> AMENDED <input type="checkbox"/> REFERRED TO ZRB AND ZC <input type="checkbox"/> REFERRED WITHOUT OBJECTION <input type="checkbox"/> ADOPTED AS AMENDED <input type="checkbox"/> ADOPTED SUBSTITUTE <input checked="" type="checkbox"/> ADOPTED SUBSTITUTE AS AMENDED <input type="checkbox"/> FORWARDED <input type="checkbox"/> REFERRED TO SC <input type="checkbox"/> FILED WITHOUT OBJECTION <input type="checkbox"/> FAILED <input type="checkbox"/> ADVERSED IN COMMITTEE <input type="checkbox"/> QUADRENNIALY TERMINATED <input type="checkbox"/> FORWARDED W/NO RECOMMENDATION <input type="checkbox"/> FORWARDED TO FC/NQ <input type="checkbox"/> FAVORABLE/SUB/AMENDED <input type="checkbox"/> FAVORABLE/SUB/AMND/CONDITION						
			YES/AYE	NO/NAY	ABSTAIN	ABSENT
	MICHAEL JULIAN BOND	VOTER	<input checked="" type="radio"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	MATT WESTMORELAND	VOTER	<input checked="" type="radio"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	ANDRE DICKENS	VOTER	<input checked="" type="radio"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	CARLA SMITH	VOTER	<input checked="" type="radio"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	AMIR R FAROKHI	VOTER	<input checked="" type="radio"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	ANTONIO BROWN	VOTER	<input checked="" type="radio"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	CLETA WINSLOW	VOTER	<input checked="" type="radio"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	NATALYN MOSBY ARCHIBONG	VOTER	<input checked="" type="radio"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	JENNIFER N. IDE	MOVER	<input checked="" type="radio"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	HOWARD SHOOK	SECONDER	<input checked="" type="radio"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	J. P. MATZIGKEIT	VOTER	<input checked="" type="radio"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	DUSTIN HILLIS	VOTER	<input checked="" type="radio"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	ANDREA L. BOONE	VOTER	<input checked="" type="radio"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	MARCI COLLIER OVERSTREET	VOTER	<input checked="" type="radio"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JOYCE M SHEPERD	VOTER	<input checked="" type="radio"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	



<ul style="list-style-type: none"><input type="checkbox"/> FAVORABLE/AMND/CONDITION<input type="checkbox"/> RETURNED AS HELD<input type="checkbox"/> FAVORABLE/SUB/CONDITION<input type="checkbox"/> FAVORABLE ON CONDITION<input checked="" type="checkbox"/> ACCEPTED<input type="checkbox"/> AMENDED SUBSTITUTE<input type="checkbox"/> ROUTED TO COW<input type="checkbox"/> SUSTAINED<input type="checkbox"/> OVERRIDDEN<input type="checkbox"/> NOT ACCEPTED BY COMMITTEE<input type="checkbox"/> SUSTAINED WITHOUT OBJECTION<input type="checkbox"/> TABLED W/O OBJECTION<input type="checkbox"/> HELD IN COW<input type="checkbox"/> POSTPONED<input type="checkbox"/> RETAINED AS HELD<input type="checkbox"/> REFER TO ZRB AND ZC W/O OBJECTION<input type="checkbox"/> AUTOMATICALLY TERMINATED (FILED)	
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[Unanimous]



Certified by Presiding Officer	Certified by Clerk
<p data-bbox="284 262 581 325">CERTIFIED</p> <p data-bbox="391 352 477 373">12/6/2021</p> <p data-bbox="246 390 621 411">ATLANTA CITY COUNCIL PRESIDENT</p> <p data-bbox="297 426 561 491"><i>Telicia A. Moore</i></p>	<p data-bbox="922 262 1219 325">CERTIFIED</p> <p data-bbox="1029 352 1115 373">12/6/2021</p> <p data-bbox="976 390 1169 411">MUNICIPAL CLERK</p> <p data-bbox="938 449 1200 520"><i>[Signature]</i></p>
<p data-bbox="643 541 846 573">Mayor's Action</p> <p data-bbox="509 594 979 625"><i>See Authentication Page Attachment</i></p>	

ADOPTED BY COUNCIL

12/06/2021



Fulton County Board of Commissioners

Agenda Item Summary

Agenda Item No.: 22-0189

Meeting Date: 3/16/2022

Department

Registration & Elections

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Request approval of a statewide contract - Department of Registration and Elections, SWC#99999-SPD-ES40199376IS-02, In-State Car Rental in an amount not to exceed \$300,000.00 with Enterprise Leasing of Georgia, LLC (Atlanta, GA) for the rental of box trucks, passenger vehicles and cargo vans for the 2022 General Primary and Runoff Elections. Effective upon BOC approval.

Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*

In accordance with Purchasing Code Section 102-461, requests for approval of statewide contracts of more than \$49,999.99 shall be forwarded to the Board of Commissioners for approval.

Strategic Priority Area related to this item *(If yes, note strategic priority area below)*

Open and Responsible Government

Commission Districts Affected

- All Districts
- District 1
- District 2
- District 3
- District 4
- District 5
- District 6

Is this a purchasing item?

Yes

Summary & Background *(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)*

Scope of Work: Rental of cargo vans and box trucks to transport voting equipment for delivery and pickup during early voting and Election Day for the 2022 General Primary and Runoff Elections.

Community Impact: None

Department Recommendation: To approve spending authority for the 2022 General Primary and

Runoff Elections.

Project Implications: None

Community Issues/Concerns: None

Department Issues/Concerns: None

Contract Modification: This is a new request.

Contract & Compliance Information *(Provide Contractor and Subcontractor details.)*
N/A

Exhibits Attached *(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)*

Exhibit 1: Copy of Statewide Contract Information

Contact Information *(Type Name, Title, Agency and Phone)*

Richard L. Barron, Director, Registration and Elections

Contract Attached

No

Previous Contracts

Yes

Total Contract Value

Original Approved Amount:	\$0.00
Previous Adjustments:	\$0.00
This Request:	\$300,000.00
TOTAL:	\$300,000.00

Grant Information Summary

Amount Requested:

Match Required:

Start Date:

End Date:

Match Account \$:

- Cash
- In-Kind
- Approval to Award
- Apply & Accept

Fiscal Impact / Funding Source

Funding Line 1:

100-265-2654-1120: Elections, Regis & Elect, Rent/Lease Equipment

Funding Line 2:

100-265-2655-1120: Elections, Regis & Elect, Rent/Lease Equipment

Key Contract Terms	
Start Date:	End Date:
Cost Adjustment:	Renewal/Extension Terms:

Overall Contractor Performance Rating:

Would you select/recommend this vendor again?

Choose an item.

Report Period Start:

Report Period End:



Statewide Contract Information Sheet

Statewide Contract Number	99999-SPD-ES40199376IS-02	NIGP Code	97565, 97514
Name of Contract	In-State Car Rental		
Effective Date	October 7, 2013	Expiration Date	September 8, 2022
Contract Table of Contents			
Suppliers Awarded	2	Contract Information:	Mandatory
Contract Information for Supplier			Page Number
<u>Enterprise Leasing of Georgia, LLC</u>			2
Additional Contract Information			
<u>General Contract Information</u>			3
<u>Item Listing</u>			4
<u>Ordering Instructions</u>			5-6
<u>Contract Renewals/ Extensions/ Changes</u>			7
<u>DOAS Contact Information</u>			8



Supplier Information Sheet

Contract Information	
Statewide Contract Number	99999-SPD-ES40199376IS-02
PeopleSoft Supplier Number	0000015036
Supplier Name & Address	
<p>Enterprise Leasing Company of Georgia, LLC 5909 Peachtree Dunwoody Rd Atlanta GA 30328</p>	
Contract Administrator	
<p>Heather Pastrick Email: Heather.s.pastrick@ehi.com 5909 Peachtree Dunwoody Road N.E. Suite 500 Atlanta GA 30328 404-886-8668</p>	
Contact Details	
Ordering Information	See Instructions Below
Remitting Information	Enterprise Leasing Company of GA, LLC Attn: Accounts Receivable Atlanta, GA 30305-2617
Delivery Days	N/A
Discounts	None
Payment Terms	Net 30 Days
Bid Offer includes	State and Local Government
Acceptable payment method	Supplier will accept Purchase Orders and the Purchasing Card under this contract as permitted by current policies governing the Purchasing Card program.



General Contract Information

The contract provides for instate car rental services in Georgia. The rental rate includes liability and collision insurance, vehicle licensing fees, unlimited miles, and free one-way rentals. Pick-up and delivery services are also available. State sales tax for rentals does not apply.

Key Benefits include:

- 50% increase of rental locations as the result of the multiple Supplier award;
- Up to 19% percent savings on certain rental categories;
- Expanded box truck options;
- Agency billing;
- Compatibility with the State Travel Portal, TeamWorks Travel and Expense system.



Item Schedule

Enterprise In-State Standard Rate			
Vehicle Class	Daily	Weekly	Monthly
Compact	\$31.86	\$223.02	\$892.08
Intermediate	\$37.24	\$260.68	\$1,042.72
Full Size	\$40.15	\$280.98	\$1,123.92
12 Passenger Van	\$87.46	\$612.22	\$2,448.88
Mini Vans	\$52.50	\$367.50	\$1,470.00
Trucks	\$68.99	\$482.93	\$1931.72
Standard SUV	\$53.47	\$374.29	\$1,497.16
Full Size SUV	\$91.70	\$641.90	\$2,567.60

15 Passenger Vans ARE NOT a part of this contract.

The Bus Rental SWC fulfills this requirement.

Enterprise Optional Box Truck Rates	
Cargo Van	\$82.99
15 ft Box Truck	\$91.99
16 ft Box Truck	\$95.00
24 ft Box Truck	\$97.99

*Please Note Optional Box Truck Rates are not covered by Standard Insurance. Additional Insurance must be purchased. The vehicles under the Optional Box Truck Rates are not mandatory.

*Vehicle License Fee Recovery (VLF): - The total cost of in-state rentals will be the rate+ the VLF cost. Those two items will equal the contract amount per the DOAS contract. The VLF will be reflected on the invoice from Enterprise.



Ordering Instructions

TeamWorks Travel & Expense

Employees of renting agencies that are part of TeamWorks Travel & Expense system will continue to book their rentals through this system and follow existing approval and reservations procedures.

On-line

Enterprise Reservations can be made on-line by:

- Following the link on the Car Rental Cost Comparison <https://ssl.doas.state.ga.us/vehcostcomp/>
- Through the Enterprise State portal link: http://www.enterprise.com/car_rental/deeplinkmap.do?bid=028&refId=FOXGALB
 - Your agency should be listed in the drop down box on the Enterprise Car Rental reservation page.
 - Follow the reservation prompts for reserving your vehicle.
- Proceed to pick up your rental on the day of your reservation. You will need your driver's license and state employee identification card to rent a vehicle. If your Agency has been set up for Direct Billing, you will not be required to have payment for your rental.
- By logging on to www.Enterprise.com
- Enter your *Corporate Promotional Discount number (CDP) or Account #.
 - Follow the reservation prompts for reserving your vehicle.
- Proceed to pick up your rental on the day of your reservation. You will need your driver's license and state identification card to rent a vehicle. Note: You must be an authorized user to rent from this contract.

Telephone

Enterprise reservations can be made by calling the local Enterprise



Ordering Instructions (Cont.)

rental office, local office phone numbers can be obtained at www.enterprise.com or by calling 1-800-Rent-a-Car.

Walk-in

Walk-in reservations are welcome.



Changes/Renewals/Extensions

Initial term 2 years, three (3) optional 1-year renewal.

Renewal# 1 has been processed from October 7, 2015 – October 6, 2016

Renewal# 2 has been processed from October 7, 2016- October 6, 2017

Renewal# 3 has been processed from October 7, 2017 – October 6, 2018

Extension# 1 has been processed from October 7, 2018 – September 8, 2019

Extension# 2 has been processed from September 9, 2019 – September 8, 2020

Extension # 3 has been processed from September 9, 2020 – September 8, 2021

Extension # 4 has been processed from September 9, 2021 – September 8, 2022



*** See Team Georgia Marketplace (Click Open Summary) for current Contract Management Specialist contact information.**



Fulton County Board of Commissioners

Agenda Item Summary

Agenda Item No.: 22-0190

Meeting Date: 3/16/2022

Department

Human Resources Management

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Request approval of a recommended proposal - Department of Human Resources Management, 20RFP0810B-EC, Family and Medical Leave (FMLA) Act Administration Services, in the amount of \$97,037.00 with Sedgwick Claims Management, Inc. (Memphis, TN) to provide comprehensive FMLA administration for the Fulton County workforce upon BOC approval through December 31, 2022, with two renewal options.

Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*

In accordance with Purchasing Code Sections 102-374 and 102-375, all competitive sealed proposals shall be forwarded to the Board of Commissioners for approval.

Strategic Priority Area related to this item *(If yes, note strategic priority area below)*

Open and Responsible Government

Commission Districts Affected

- All Districts
- District 1
- District 2
- District 3
- District 4
- District 5
- District 6

Is this a purchasing item?

Yes

Summary & Background *(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)*

This agenda item was originally approved by the Board of Commissioners on 9/1/2021, BOC Item# 21-066 however, due to contract exceptions that had to be resolved it was determined it would be in the County's best interest for the contract to begin in FY2022.

Scope of Work:

The Department of Human Resources Management requests approval of recommended proposal to

provide comprehensive FMLA administration for Fulton County, beginning with the request for FMLA leave through the determination and expiration and/or exhaustion of the leave. The current FMLA administrator is the recommended vendor. The vendor will perform FMLA leave administration and management including, but not limited to, issuance of initial FMLA claim package and all other FMLA-related communications to employees; determination of FMLA leave eligibility; approval and denial of FMLA claims; verification of medical certification; and tracking of FMLA requests, absence, and utilization.

Community Impact: There is no community impact.

Department Recommendation: The Department of Human Resources Management recommends approval.

Project Implications: There are no project implications.

Community Issues/Concerns: There are no community issues or concerns.

Department Issues/Concerns: There are no department issues or concerns.

Contract Modification: This is a new procurement.

Contract & Compliance Information *(Provide Contractor and Subcontractor details.)*

Contract Value: \$97,037.00
Prime Vendor: Sedgwick Claim Management, Inc.
Prime Status: Non-Minority
Location: Memphis, TN
County: Shelby County
Prime Value: \$97,037.00 or 100.00%
Subcontractor: None

Total Contract Value: \$97,037.00 or 100.00%
Total M/FBE Value: \$0.00

Exhibits Attached *(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)*

Exhibit 1: Evaluation Committee Recommendation Letter
Exhibit 2: Contractor Performance Report

Contact Information *(Type Name, Title, Agency and Phone)*

Kenneth L. Hermon, Jr.
Chief Human Resources Officer
Department of Human Resources Management
404.613.0923

Contract Attached

No

Previous Contracts

No

Total Contract Value

Original Approved Amount: \$0.00
 Previous Adjustments: \$0.00
 This Request: \$97,037.00
 TOTAL: \$97,037.00

Grant Information Summary

Amount Requested: Cash
 Match Required: In-Kind
 Start Date: Approval to Award
 End Date: Apply & Accept
 Match Account \$:

Fiscal Impact / Funding Source

Funding Line 1:

100-215-2154-1160: General, Human Resources, Professional Services

Key Contract Terms	
Start Date: Effective upon BOC approval	End Date: 12/31/2022
Cost Adjustment: Not applicable.	Renewal/Extension Terms: TV renewal options

Overall Contractor Performance Rating:

Would you select/recommend this vendor again?

Yes

Report Period Start: 5/1/2021
Report Period End: 12/31/2021



INTEROFFICE MEMORANDUM

TO: Felicia Strong-Whitaker, Chief Purchasing Agent
Department of Purchasing & Contract Compliance

FROM: Evaluation Committee Recommendation Letter

DATE: May 4, 2021

PROJECT: #20RFP0810B-EC, Family and Medical Leave (FMLA) Act Administration Services

In accordance with the Purchasing Code, a duly appointed Evaluation Committee has reviewed the proposals submitted in response to the above-reference project on behalf of the Office of External.

Four (4) qualified firms submitted proposals for evaluation and consideration for award of this project:

1. Sedgwick Claims Management Services, Inc.
2. UPMC Benefit Management Solutions, Inc., d/b/a Workpartners
3. Total Administrative Services Corporation
4. Benefit Administrative Services International Corporation

After review of the technical proposal the following firms were short-listed:

1. Sedgwick Claims Management Services, Inc.
2. UPMC Benefit Management Solutions, Inc., d/b/a Workpartners
3. Total Administrative Services Corporation

After review, evaluation and consideration of all available information related to the requirements and evaluation criteria of the RFP, the Evaluation Committee has determined that the proposal submitted by Sedgwick Claims Management Services, Inc. is the recommended vendor for the award of #20RFP0810B-EC, Family and Medical Leave (FMLA) Act Administration Services with a final score of 74.31%.

Evaluation Committee Recommendation Letter

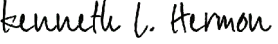
Date: May 4, 2021

#20RFP0810B-EC, Family and Medical Leave (FMLA) Act Administration Services

Page | 2

The Evaluation Committee members attest that each member scored each proposal independently in accordance with the evaluation criteria set forth in the Request for Proposal and that their individual score is a part of the final scores in the attached Evaluation Matrix.

SELECTION COMMITTEE MEMBERS:


DocuSigned by:

EE2C3EB723DB496...
Kenneth Herman
Chief Human Resource Officer

DocuSigned by:

A1A429BF154948F...
Stacey Jones
Deputy Personal Director

DocuSigned by:

AF7DD365515C41C...
Lanna Hill
Human Resources Policy Advisor

DocuSigned by:

CD02DB236D21468...
Heather Henderson
Interim Deputy Court Administrator,
Business Services and Infrastructure

Evaluation Committee Recommendation Letter

Date: May 4, 2021

#20RFP0810B-EC, Family and Medical Leave (FMLA) Act Administration Services

Page | 3

EVALUATION CRITERIA	WEIGHT	Sedgwick Claims Management Services, Inc.	UPMC Benefit Management Solutions, Inc., d/b/a Workpartners	Total Administrative Services Corporation
Project Approach	20.00%	17.50%	20.00%	10.00%
Relevant Project Experience	19.00%	17.81%	17.81%	11.88%
Qualification of Key Personnel	19.00%	13.06%	16.63%	10.69%
Availability of Personnel	15.00%	12.19%	9.38%	8.44%
Local Preference	5.00%	5.00%	0.00%	0.00%
Service Disabled Veterans Preference	2.00%	0.00%	0.00%	0.00%
Cost Proposal	20.00%	8.75%	3.86%	20.00%
TOTAL SCORE:	100%	74.31%	67.68%	61.01%

DEPARTMENT OF PURCHASING & CONTRACT COMPLIANCE

CONTRACTORS PERFORMANCE REPORT
PROFESSIONAL SERVICES

Report Period Start	Report Period End	Contract Period Start	Contract Period End
January 1, 2019	December 31, 2021	September 1, 2021	December 31, 2021
PO Number			PO Date
17RFP215152B-TR			
Department	Human Resources Management		
Bid Number	17RFP215152B-TR		
Service Commodity	Family and Medical Leave Act (FMLA) Administrative Services		
Contractor	Sedgwick Claims Management Services, Inc.		

0 = Unsatisfactory	<i>Achieves contract requirements less than 50% of the time, not responsive, effective and/or efficient, unacceptable delay, incompetence, high degree of customer dissatisfaction.</i>
1 = Poor	<i>Achieves contract requirements 70% of the time. Marginally responsive, effective and/or efficient; delays require significant adjustments to programs; key employees marginally capable; customers somewhat satisfied.</i>
2 = Satisfactory	<i>Achieves contract requirements 80% of the time; generally responsive, effective and/or efficient; delays are excusable and/or results in minor programs adjustments; employees are capable and satisfactorily providing service without intervention; customers indicate satisfaction.</i>
3 = Good	<i>Achieves contract requirements 90% of the time. Usually responsive; effective and/or efficient; delays have not impact on programs/mission; key employees are highly competent and seldom require guidance; customers are highly satisfied.</i>
4 = Excellent	<i>Achieves contract requirements 100% of the time. Immediately responsive; highly efficient and/or effective; no delays; key employees are experts and require minimal directions; customers expectations are exceeded.</i>

1. Quality of Goods/Services (-Specification Compliance - Technical Excellence - Reports/Administration - Personnel Qualification)

Comments:

0
 1
 2
 3
 4

Vendor provides efficient and effective FMLA claims services. Vendor representatives responds to inquiries in a timely manner.

2. Timeliness of Performance (-Were Milestones Met Per Contract - Response Time (per agreement, if applicable) - Responsiveness to Direction/Change - On Time Completion Per Contract)

Comments:

0
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Vendor complies with all federal deadlines and claims consistently have been handled in a timely manner.

3. Business Relations (-Responsiveness to Inquiries - Prompt Problem Notifications)

Comments:

0
 1

porsive to inquiries and generally makes representatives available whenever an issue arises.

3

4

4. Customer Satisfaction (-Met User Quality Expectations - Met Specification - With in Budget - Proper Invoicing - No Substitutions)

Comments:

There have been a few issues raised by user departments but employees generally have been satisfied with the quality of service provided.

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5. Contractors Key Personnel (-Credentials/Experience Appropriate - Effective Supervision/Management - Available as Needed)

Comments:

Key personnel demonstrate knowledge in the subject matter and are available as needed to address issues and concerns.

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Overall Performance Rating:

Would you select/recommend this vendor again?
(Check box for Yes. Leave Blank for No)

Yes No

Rating completed by:

Department Head Name	Department Head Signature	Date
Kenneth L. Hermon, Jr.		<input type="text" value="February 10, 2022"/>





Fulton County Board of Commissioners

Agenda Item Summary

Agenda Item No.: 22-0191

Meeting Date: 3/16/2022

Department

Human Resources Management

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Request approval of a Resolution to exercise Home Rule to repeal Section 1(a) of local law 2017 Ga. L. 3948; to continue the County supplement paid to the Probate Judge; to continue the salary paid to the Juvenile Court Judges; and for other purposes.

Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*

Ga. Const. Art. 9, Sec. 2, Par. I(b)

Strategic Priority Area related to this item *(If yes, note strategic priority area below)*

Open and Responsible Government

Commission Districts Affected

- All Districts
- District 1
- District 2
- District 3
- District 4
- District 5
- District 6

Is this a purchasing item?

No

Summary & Background *(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)*

Scope of Work:

O.C.G.A. § 15-11-52(b) provides that the salary of judges, other than associate judges, of the Juvenile Court is set by the Superior Court with the approval of the governing authority of the County. O.C.G.A. § 15-9-63(a) provides the base salary of the Probate Judge and also authorizes a County supplement established by the governing authority of the County or the General Assembly by local law. In 2017, the General Assembly passed 2017 Ga. L. 3948 which in Section 1(a) provides a salary for the Juvenile Court Judges and a salary for the Probate Judge.

Since the state law dictates who determines the salary of the Juvenile Court Judges, Section 1(a) of 2017 Ga. L. 3948 is superseded by general law. State law also provides the base salary for the Probate Judge, so the amount in Section 1(a) of 2017 Ga. L. 3948 has been used to calculate the County supplement for the Probate Judge.

On November 17, 2021, via Agenda Item 21-0913, DHRM presented a proposal to establish new salaries and supplements for officials, including the Juvenile Court Judges and Probate Judge. In order to establish the salaries and supplements proposed by DHRM, which are different from the amounts outlined in the local laws, the Board of Commissioners must exercise its Home Rule power and repeal Section 1(a) of 2017 Ga. L. 3948. DHRM is still working on the exact implementation of the salaries and supplements for judges, so this resolution will continue the existing salary of the Juvenile Court Judges and County supplement paid to the Probate Judge. However, with this repeal, the Board of Commissioners will be able to easily amend the salary of the Juvenile Court Judges and County supplement of the Probate Judge in the future.

Community Impact: There is no community impact.

Department Recommendation: The Department of Human Resources Management recommends approval.

Project Implications: There are no project implications.

Community Issues/Concerns: There are no community issues or concerns.

Department Issues/Concerns: There are no department issues or concerns.

1 **RESOLUTION TO EXERCISE HOME RULE TO REPEAL SECTION 1(a) OF LOCAL**
2 **LAW 2017 Ga. L. 3948; TO CONTINUE THE COUNTY SUPPLEMENT PAID TO THE**
3 **PROBATE JUDGE; TO CONTINUE THE SALARY PAID TO THE JUVENILE COURT**
4 **JUDGES; AND FOR OTHER PURPOSES.**

5
6 **WHEREAS**, pursuant to O.C.G.A. § 15-11-52(b), the salary of judges, other than
7 associate judges, of the Fulton County Juvenile Court is set by the Superior Court of
8 Fulton County with the approval of the Fulton County Board of Commissioners; and

9 **WHEREAS**, the base salary of the Probate Judge of Fulton County is set forth in
10 O.C.G.A. § 15-9-63(a); and

11 **WHEREAS**, pursuant to O.C.G.A. § 15-9-63(a)(3) a county supplement paid to the
12 Probate Judge of Fulton County may be established by the county governing authority or
13 the General Assembly by local law; and

14 **WHEREAS**, in 2015 the Fulton County Board of Commissioners passed
15 Resolution No. 2015-0943 (“2015 Resolution”) which established a county supplement
16 for the Probate Judge and for the Chief Judge of Juvenile Court; and

17 **WHEREAS**, Section 1(a) of 2017 Ga. L. pg. 3948 (“2017 Local Law”) established
18 the annual salary of the Probate Judge and the Juvenile Court Judges as equal to ninety
19 percent (90%) of the total state salary plus the county supplement now or hereafter paid
20 to a judge of the Superior Court of Fulton County (a true and correct copy of the 2017
21 Local Law is attached hereto as Exhibit A); and

22 **WHEREAS**, Section 1(a) of the 2017 Local Law, although providing for an annual
23 salary in its text, is interpreted as establishment of a county supplement for the Probate
24 Judge since the annual base salary of a county probate judge is set by general law,
25 specifically O.C.G.A. § 15-9-63(a); and

26 **WHEREAS**, the 2017 Local Law superseded the 2015 Resolution; and

27 **WHEREAS**, Section 1(a) of the 2017 Local Law as it pertains to Juvenile Court
28 Judges was superseded by O.C.G.A. § 15-11-52(b); and

29 **WHEREAS**, Article 9, Section 2, Paragraph I(b) of the Georgia Constitution
30 provides each county with Home Rule authority to repeal and amend Local Acts that are
31 applicable to that particular county; and

32 **WHEREAS**, the Board of Commissioners elects to exercise its Home Rule power
33 to repeal Section 1(a) of the 2017 Local Law; and

1 **WHEREAS**, the Board of Commissioners wishes to continue payment of the
2 existing county supplement amount to the Probate Judge and the existing salary amount
3 to the Juvenile Court Judges after repeal of the 2017 Local Law.

4 **NOW, THEREFORE, BE IT RESOLVED**, that pursuant to its Home Rule authority,
5 the Board of Commissioners hereby repeals Section 1(a) of the 2017 Local Law.

6 **BE IT FURTHER RESOLVED**, that the county supplement currently paid to the
7 Probate Judge per annum shall continue to be paid to the Probate Judge until such time
8 the Board of Commissioners establishes a new county supplement or as otherwise
9 provided by law.

10 **BE IT FURTHER RESOLVED**, that the salary paid to the judges, other than
11 associate judges, of the Fulton County Juvenile Court per annum shall continue to be
12 paid to the Juvenile Court Judges until such time the Superior Court of Fulton County with
13 the approval of the Fulton County Board of Commissioners establishes a new salary or
14 as otherwise provided by law.

15 **BE IT FURTHER RESOLVED**, that the Clerk of the Fulton County Board of
16 Commissioners shall insure that this resolution is duly adopted at two regular consecutive
17 meetings of the Board of Commissioners not less than seven nor more than sixty days
18 apart; shall file a copy of the proposed repeal and amendment with the Clerk of the
19 Superior Court of the County for the purpose of examination and inspection by the public;
20 shall publish a notice containing a synopsis of the proposed repeal in the official county
21 organ once a week for three weeks within a period of sixty days immediately preceding
22 its final adoption (such notice shall state that a copies of the proposed repeal are on file
23 in the office of the clerk of the superior court of the county for inspection by the public)
24 and shall file with the Secretary of State of Georgia a copy of this Resolution as finally
25 adopted along with the notice of publication and affidavit of publication.

26 **BE IT FURTHER RESOLVED**, that this Resolution shall become effective upon
27 adoption.

28 **BE IT FINALLY RESOLVED**, that all ordinances, resolutions, including the 2015
29 Resolution, and parts of resolutions in conflict with this Resolution are hereby repealed to
30 the extent of the conflict.

1 **PASSED AND ADOPTED** this ____ day of March, 2022 and this ____ day of
2 April, 2022.

3 **FULTON COUNTY**
4 **BOARD OF COMMISSIONERS**

5
6
7 _____
8 Chairman Robert L. Pitts

9 **ATTEST:**

10
11 _____
12 Tonya R. Grier
13 Clerk to the Commission

14
15
16 **APPROVED AS TO FORM:**

17
18 _____
19 Y. Soo Jo
20 County Attorney

21
22
23
24 P:\CAProjects\Persnl\Salary and Supplements for Elected Appointed Officials\Resolutions per 21-0913\Resolution_
25 Probate Judge - supplement Juvenile Court Judges (3.8.22) (002).docx
26

RESOLUTION TO EXERCISE HOME RULE TO REPEAL SECTION 1(a) OF LOCAL LAW 2017 Ga. L. 3948; TO CONTINUE THE COUNTY SUPPLEMENT PAID TO THE PROBATE JUDGE; TO CONTINUE THE SALARY PAID TO THE JUVENILE COURT JUDGES; AND FOR OTHER PURPOSES.

EXHIBIT A

3948 LOCAL AND SPECIAL ACTS AND RESOLUTIONS, VOL. II

FULTON COUNTY – STATE COURT; JUDGES; COMPENSATION.

No. 159 (House Bill No. 603).

AN ACT

To amend an Act to provide for the compensation of the judges of the State Court of Fulton County, the judges of the Juvenile Court of Fulton County, and the judge of the Probate Court of Fulton County, approved April 19, 2000 (Ga. L. 2000, p. 3904), so as to modify the compensation of the judges of the State Court of Fulton County; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act to provide for the compensation of the judges of the State Court of Fulton County, the judges of the Juvenile Court of Fulton County, and the judge of the Probate Court of Fulton County, approved April 19, 2000 (Ga. L. 2000, p. 3904), is amended by revising Section 1 as follows:

"SECTION 1.

(a) Each of the judges of the Juvenile Court of Fulton County and the judge of the Probate Court of Fulton County shall be paid an annual salary equal to 90 percent of the total of the state salary plus the county supplement now or hereafter paid to a judge of the Superior Court of Fulton County. Such salaries shall be paid in equal monthly installments from the funds of Fulton County. This section shall not affect, reduce, or repeal any sum payable in addition to compensation as provided by local law to the chief judge of the State Court of Fulton County for performing the duties of chief judge.

(b) Each of the judges of the State Court of Fulton County shall be paid an annual salary equal to 95 percent of the total of the state salary plus the county supplement now or hereafter paid to a judge of the Superior Court of Fulton County. Such salaries shall be paid in equal monthly installments from the funds of Fulton County. This section shall not

affect, reduce, or repeal any sum payable in addition to compensation as provided by local law to the chief judge of the State Court of Fulton County for performing the duties of chief judge.”

SECTION 2.

This Act shall become effective on January 1, 2018.

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.



Fulton County Board of Commissioners

Agenda Item Summary

Agenda Item No.: 22-0192

Meeting Date: 3/16/2022

Department

Human Resources Management

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Request approval to modify the classification section of the Classification and Compensation plan by changing the existing titles in the Assistant County Attorney classification series to that of County Counsel; changing the existing classification of Personnel Payroll Coordinator to Human Resources Data Coordinator; and changing the salary range for the classification of E911 Emergency Services Manager from grade 22 to grade 23.

Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*

Civil Service Act of 1982 and adopted HR Procedures.

Strategic Priority Area related to this item *(If yes, note strategic priority area below)*

Open and Responsible Government

Commission Districts Affected

- All Districts
- District 1
- District 2
- District 3
- District 4
- District 5
- District 6

Is this a purchasing item?

No

Summary & Background *(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)*

Scope of Work:

(X) modify an existing classification title with **no** change in grade:

	Title Code	Old Title	Grade	New Title
A.	235007	Assistant County Attorney I	24	Associate County Counsel

B.	235009	Assistant County Attorney II	25	Assistant County Counsel
C.	235013	Assistant County Attorney III	27	Senior Assistant County Counsel
D.	235005	Senior Assistant County Attorney	28	Supervising County Counsel
E.	235003	Staff Attorney, Supervising	28	Managing County Counsel
F.	235002	Deputy County Attorney	33	Deputy County Counsel
G.	215307	Personnel Payroll Coordinator	14	Human Resources Data Coordinator

(X) change the pay range of an existing classification without a change to the title:

	Title Code	Title	Old Grade	New Grade
A.	333023	E911 Emergency Services Manager	22	23

Community Impact: There is no community impact.

Department Recommendation: The Department of Human Resources Management recommends approval.

Project Implications: There are no project implications.

Community Issues/Concerns: There are no community issues or concerns.

Department Issues/Concerns: There are no department issues or concerns.



Fulton County Board of Commissioners

Agenda Item Summary

Agenda Item No.: 22-0193

Meeting Date: 3/16/2022

Department

Human Resources Management

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Request approval to implement recommendations for Phase I of the compensation study involving elected officials and key classifications, conducted by The Segal Company (Eastern States) Inc., d/b/a Segal, to include a new compensation model for certain elected/appointed officials and a new separate pay plan for key classifications, both of which are based on market data.

Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*

Fulton County Personnel Policy and Procedure #324-16.

Strategic Priority Area related to this item *(If yes, note strategic priority area below)*

Open and Responsible Government

Commission Districts Affected

- All Districts
- District 1
- District 2
- District 3
- District 4
- District 5
- District 6

Is this a purchasing item?

No

Summary & Background *(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)*

Scope of Work:

On June 16, 2021 the Board of Commissioners authorized a market compensation study be conducted by Segal, with the overall goal of collecting and analyzing market compensation data in order to recommend necessary adjustments to the current compensation plan, based upon best practices and survey data. A series of presentations were put forward to the Board for discussion that explored options and methodology for Phase I of the project, which focused on Elected Officials and Key Classifications.

During the November 17, 2021 Board of Commissioners meeting, we presented, and you approved the Key Classification and Elected official new compensation structure. However, since that time, the environment, specifically as it relates to the Key Classifications, has become even more challenging. Significant turnover across our organization and the growing difficulty to backfill positions, has created a need to increase the number of key classifications to 156. Although at this time we are only recommending implementation of 68 Key Classification titles into a new and separate pay plan, 401 employees will be impacted across the following departments: *County Attorney, Dream, Info Tech, Med Exam, Pub Defend, Public Works, Purchasing, St Ct-Gen, Sup Ct-Gen, Tax Assess and Tax Comm.*

In regard to the Elected Officials, we would like to offer a hybrid implementation approach to addressing the salary concerns for this group as well. As explained during our last presentation, there are number of nuances associated with increasing the salaries or supplements of elected officials, specifically how we are limited by the \$50,000 supplement cap for Superior Court Judges. Until we receive an opinion from the Attorney General, our recommendation is to move forward with adjusting the salaries or supplements of only the following appointed and elected officials: *Marshal, Public Defender, Sheriff, Solicitor, and Superior Court Clerk.* Resources have been set aside in the FY2022 Budget to address the compensation matter of the other judges once a favorable option is received from the Attorney General.

Community Impact: There is no community impact.

Department Recommendation: The Department of Human Resources Management recommends approval.

Project Implications: There are no project implications.

Community Issues/Concerns: There are no community issues or concerns.

Department Issues/Concerns: There are no department issues or concerns.



Fulton County Government
 Classification and Compensation Plan
 Key Classifications
 Effective April 13, 2022



Title Code	Fulton County Government Key Classifications	Grade	MIN	MID	MAX	FLSA	PERCENTILE
KC22001	Applications Developer I	K5	\$59,888	\$74,860	\$89,832	E	50th
KC22002	Applications Developer II	K6	\$67,075	\$83,843	\$100,612	E	50th
KC24001	Appraisal Data Collector	K1	\$38,060	\$47,575	\$57,090	N	25th
KC22003	Asset & Configuration Manager	K5	\$59,888	\$74,860	\$89,832	E	50th
KC22004	Assistant Chief Information Officer	K11	\$118,209	\$147,761	\$177,313	E	50th
KC23502	Assistant County Counsel	K9	\$94,235	\$117,794	\$141,353	E	50th
KC49001	Assistant Public Defender I	K8	\$84,139	\$105,173	\$126,208	E	50th
KC49002	Assistant Public Defender II	K9	\$94,235	\$117,794	\$141,353	E	50th
KC49003	Assistant Public Defender III	K10	\$105,543	\$131,929	\$158,315	E	50th
KC49004	Assistant Public Defender IV	K11	\$118,209	\$147,761	\$177,313	E	50th
KC23001	Assistant Purchasing Agent	K5	\$59,888	\$74,860	\$89,832	N	50th
KC23501	Associate County Counsel	K8	\$84,139	\$105,173	\$126,208	E	50th
KC34001	Associate Medical Examiner	K15	\$186,003	\$232,504	\$279,005	E	50th
KC52601	Building Maintenance Manager	K7	\$75,124	\$93,905	\$112,686	E	50th
KC52602	Building Maintenance Supervisor	K3	\$47,742	\$59,678	\$71,614	N	50th
KC52603	Building Maintenance Technician	K1	\$38,060	\$47,575	\$57,090	N	25th
KC22005	Business Analyst I	K4	\$53,472	\$66,839	\$80,207	E	50th
KC22006	Business Analyst II	K5	\$59,888	\$74,860	\$89,832	E	50th
KC52604	Carpenter	K2	\$42,627	\$53,284	\$63,941	N	25th
KC24002	Chief Appraiser Tax Assessor	K14	\$166,075	\$207,593	\$249,112	E	75th
KC23002	Chief Assistant Purchasing Agent	K6	\$67,075	\$83,843	\$100,612	E	50th
KC22007	Chief Information Officer	K15	\$186,003	\$232,504	\$279,005	E	75th
KC22008	Chief Information Security Officer	K13	\$148,281	\$185,351	\$222,421	E	50th
KC34002	Chief Medical Examiner	K17	\$233,323	\$291,653	\$349,984	E	75th
KC23003	Chief Purchasing Agent	K14	\$166,075	\$207,593	\$249,112	E	75th
KC22009	Chief Technology Officer	K13	\$148,281	\$185,351	\$222,421	E	75th
KC24003	Commercial/Industrial Property Appraiser	K3	\$47,742	\$59,678	\$71,614	N	50th
KC24004	Commercial/Industrial Property Appraiser, Senior	K5	\$59,888	\$74,860	\$89,832	E	50th
KC42001	Court Reporter	K4	\$53,472	\$66,839	\$80,207	N	25th
KC24005	Deputy Chief Appraiser	K10	\$105,543	\$131,929	\$158,315	E	75th
KC22010	Deputy Chief Information Officer	K13	\$148,281	\$185,351	\$222,421	E	75th
KC34003	Deputy Chief Medical Examiner	K16	\$208,324	\$260,405	\$312,486	E	75th
KC23504	Deputy County Counsel	K14	\$166,075	\$207,593	\$249,112	E	75th
KC34004	Deputy Director, Medical Examiner	K9	\$94,235	\$117,794	\$141,353	E	75th
KC23004	Deputy Director, Purchasing	K10	\$105,543	\$131,929	\$158,315	E	75th
KC49005	Deputy Public Defender	K13	\$148,281	\$185,351	\$222,421	E	75th
KC22011	Disaster Recovery Manager	K11	\$118,209	\$147,761	\$177,313	E	50th
KC52605	Electrician	K2	\$42,627	\$53,284	\$63,941	N	50th
KC52606	Electrician Supervisor	K4	\$53,472	\$66,839	\$80,207	N	25th
KC52607	Electrician, Licensed	K3	\$47,742	\$59,678	\$71,614	N	25th
KC52608	Electronics Technician	K2	\$42,627	\$53,284	\$63,941	N	25th
KC22012	Endpoint Support Engineer	K5	\$59,888	\$74,860	\$89,832	N	50th
KC22013	Endpoint Support Engineer Senior	K6	\$67,075	\$83,843	\$100,612	E	50th
KC52609	HVAC	K2	\$42,627	\$53,284	\$63,941	N	25th
KC52610	HVAC, Certified	K3	\$47,742	\$59,678	\$71,614	N	25th
KC22014	Information Security Manager	K11	\$118,209	\$147,761	\$177,313	E	50th
KC22015	Infrastructure Security Manager	K11	\$118,209	\$147,761	\$177,313	E	50th
KC22016	IT Risk Manager	K8	\$84,139	\$105,173	\$126,208	E	50th



Fulton County Government
Classification and Compensation Plan
Key Classifications
Effective April 13, 2022



Title Code	Fulton County Government Key Classifications	Grade	MIN	MID	MAX	FLSA	PERCENTILE
KC34005	Lead Medical Examiner Investigator	K4	\$53,472	\$66,839	\$80,207	N	50th
KC52611	Locksmith	K1	\$38,060	\$47,575	\$57,090	N	25th
KC23508	Managing County Counsel	K12	\$132,394	\$165,492	\$198,590	E	50th
KC34006	Medical Examiner Investigator	K3	\$47,742	\$59,678	\$71,614	N	50th
KC22017	Network Architect	K11	\$118,209	\$147,761	\$177,313	E	50th
KC22018	Network Engineer, Intermediate	K8	\$84,139	\$105,173	\$126,208	E	50th
KC22019	Network Engineer, Senior	K9	\$94,235	\$117,794	\$141,353	E	50th
KC52612	Painter	K1	\$38,060	\$47,575	\$57,090	N	25th
KC52613	Painter, Lead	K2	\$42,627	\$53,284	\$63,941	N	25th
KC23506	Paralegal, County Attorney	K5	\$59,888	\$74,860	\$89,832	N	50th
KC52614	Plumber	K2	\$42,627	\$53,284	\$63,941	N	25th
KC52615	Plumber, Licensed	K3	\$47,742	\$59,678	\$71,614	N	25th
KC22020	Program Project Manager I	K6	\$67,075	\$83,843	\$100,612	E	50th
KC24006	Property Appraiser	K3	\$47,742	\$59,678	\$71,614	E	50th
KC24007	Property Appraiser, Senior	K4	\$53,472	\$66,839	\$80,207	N	50th
KC24008	Property Appraiser, Trainee	K2	\$42,627	\$53,284	\$63,941	N	25th
KC49006	Public Defender Attorney, Supervising	K12	\$132,394	\$165,492	\$198,590	E	50th
KC52616	Roofer	K1	\$38,060	\$47,575	\$57,090	N	25th
KC22021	Security Analyst	K8	\$84,139	\$105,173	\$126,208	E	50th
KC22022	Security Engineer	K9	\$94,235	\$117,794	\$141,353	E	50th
KC23503	Senior Assistant County Counsel	K10	\$105,543	\$131,929	\$158,315	E	50th
KC34007	Senior Medical Examiner Investigator	K5	\$59,888	\$74,860	\$89,832	E	50th
KC22023	Service Desk Analyst I	K1	\$38,060	\$47,575	\$57,090	N	50th
KC22024	Service Desk Analyst II	K2	\$42,627	\$53,284	\$63,941	N	50th
KC52901	Staff Engineer	K4	\$53,472	\$66,839	\$80,207	E	50th
KC52902	Staff Engineer, Senior	K5	\$59,888	\$74,860	\$89,832	E	50th
KC23507	Supervising County Counsel	K11	\$118,209	\$147,761	\$177,313	E	50th
KC22025	Systems Engineer Intermediate	K7	\$75,124	\$93,905	\$112,686	E	50th
KC22026	Systems Engineer Senior	K8	\$84,139	\$105,173	\$126,208	E	50th
KC24501	Tax Tag Clerk I	K1	\$38,060	\$47,575	\$57,090	N	25th
KC24502	Tax Tag Clerk II	K2	\$42,627	\$53,284	\$63,941	N	25th
KC24503	Tax Tag Clerk III	K3	\$47,742	\$59,678	\$71,614	N	25th
KC24504	Tax Tag Supervisor	K4	\$53,472	\$66,839	\$80,207	N	50th
KC22027	Technical Operations Manager	K10	\$105,543	\$131,929	\$158,315	E	50th
KC52617	Trades Manager	K5	\$59,888	\$74,860	\$89,832	E	50th
KC52618	Trades Supervisor	K4	\$53,472	\$66,839	\$80,207	N	50th
KC52619	Tradesworker I	K2	\$42,627	\$53,284	\$63,941	N	25th
KC52620	Tradesworker II	K3	\$47,742	\$59,678	\$71,614	N	25th

1 **RESOLUTION TO ESTABLISH NEW SUPPLEMENTS AND SALARIES FOR**
2 **CERTAIN NON-JUDICIAL ELECTED AND APPOINTED OFFICIALS; AND FOR**
3 **OTHER PURPOSES.**
4

5 **WHEREAS**, the last time the Board of Commissioners comprehensively evaluated
6 the compensation of many of the County’s elected officials and state appointees was on
7 January 21, 1998, when it adopted “Resolution Providing for an Increase in Compensation
8 for Fulton County Employees” (“1998 Compensation Resolution”); and

9 **WHEREAS**, on November 17, 2021, in Agenda Item No. 21-0913, the Department
10 of Human Resources Management (“DHRM”) presented the Board of Commissioners a
11 proposal to establish new salaries and/or county supplements for certain elected and
12 appointed officials to the extent allowed by law and where such authority is vested in the
13 Board of Commissioners; and

14 **WHEREAS**, DHRM’s compensation model did not include tethering the salaries or
15 supplements for elected and appointed officials to the compensation of other elected
16 officials; and

17 **WHEREAS**, the Board of Commissioners, recognizing the salaries and/or county
18 supplements of certain elected and appointed officials are not currently at market rates
19 based on the size of their operations and the compensation of their counterparts in other
20 counties, approved the new compensation model presented by DHRM which is based on
21 specific roles of each official and departs from using a waterfall approach that tethers the
22 total compensation to the Superior and State Court Judges of Fulton County.

23 **Superior Court Clerk**

24 **WHEREAS**, the base salary of a clerk of a superior court is set forth in O.C.G.A. §
25 15-6-88(a)(1); and

26 **WHEREAS**, pursuant to O.C.G.A. § 15-6-88(d), the General Assembly by local law
27 or the county governing authority may establish a county supplement for a clerk of the
28 superior court; and

29 **WHEREAS**, pursuant to the 1998 Compensation Resolution passed on January
30 21, 1998, the Board of Commissioners established a county supplement for the Clerk of
31 Superior Court in the amount necessary to make the compensation of the Clerk of
32 Superior Court equal to “ninety percent (90%) of the total compensation of the Superior

[1]

1 Court Judges including the percentage of any increase in State compensation of Superior
2 Court Judges which may be received July 1, 1998.”

3 **Sheriff**

4 **WHEREAS**, the base salary of a sheriff is set forth in O.C.G.A. § 15-16-20(a)(1);
5 and

6 **WHEREAS**, pursuant to O.C.G.A. § 15-16-20(a)(3), the Georgia General
7 Assembly by local law or the county governing authority may establish a county
8 supplement for a sheriff; and

9 **WHEREAS**, pursuant to the 1998 Compensation Resolution passed on January
10 21,1998, the Board of Commissioners established a county supplement for the Sheriff in
11 the amount necessary to make the compensation of the Sheriff equal to “ninety percent
12 (90%) of the total compensation of the Superior Court Judges including the percentage
13 of any increase in State compensation of Superior Court Judges which may be received
14 July 1, 1998.”

15 **Circuit Public Defender**

16 **WHEREAS**, the base salary of circuit public defenders are set forth in O.C.G.A. §
17 17-12-25(a); and

18 **WHEREAS**, pursuant to O.C.G.A. § 17-12-25(b) the General Assembly by local
19 law or the county governing authority for the judicial circuit may establish a county
20 supplement for a public defender, the greater of which shall prevail as the county
21 supplement to be paid; and

22 **WHEREAS**, neither the General Assembly nor the Board of Commissioners has
23 provided a county supplement for Circuit Public Defender for the Atlanta Judicial Circuit
24 which is comprised of Fulton County.

25 **Solicitor-General**

26 **WHEREAS**, pursuant to O.C.G.A. § 15-18-67(a), solicitors-general of state courts
27 shall be compensated from county funds as provided by local law; and

28 **WHEREAS**, pursuant to O.C.G.A. § 15-18-67(b), “[t]he county governing authority
29 is authorized to supplement the minimum compensation to be paid to the solicitor-general
30 of the state court of that county as provided by local law”; and

1 **WHEREAS**, 1974 Ga. Laws, p. 2240, a local act passed by the General Assembly
2 and codified as Fulton County Code § 10-311, authorizes the Board of Commissioners to
3 set the salary of the Solicitor-General at no less than \$30,500 per year; and

4 **WHEREAS**, pursuant to the 1998 Compensation Resolution passed on January
5 21, 1998, the Board of Commissioners established the salary of the Solicitor-General as
6 an amount equal to ninety percent (90%) of the total compensation of the Superior Court
7 Judges of Fulton County.

8 **Marshal**

9 **WHEREAS**, in Fulton County, the Marshal serves both the State Court and the
10 Magistrate Court, but is appointed under the process applicable for serving State Court;
11 and

12 **WHEREAS**, O.C.G.A. § 15-10-100(c.1)(1) allows “the governing authority” of a
13 county to employ a marshal in lieu of a constable to serve magistrate court; and

14 **WHEREAS**, pursuant to 1960 Ga. Laws, p. 2347, a marshal serving the Civil Court
15 is to be paid a salary of \$11,000.00 per annum; and

16 **WHEREAS**, 1976 Ga. Laws, p. 3023 provides for a marshal for the newly created
17 State Court of Fulton County with the compensation of the Marshal to be as previously
18 set by 1960 Ga. Laws, p. 2347.

19 **District Attorney**

20 **WHEREAS**, the base salary of the district attorney is set forth in O.C.G.A. § 45-7-
21 4(a)21; and

22 **WHEREAS**, pursuant to O.C.G.A. § 15-18-11, the governing authority of a county
23 may provide a county supplement to the district attorney for the judicial circuit where the
24 county lies; and

25 **WHEREAS**, pursuant to O.C.G.A. § 15-18-10.1(d), as of January 1, 2016, such
26 county supplement paid to a district attorney may not exceed \$50,000; and

27 **WHEREAS**, the Department of Human Resources Management has
28 recommended a county supplement to be paid to the District Attorney for the Atlanta
29 Judicial Circuit (Fulton County) that exceeds \$50,000.

1 **NOW, THEREFORE, BE IT RESOLVED**, that the Board of Commissioners hereby
2 adopts a new county supplement for the Superior Court Clerk as outlined in the Salaries
3 and Supplements Schedule attached hereto.

4 **BE IT FURTHER RESOLVED**, that the Board of Commissioners hereby adopts a
5 new county supplement for the Sheriff as outlined in the Salaries and Supplements
6 Schedule attached hereto.

7 **BE IT FURTHER RESOLVED**, that the Board of Commissioners hereby adopts a
8 new county supplement for the Circuit Public Defender for the Atlanta Judicial Circuit as
9 outlined in the Salaries and Supplements Schedule attached hereto.

10 **BE IT FURTHER RESOLVED**, that the Board of Commissioners hereby adopts a
11 new salary for the Solicitor-General as outlined in the Salaries and Supplements
12 Schedule attached hereto.

13 **BE IT FURTHER RESOLVED**, that the Board of Commissioners hereby adopts
14 new salary for the Marshal as outlined in the Salaries and Supplements Schedule
15 attached hereto subject to approval of Home Rule Resolution No. 22-_____ planned for
16 adoption at the March 16, 2022 and April 13, 2022 meetings.

17 **BE IT FURTHER RESOLVED**, that whenever the state employees subject to
18 compensation plans authorized and approved in accordance with Code Section 45-20-4
19 receive a cost-of-living increase or general performance based increase of a certain
20 percentage or a certain amount, the salaries to which the Solicitor-General and Marshal
21 are entitled shall be increased by the same percentage or same amount applicable to
22 such state employees. If the cost-of-living increase or general performance based
23 increase received by state employees is in different percentages or different amounts as
24 to certain categories of employees, the amounts to which the Solicitor-General and
25 Marshal are entitled shall be increased by the highest percentage rate or amount from
26 that which is applied to the Superior Court Clerk and the Sheriff.

27 **BE IT FURTHER RESOLVED**, that pursuant to its inherent authority to advocate
28 for laws and legislation that will benefit Fulton County and its citizens, the Board of
29 Commissioners hereby encourages the General Assembly of the State of Georgia to
30 amend O.C.G.A. § 15-18-10.1 by removing subsection (d) which limits the amount of a
31 county supplement that may be paid to a district attorney to a maximum of \$50,000.

1 **BE IT FURTHER RESOLVED** that this Resolution shall be effective April 1, 2022.

2 **BE IT FURTHER RESOLVED** that DHRM shall review the salaries and
3 supplements of the elected and appointed officials referenced herein in tandem and as
4 part of future county-wide classification and compensation salary surveys.

5 **BE IT FINALLY RESOLVED** that all resolutions and parts of resolutions in conflict
6 with this Resolution are hereby repealed to the extent of the conflict.

7 **PASSED AND ADOPTED** this _____ day of _____, 2022.

8
9 **FULTON COUNTY**
10 **BOARD OF COMMISSIONERS**

11
12
13
14 _____
15 Chairman Robert L. Pitts

16 ATTEST:

17
18 _____
19 Tonya R. Grier
20 Clerk to the Commission

21 APPROVED AS TO FORM:

22
23
24 _____
25 Y. Soo Jo
26 County Attorney
27

**SALARIES AND SUPPLEMENTS SCHEDULE
FOR CERTAIN NON-JUDICIAL ELECTED AND APPOINTED OFFICIALS
EFFECTIVE APRIL 1, 2022 PURSUANT TO RESOLUTION NO. _____**

The county supplement for each of the officials listed below shall be fixed as follows:

(1) Superior Court Clerk	\$25,956
(2) Sheriff.....	\$40,128
(3) Circuit Public Defender, Atlanta Judicial Circuit	\$93,902

The annual salary of each of the officials listed below shall be fixed as follows:

(1) Solicitor-General	\$200,902
(2) Marshal	\$173,192

Whenever the state employees subject to compensation plans authorized and approved in accordance with Code Section 45-20-4 receive a cost-of-living increase or general performance based increase of a certain percentage or a certain amount, the salaries to which the Solicitor-General and Marshal are entitled shall be increased by the same percentage or same amount applicable to such state employees. If the cost-of-living increase or general performance based increase received by state employees is in different percentages or different amounts as to certain categories of employees, the amounts to which the Solicitor-General and Marshal are entitled shall be increased by the highest percentage rate or amount from that which is applied to the Superior Court Clerk and the Sheriff.



Fulton County Board of Commissioners

Agenda Item Summary

Agenda Item No.: 22-0194

Meeting Date: 3/16/2022

Department

Human Resources Management

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Request approval of a Resolution to exercise Home Rule to repeal Section 1 of local law 1960 Ga. L. 2347; to amend Section 10 of local law 1976 Ga. L. 3023; to establish the salary of the Marshal pursuant to O.C.G.A. Sec. 15-10-100; and for other purposes.

Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*

Ga. Const. Art. 9, Sec. 2, Par. 1(b)

Strategic Priority Area related to this item *(If yes, note strategic priority area below)*

Open and Responsible Government

Commission Districts Affected

- All Districts
- District 1
- District 2
- District 3
- District 4
- District 5
- District 6

Is this a purchasing item?

No

Summary & Background *(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)*

Scope of Work:

Fulton County employs a marshal that serves both Magistrate Court and State Court pursuant to O.C.G.A. Sec. 15-10-100(c.1)(1) and 1976 Ga. L. 3023. However, the Fulton County Marshal is appointed pursuant to the process applicable for a marshal in State Court. The salary of the Fulton County Marshal was previously established by local law 1960 Ga. L. 2347 and carried forward by a later local law, 1976 Ga. L. 3023.

On November 17, 2021, via Agenda Item 21-0913, DHRM presented a proposal to establish new salaries and supplements for officials, including the marshal. In order to establish the salary proposed by DHRM, which is different than the amount outlined in the prior local laws, the Board of Commissioners must exercise its Home Rule power and repeal the prior salary provision. The new salary for the marshal, \$173,192, will be identified in this legislation as well as the comprehensive resolution for other officials that is also being presented to the Board of Commissioners.

With this repeal, the Board of Commissioners will be able to easily amend the salary of the marshal in the future.

Community Impact: There is no community impact.

Department Recommendation: The Department of Human Resources Management recommends approval.

Project Implications: There are no project implications.

Community Issues/Concerns: There are no community issues or concerns.

Department Issues/Concerns: There are no department issues or concerns.

1 **RESOLUTION TO EXERCISE HOME RULE TO REPEAL SECTION 1 OF LOCAL**
2 **LAW 1960 Ga. L. 2347; TO AMEND SECTION 10 OF LOCAL LAW 1976 Ga. L. 3023;**
3 **TO ESTABLISH THE SALARY OF THE MARSHAL PURSUANT TO O.C.G.A. § 15-**
4 **10-100; AND FOR OTHER PURPOSES.**
5

6 **WHEREAS**, O.C.G.A. § 15-10-100(c.1)(1) allows “the governing authority” of a
7 county to employ a marshal in lieu of a constable to serve magistrate court; and

8 **WHEREAS**, in Fulton County, the Marshal serves both the State Court and the
9 Magistrate Court, but is appointed under the process applicable for serving State Court;
10 and

11 **WHEREAS**, Section 1 of 1960 Ga. L. p. 2347 (“1960 Local Law”) set the salary of
12 the Marshal as \$11,000.00 per annum (a true and correct copy of the 1960 Local Law is
13 attached hereto as Exhibit A); and

14 **WHEREAS**, 1976 Ga. L. p. 3023 (“1976 Local Law”) consolidated the Civil Court
15 of Fulton County and the Criminal Court of Fulton County to create the State Court of
16 Fulton County (a true and correct copy of the 1976 Local Law is attached hereto as Exhibit
17 B); and

18 **WHEREAS**, pursuant to Section 10 of the 1976 Local Law, the compensation of
19 the Marshal remains as previously set by the 1960 Local Law; and

20 **WHEREAS**, Article 9, Section 2, Paragraph I(b) of the Georgia Constitution
21 provides each county with Home Rule authority to repeal and amend Local Acts that are
22 applicable to that particular county; and

23 **WHEREAS**, on January 21, 1998, the Board of Commissioners adopted a
24 Resolution establishing the salary for the Marshal equal to seventy-five percent (75%) of
25 the total compensation of the State Court Judges of Fulton County (“1998 Resolution”);
26 and

27 **WHEREAS**, the 1998 Resolution was not adopted using the Fulton County Board
28 of Commissioners’ Home Rule authority and therefore did not repeal or amend the
29 compensation provisions of the 1960 and 1976 Local Laws; and

30 **WHEREAS**, the Board of Commissioners elects to exercise its Home Rule power
31 to repeal Section 1 of the 1960 Local Law to remove the provision which sets the
32 compensation of the Marshal at \$11,000 annually; and

1 **WHEREAS**, the Board of Commissioners elects to exercise its Home Rule power
2 to amend Section 10 of the 1976 Local Law to remove the provision which sets the salary
3 of the Marshal as the amount set by the 1960 Local Law to read as follows:

4 **Section 10.** At the time of the creation of this Court the Marshal and Deputy
5 Marshals of the Civil Court of Fulton County shall become the Marshal and
6 Deputy Marshals of the State Court of Fulton County, and exercise the
7 same jurisdiction, power and authority as was reposed in them as the
8 Marshal and Deputy Marshals of the Civil Court of Fulton County. The
9 qualifications, method of election or selection, and terms of office for the
10 Marshal and Deputy Marshals of the State Court of Fulton County will be
11 the same as provided for them as Marshal and Deputy Marshals of the Civil
12 Court of Fulton County at the time of the creation of this Court. [Sidenote:
13 Marshal, etc.]

14 **NOW, THEREFORE, BE IT RESOLVED**, that pursuant to its Home Rule authority,
15 the Board of Commissioners hereby repeals Section 1 of the 1960 Local Law and amends
16 Section 10 of the 1976 Local Law to change the salary of the Marshal.

17 **BE IT FURTHER RESOLVED**, that the salary of the Marshal shall be \$173,192
18 per annum until such time as a new salary is adopted by the Board of Commissioners or
19 is otherwise provided by law.

20 **BE IT FURTHER RESOLVED**, that the Clerk of the Fulton County Board of
21 Commissioners shall insure that this resolution is duly adopted at two regular consecutive
22 meetings of the Board of Commissioners not less than seven nor more than sixty days
23 apart; shall file a copy of the proposed repeal and amendment with the Clerk of the
24 Superior Court of the County for the purpose of examination and inspection by the public;
25 shall publish a notice containing a synopsis of the proposed repeal and amendment in
26 the official county organ once a week for three weeks within a period of sixty days
27 immediately preceding its final adoption (such notice shall state that a copies of the
28 proposed repeal and amendment are on file in the office of the clerk of the superior court
29 of the county for inspection by the public) and shall file with the Secretary of State of
30 Georgia a copy of this Resolution as finally adopted along with the notice of publication
31 and affidavit of publication.

1 **BE IT FURTHER RESOLVED**, that this Resolution shall become effective upon
2 adoption.

3 **BE IT FINALLY RESOLVED**, that all ordinances and resolutions, including the
4 1998 Resolution as it relates to the Marshal, parts of ordinances and resolutions in conflict
5 with this Resolution are hereby repealed to the extent of the conflict.

6 **PASSED AND ADOPTED** this _____ day of March, 2022 and this _____
7 day of April, 2022.

8 **FULTON COUNTY**
9 **BOARD OF COMMISSIONERS**

10
11 _____
12 Chairman Robert L. Pitts
13

14
15 ATTEST:

16
17 _____
18 Tonya R. Grier
19 Clerk to the Commission

20
21 APPROVED AS TO FORM:

22
23 _____
24 Y. Soo Jo
25 County Attorney
26

RESOLUTION TO EXERCISE HOME RULE TO REPEAL SECTION 1 OF LOCAL LAW 1960 Ga. L. 2347; TO AMEND SECTION 10 OF LOCAL LAW 1976 Ga. L. 3023; TO ESTABLISH THE SALARY OF THE MARSHAL PURSUANT TO O.C.G.A. § 15-10-100; AND FOR OTHER PURPOSES.

EXHIBIT A

LOCAL AND SPECIAL ACTS AND RESOLUTIONS OF THE GENERAL ASSEMBLY OF THE STATE OF GEORGIA 1960

[missing title]

1960 Vol. 2 -- Page: 2347

Sequential Number: 084

Short Title: CIVIL COURT OF FULTON COUNTY -- COMPENSATION OF CLERK AND MARSHAL.

Law Number: No. 584

Origin: (House Bill No. 938).

Full Title: An Act to amend the Act relating to the abolition of Justice Courts in the City of Atlanta, Georgia, and establishing in lieu thereof the Civil Court of Fulton County (Ga. L. 1913, pp. 20 et seq.), as amended, so as to increase the compensation of the clerk and marshal of said court; to repeal conflicting laws, and for other purposes.

Be it enacted by the General Assembly of Georgia that the Act relating to the abolition of Justice Courts in the City of Atlanta, Georgia, and establishing in lieu thereof the Civil Court of Fulton County (Ga. L. 1913, pp. 20 et seq.), as amended, be and the same is further amended as follows:

Section 1. Effective on the first day of the month following the approval of this Act, the salary of the clerk and of the marshal of said court shall each be \$11,000.00 per annum, payable in equal monthly or semi-monthly payments

Section 2. Be it further enacted by the authority aforesaid, that the General Assembly finds upon investigation and declares that notice of intention to apply for the enactment of this Act was published in the manner required by Article III, Section VII, Paragraph XV of the Constitution of Georgia of 1945. Copy of said notice with proof of publication is hereto attached and made a part hereof.

Section 3. All laws and parts of laws in conflict with this Act be and the same are hereby repealed.

Publisher's Affidavit.

State of Georgia, County of Fulton.

Before me, the undersigned, a Notary Public, this day personally came Bessie K. Crowell, who, being first duly

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sworn, according to law, says that she is the secretary of the Daily Report Company, publishers of the Fulton County Daily Report, official newspaper published at Atlanta, in said county and State, and that the publication, of which the annexed is a true copy, was published in said paper on the 3, 10, 17 days of December, 1959, as provided by law.

/s/ Bessie K. Crowell.

Notice of Intention to Apply for Local Legislation.

Pursuant to the provisions of Article III, Section VII, Paragraph XV of the Constitution of Georgia of 1945, notice is hereby given of intention to apply at the next regular session of the General Assembly of the State of Georgia, which will convene on the second Monday in January, 1960, for the enactment of local legislation to amend the Act creating the Civil Court of Fulton County (formerly Municipal Court of Atlanta), approved August 20, 1913, as heretofore amended. Said Act appears in Georgia Laws 1913, pages 145 through 177.

This the 2nd day of December, 1959.

Hewitt W. Chambers, Clerk, Civil Court of Fulton County. Subscribed and sworn to
before me
this 1st day of February, 1960.
/s/ Mildred N. Lazenby,
Notary Public, Georgia, State at Large.
My Commission Expires Oct. 18, 1963.
(Seal).

Approval Date: Approved March 7, 1960.

EXHIBIT B

Act/Resolution 2 of 2

ACTS AND RESOLUTIONS OF THE GENERAL ASSEMBLY OF THE STATE OF GEORGIA 1976

ACTS AND RESOLUTIONS OF THE GENERAL ASSEMBLY OF THE STATE OF GEORGIA 1976

1976 Vol. 2 -- Page: 3023

Sequential Number: 096

Short Title: STATE COURT OF FULTON COUNTY CREATED.

Law Number: No. 1004

Origin: (House Bill No. 660).

Full Title: An Act to create a State Court of Fulton County by consolidation of the existing Civil Court of Fulton County and the Criminal Court of Fulton County; to provide for the jurisdiction and power of said Court; to provide for the title, authority, power and jurisdiction of the Judges of said Court; to provide for an additional judge for the Criminal Court of Fulton County and his powers, duties, authority, appointment, election and compensation; to provide for a chief judge and his duties and powers; to provide for the title, authority, power and jurisdiction of Officers and employees of said Court; to provide for a chief clerk and his duties, powers and compensation; to provide for the jurisdiction and place of sitting and holding Court; to incorporate existing laws by reference; to provide for severability; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Be it enacted by the General Assembly of Georgia:

Section 1. Pursuant to Article VI, Section VII, Paragraph I, of the Constitution of Georgia of 1945, there is hereby created and established for Fulton County, by the consolidation of the existing Civil Court of Fulton County and the Criminal Court of Fulton County, a Court to be known as the State Court of Fulton County.

[Sidenote: Creation.]

Section 2. Said State Court of Fulton County shall have the jurisdiction, power and authority, coextensive with that held and exercised by both the Civil Court of Fulton County and the Criminal Court of Fulton County on the date of the creation of this Court. Such jurisdiction and power of the State Court of Fulton County to inquire into, hear and determine cases, shall be that collective jurisdiction and power as was exercised by both the Civil Court of Fulton County and the Criminal Court of Fulton County at the time of the creation of this Court.

[Sidenote: Jurisdiction.]

Section 3. The State Court of Fulton County shall have jurisdiction throughout Fulton County, either concurrently with, or supplemental to, or in lieu of Justice Courts, as may be now or hereafter provided by law. The Judges of the State Court of Fulton County shall be able to sit and hold court in any court house within the boundaries of Fulton County, which has been designated for such purpose by the governing authority of Fulton County.

[Sidenote: Same.]

Section 4. The State Court of Fulton County is not subject to the rules of uniformity laid down in Paragraph I of Section IX, of Article VI, of the Constitution of Georgia.

[Sidenote: Uniformity.]

Section 5. The Judges of the State Court of Fulton County shall be those judges of the Civil Court of Fulton County and of the Criminal Court of Fulton County at the time of creation of this Court. They shall have the title of Judge of the State Court of Fulton County and their total number shall be the same as the combined total of the number of Judges of the Civil Court of Fulton County and of the Criminal Court of Fulton County at the time of the creation of this Court. Each Judge of the State Court of Fulton County shall have the reciprocal and collective jurisdiction, power and authority as was reposed in both the Judges of the Civil Court of Fulton County and the Judges of the Criminal Court of Fulton County at the time of the creation of this Court. When Judges of the State Court of Fulton County are sitting as judges to hear and determine matters which were previously heard and determined by Judges of the Civil Court of Fulton County, the Judges of the State Court of Fulton County shall exercise the same jurisdiction, power

and authority as was formerly exercised by Judges of the Civil Court of Fulton County at the time of the creation of this Court. When Judges of the State Court of Fulton County are sitting to hear and determine matters which were previously heard and determined by Judges of the Criminal Court of Fulton County, the Judges of the State

Court of Fulton County shall exercise the same jurisdiction, power and authority which was formerly exercised by the Judges of the Criminal Court of Fulton County at the time of the creation of this Court.

[Sidenote: Judges.]

- **Section 6.** (a) Except as provided in subsection (b), the number of Judges of the State Court of Fulton County shall be the same as the combined total of the Judges of the Civil Court of Fulton County and of the Criminal Court of Fulton County at the time of the creation of this Court. The salaries, terms, qualifications and method of election, of the Judges of the State Court of Fulton County shall be provided for the Judges of the Civil Court of Fulton County at the time of the creation of this Court. The current term of office of each Judge at the creation of the State Court of Fulton County shall be the same as provided by law prior to said Court's creation.

[Sidenote: Same.]

- (b) In addition to the judges provided for in subsection (a), an additional judge is hereby provided for the Criminal Court of Fulton County. Such judge shall be appointed by the Governor prior to the first day of the month following the month in which this subsection becomes effective, and such judge shall take office on said first day of such month. Such judge shall serve until January 1, 1977. A successor to such judge shall be elected at the general election in November, 1976, for a term of six years beginning January 1, 1977, and until his successor shall have been elected and qualified. The successor to the appointed judge shall become a judge of the State Court of Fulton County on January 2, 1977, when the State Court of Fulton County comes into existence as provided in this Act. All future elections for such judge shall be held and conducted as is now or may hereafter be provided by law and the term shall be for six years and until a successor is elected and qualified. The qualifications of said additional judge shall be the same as

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are now provided for by law for the present or existing judges of said court, and his compensation shall be the same as that of the present or existing judges of said court, and said salary shall be paid to said judge out of the treasury of Fulton County in the same manner as the salary of the present or existing judges of said court is now paid. Said additional judge shall have the same powers, jurisdiction, duties and dignity as are now provided for the present judges.

[Sidenote: Additional judge.]

- (c) The judges of the Court shall, within thirty days of the effective date hereof, and thereafter during the first week in January of each successive year, by a majority vote, elect from their number a chief judge of the court to serve during the remainder of such year. A majority of the judges of said court may remove such chief judge from the office as chief judge, and may fill any vacancy occurring in the office of chief judge. Such chief judge shall be responsible for the administration and the expeditious disposition of the business of the court, and shall have power to make such rules as he shall deem necessary or proper for such purpose, but not in conflict with the general laws of this State, which rules, when entered on the minutes of said court, shall be binding upon the other judges of the court, until the same shall be overruled by an order signed by a majority of the judges of the court. Such chief judge, by published rule, or from time to time by order, may allocate the jurisdiction and powers of the court, and the duties of the judges thereof, among the judges of the court; may assign to the judges of said court such of the business of the court as he shall deem appropriate, provided that any assignment of cases to or among the other judges of the court shall be in accordance with a published rule of the court; may make and publish calendars; may require reports from the clerk of the court and the other judges of the court relative to business pending before the court; and generally shall supervise and direct the disposition of all the business of the court.

[Sidenote: Chief judge.]

Section 7. There shall be a chief clerk of the State Court of Fulton County who shall be responsible for the operation of the civil and criminal divisions of the clerk's office. The

Page: 3027

chief clerk shall be elected by the judges of the court from among the qualified electors and residents of Fulton County. The chief clerk shall serve at the pleasure of the judges. The chief clerk shall receive such compensation as may be fixed by the Board of Commissioners of Fulton County. The chief clerk shall have such powers and duties as may be prescribed by the judges of the State Court. Such chief clerk shall also serve as the Clerk of the Civil Division of the Court or as Clerk of the Criminal Division of the Court but not in both positions.

[Sidenote: Chief Clerk.]

- **Section 8.** (a) At the time of the creation of this Court the Clerk of the Civil Court of Fulton County and his Deputy and Assistant Clerks, shall become the Clerk and the Deputy and Assistant Clerks of the Civil Division of the State

Court of Fulton County. The Clerk and his Deputy and Assistant Clerks shall have the same jurisdiction, power and authority as was reposed in them formerly as the Clerk and Deputy and Assistant Clerks of the Civil Court of Fulton County. The Clerk and his assistant clerks shall have the same terms, salaries, qualifications and methods of election or selection as they had as Clerk, and Deputy or Assistant Clerks of the Civil Court of Fulton County. [Sidenote: Deputy clerk, etc.]

- (b) At the time of the creation of this Court the Clerk and the Deputy and Assistant Clerks of the Criminal Court of Fulton County shall become the Clerk and the Deputy and Assistant Clerks of the Criminal Division of the State Court of Fulton County. The Clerk and the Deputy and Assistant Clerks of the Criminal Division of the State Court of Fulton County shall have the same jurisdiction, power and authority as was reposed in them formerly as the Clerk, and the Deputy or Assistant Clerks of the Criminal Court of Fulton County. The salaries, qualifications, methods of selection or election and the terms of the Clerk and the Deputy or Assistant Clerks of the Criminal Division of the State Court of Fulton County shall be the same as was held by them as Clerk and Deputy or Assistant Clerks of the Criminal Court of Fulton County.

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Section 9. At the time of the creation of this Court the Solicitor General and Assistant Solicitors General of the Criminal Court of Fulton County shall become the Solicitor General and Assistant Solicitors General of the State Court of Fulton County, and shall exercise the same jurisdiction, power and authority as was formerly reposed in them as the Solicitor General and Assistant Solicitors General of the Criminal Court of Fulton County. The qualifications, method of election or selection, salary, and terms of the Solicitor General and the Assistant Solicitors General of the State Court of Fulton County shall be the same as provided for the Solicitor General and Assistant Solicitors General of the Criminal Court of Fulton County at the time of the creation of this Court.

[Sidenote: Solicitor general, etc.]

Section 10. At the time of the creation of this Court the Marshal and Deputy Marshals of the Civil Court of Fulton County shall become the Marshal and Deputy Marshals of the State Court of Fulton County, and exercise the same jurisdiction, power and authority as was reposed in them as the Marshal and Deputy Marshals of the Civil Court of Fulton County. The qualifications, method of election or selection, salaries, and terms of office for the Marshal and Deputy Marshals of the State Court of Fulton County will be the same as provided for them as Marshal and Deputy Marshals of the

Civil Court of Fulton County at the time of the creation of this Court.
[Sidenote: Marshal, etc.]

Section 11. The Civil Court of Fulton County and the Criminal Court of Fulton County are hereby consolidated into the State Court of Fulton County and they shall have no further identify as separate courts.
[Sidenote: Consolidation.]

Section 12. As relates to the jurisdiction, power, authority and duty of the Civil and Criminal Courts of Fulton County, its Judges, and all of its other Officers and employees, the law (Ga. L. 1913, p. 145), as amended, with respect to the Civil Court of Fulton County, and the law (Ga. L. 1891, p. 935), as amended, with respect to the Criminal Court of Fulton County, as these laws existed at the time of the creation of this Court, are hereby incorporated by reference and made a part of this Act, and

Page: 3029

such laws shall have general application to this Court, its Judges, and equivalent Officers and employees, where not inconsistent herewith.
[Sidenote: Powers.]

Section 13. The organization of the said State Court of Fulton County, its procedures, and practices, its officers and employees, and its power and jurisdiction, are by the provisions in this Act unchanged, unaltered and undiminished, and the same original Acts, and the amendatory Acts thereof, establishing the Criminal Court of Fulton County and the Civil Court of Fulton County are brought forth as if fully reenacted herein and are made the law governing the State Court of Fulton County.
[Sidenote: Organization.]

Section 14. Any and all accusations, warrants, motions, petitions, processes, summons, subpoenas, executions, fi. fas., documents, proceedings and papers, of whatever nature which are, on the effective date of this Act, in the Criminal Court of Fulton County and the Civil Court of Fulton County shall be construed to be in the State Court of Fulton County, which by the terms of this Act becomes the official, legal title and name of said Court.
[Sidenote: Procedure.]

Section 15. All accusations, warrants, orders, motions, petitions, processes, summons, subpoenas, executions, fi. fas., documents, and proceedings, or papers of whatever nature, in the Courts known by the legal designations of the Criminal Court of Fulton County or the Civil Court of Fulton County shall hereafter designate said Court by the

name of the State Court of Fulton County, and the aforesaid name shall be construed to constitute the full legal title and name of said Court.

Section 16. Nothing in this Act shall be construed or interpreted to have changed, altered, modified or diminished the jurisdiction, power, authority, or term of office of any Judge, Officer, or employee of the Criminal Court of Fulton County or of the Civil Court of Fulton County, and all the rights, titles, emoluments, powers, jurisdiction and authority of said judges, officers, and employees of said Courts are brought forth unchanged, unaltered, and undiminished into the State Court of Fulton County, and each

Page: 3030

of said Judges are by the terms of this Act designated as Judge of the State Court of Fulton County.

Section 17. The State Court of Fulton County shall be a State Court within the meaning of Ga. L. 1970, p. 679, and the State Court of Fulton County shall be subject to the provisions of that Act as may now or hereafter be amended. In all cases where there is a conflict between the provisions of that Act, Ga. L. 1970, p. 679, as amended, and this Act, the Act with respect to practice and procedure in certain courts below the Superior Court level, Ga. L. 1970, p. 679, as amended, Ga. Code Ann. Section 24-2101(a) et seq., shall take priority and be controlling.

Section 18. Should any section or part of any section of this Act be declared to be unconstitutional or invalid for any reason, the same shall not affect the remainder of this Act or any part thereof other than the part so held to be invalid.
[Sidenote: Severability.]

Section 19. This Act shall become effective on January 2, 1977, except the provisions of section 6(b), which shall become effective immediately upon approval of this Act by the Governor or upon its becoming law without his approval for the purpose of appointing and electing the additional judge provided for in said section 6(b).
[Sidenote: Effective date.]

Section 20. All laws and parts of laws in conflict with this Act are hereby repealed.

Notice of Intention to Apply for Local Legislation.

Pursuant to the provisions of Article III, Section 7, Paragraph XV of the Constitution of Georgia of 1945, notice is hereby given of intention to apply at the regular session of the General Assembly of Georgia, which will convene on the 13th day of January 1975, for local legislation affecting the Criminal Court of Fulton County for the following purposes: (1) To increase the number of jurors to serve in said court from five to six, to be selected from a panel of twelve prospective jurors. (2) To amend and change the procedure for filing demands for trials by defendants in said court. (3)

Page: 3031

To increase the maximum salaries of the First Assistant Solicitor and the Assistant Solicitors of said court. (4) To consolidate and merge the said Criminal Court of Fulton with the Civil Court of Fulton County under the name of "The State Court of Fulton County." (5) For other purposes affecting the Criminal Court of Fulton County, (6) To repeal conflicting laws.

This, the 13th day of December, 1974.

Hinson McAuliffe Solicitor General Criminal Court of Fulton County

Georgia, Fulton County.

Personally appeared before me, the undersigned authority, duly authorized to administer oaths, John W. Greer who, on oath, deposes and says that he is Representative from the 43rd District, and that the attached copy of Notice of Intention to Introduce Local Legislation was published in the Fulton County Daily Report which is the official organ of Fulton County, on the following dates: December 16, 23, 30, 1974.

/s/ John W. Greer Representative, 43rd District

Sworn to and subscribed before me,

this 12th day of February, 1975.

/s/ Susan Gordon
Notary Public, Georgia State at Large.

My Commission Expires Dec. 18, 1976.
(Seal).

Approval Date: Approved March 24, 1976.

P:\CAProjects\Persnl\Salary and Supplements for Elected Appointed Officials\Resolutions per 21-0913\Exhibit A & B
- Resolution_Marshal - salary (FB 3.6.22).docx



Fulton County Board of Commissioners

Agenda Item Summary

Agenda Item No.: 22-0195

Meeting Date: 3/16/2022

Department

Public Works

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Request approval to renew an existing contract - Department of Public Works, 16RFP071816K-DJ, Operation & Maintenance Services for Camp Creek Managed Assets in the amount of \$6,277,692.00 for FY 2022, with Veolia Water North America - South, LLC, (Atlanta, GA), to provide reliable uninterrupted, economical operation of the wastewater system operations and maintenance management systems in the Camp Creek service area. Annual fees for FY2023 - FY2026 are provided in the scope of work. This action exercises the first of one renewal option. No renewal options remain. The renewal period is for a five year period effective April 4, 2022 through April 3, 2027.

Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*

In accordance with State of Georgia O.C.G.A. §36-60-15.1, Operation and Maintenance of Water Treatment Systems by Private Entities, the County is authorized, in the discretion of its governing authority, to enter into valid and binding leases and contracts for any period of time not to exceed 20 years to provide for the operation and maintenance of all or a portion of its waste-water treatment system, storm-water system, water system, or sewer system, or any combination of such systems, which contracts may include provisions for the design, construction, repair, reconditioning, replacement, maintenance, and operation of the system, or any combination of such services and functions.

Strategic Priority Area related to this item *(If yes, note strategic priority area below)*

Health and Human Services

Commission Districts Affected

- All Districts
- District 1
- District 2
- District 3
- District 4
- District 5
- District 6

Is this a purchasing item?

Yes

Summary & Background *(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)*

Scope of Work: Since April 4, 2017, Veolia Water North America - South, LLC has been providing all operation and maintenance functions for the wastewater managed assets in South Fulton County. This infrastructure includes the Camp Creek Water Reclamation Facility (WRF), Little Bear Creek (WRF), and eighteen (18) pumping stations. Veolia provides services to these assets twenty-four hours per day, seven days a week. The Contractor provides all labor, materials, supplies, chemicals, fuel, vehicles, services, administration, reporting, monitoring, and other necessary items or services and assumes all responsibilities and liabilities associated with operating and maintaining the facilities.

The total five-year renewal contractual value of the services will be \$44,507,059 and includes four financial elements - Fixed Service Fee, Maintenance Allowance, Contingency Allowance, and Escalation:

- The Fixed Service Fee is the amount charged by the contractor to operate and maintain all of the Camp Creek Managed Assets in compliance with the terms of the contract.
- The Maintenance Allowance will be used to repair/replace major equipment or upgrade the Camp Creek Managed Assets at the County's sole discretion.
- The Contingency Allowance will be used to finance unforeseen and variable expenses during the term at the County's sole discretion.
- Escalation will be applied on an annual basis to cover on-going increasing expenses due to inflation and market adjustments.

The Contractor requested adjustments that were contemplated in the contract and the adjustments are summarized below and more fully presented in the Information Memo provided:

1. Restructure the biosolid disposal cost to be consistent with how the North Fulton contract (RFP# 19RFP090419K-DB) was structured in 2020. In that contract, Fulton County agreed to a baseline rate for biosolid hauling and disposal for each year of the contract. Veolia would be reimbursed at their actual costs if the rates are at or below this baseline rate. If the actual rates are less than 5% over the baseline rate, Veolia would not be reimbursed for the additional costs over the baseline rate. If the actual rates are greater than 5% over the baseline rate, Fulton County would reimburse Veolia the amount above the 5%. The current Camp Creek contract is structured differently. The Fixed Fee includes biosolid hauling and disposal at \$56.75 a ton. Anything over that amount comes out of the Contingency Allowance on an annual basis. Currently rates are approximately \$85 a ton, so approximately \$400,000 a year is coming out of the contingency allowance to make up the difference. The proposed structure is serving both Fulton County and Veolia well as part of the North Fulton contract.

2. The global pandemic has significantly changed the chemical market. Collectively, chemical costs are now 45% greater than they were before COVID. Veolia is asking that the chemical costs

included in the Fixed Fee portion of the contract be increased to accommodate the increases.

3. The current staffing plan to operate and maintain the Camp Creek assets is currently capped at 23 employees. Veolia is requesting that two additional positions be added to the contract that will allow them to provide the necessary support for the maintenance, upgrades, and operation of the assets.

4. The current contract allows an annual escalation of 2%. As everyone knows, the current escalation percentage is considerably higher than 2%. Veolia is requesting that the annual escalation be increased to 3% to be consistent with the North Fulton contract.

Public Works agrees with all four of these contractual element changes and supports including them in the renewal. If approved, the five-year contract will extend through April 3, 2027 with the following costs in the chart below:

	FY2022 (part) 4/4 - 12/31/2022	FY2023 1/1 - 12/31/2023	FY2024 1/1 - 12/31/2024	FY2025 1/1 - 12/31/2025	FY2026 1/1 - 12/31/2026	FY2027 (part) 1/1 - 4/3/2027
Fixed Service Fee	\$5,085,363	\$6,824,109	\$6,824,109	\$6,824,109	\$6,824,109	\$1,738,745.58
Maintenance Allowance	\$1,117,808	\$1,500,000	\$1,500,000	\$1,500,000	\$1,500,000	\$382,191.78
Contingency Allowance	\$74,521	\$100,000	\$100,000	\$100,000	\$100,000	\$25,479.45
Escalation	\$0	\$204,723.27	\$415,588	\$632,779	\$856,486	\$276,937
Total	\$6,277,692	\$8,628,832	\$8,839,697	\$9,056,888	\$9,280,595	\$2,423,354

Community Impact: The treated wastewater at these facilities is ultimately discharged to the Chattahoochee River. It is Fulton County’s responsibility to maintain a clean river that serves the entire County and allows for a healthy environment for economic and recreational activities.

Department Recommendation: The Public Works Department recommends approval.

Project Implications: As Fulton County no longer has the personnel resources to operate and maintain these assets, it is imperative that the WRFs and pump station continue to provide uninterrupted wastewater treatment services. Therefore, it is necessary that this renewal be executed prior to the end of the current contract.

Community Issues/Concerns: No issues or concerns have been raised by the Community regarding Veolia’s performance during the current contract period.

Department Issues/Concerns: Public Works does not have any issues or concerns with renewing the contract for the upcoming five year period.

Contract Modification:

Current Contract History	BOC Item	Date	Dollar Amount
Original Award Amount (FY17- 22)	16-1181	12/21/2016	\$32,969,015.00
Renewal No. 1(FY22 -FY27)			\$6,277,692.00

Total Revised Amount			\$39,246,707.00
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Contract & Compliance Information *(Provide Contractor and Subcontractor details.)*

Contract Value: \$6,277,696.00

Prime Vendor: Veolia Water North America South LLC

Prime Status: Non-Minority

Location: Atlanta, GA

County: Fulton County

Prime Value: \$4,384,970.66 or 69.85%

Subcontractor: Khafra Engineering Consultants, Inc.

Subcontractor Status: African American Male Business Enterprise - Certified

Location: Atlanta, GA

County: Fulton County

Contract Value: \$81,610.05 or 1.30%

Subcontractor: Let Us Love Your Lawn

Subcontractor Status: African American Female Business Enterprise- Certified

Location: Stone Mountain, GA

County: Gwinnett County

Contract Value: \$113,626.30 or 1.81%

Subcontractor: Multi-Energy Group, LLC

Subcontractor Status: African American Female Business Enterprise - Certified

Location: Atlanta, GA

County: Fulton County

Contract Value: \$75,332.35 or 1.20%

Subcontractor: Amtech Drives

Subcontractor Status: Asian American Female Business Enterprise - Non- Certified

Location: Atlanta, GA

County: Fulton County

Contract Value: \$62,776.96 or 1.00%

Subcontractor: D. Clark Harris

Subcontractor Status: White Female Business Enterprise - Certified

Location: Fayetteville, GA

County: Fayette County

Contract Value: \$62,776.96 or 1.00%

Subcontractor: Global Control Systems

Subcontractor Status: Asian American Female Business Enterprise - Certified

Location: Smyrna GA

County: Cobb County

Contract Value: \$126,181.69 or 2.01%

Subcontractor: Reliant Water, Inc.
Subcontractor Status: White Female Business Enterprise - Certified
Location: Butler, GA
County: Taylor County
Contract Value: \$1,265,450.57 or 19.68%

Subcontractor: Prime Power
Subcontractor Status: White Female Business Enterprise - Certified
Location: Austell, GA
County: Cobb County
Contract Value: \$31,388.48 or 0.50%

Subcontractor: American Facility
Subcontractor Status: White Female Business Enterprise - Certified
Location: Atlanta, GA
County: Fulton County
Contract Value: \$103,581.98 or 1.65%

Total Contract Value: \$6,277,696.00 or 100.00%
Total M/FBE Values: \$1,757,754.88 or 28.50%

Exhibits Attached

- Exhibit 1: Contract Renewal Agreement
- Exhibit 2: Contractor Performance Report
- Exhibit 3: Board of Commissioners Informational Memo

Contact Information

David Clark, Director of Public Works, (404) 612-2804

Contract Attached

No

Previous Contracts

Yes

Fiscal Impact / Funding Source

Funding Line 1:

201-540-5470-1160: Water & Sewer R&E, Public Works, Professional Services \$6,277,692

Key Contract Terms	
Start Date: 4/4/2022	End Date: 4/3/2027
Cost Adjustment: Yes	Renewal/Extension Terms:

Overall Contractor Performance Rating:

Would you select/recommend this vendor again?

Yes

Report Period Start:
7/1/2021

Report Period End:
12/31/2021

DEPARTMENT OF PURCHASING & CONTRACT COMPLIANCE

CONTRACTORS PERFORMANCE REPORT
PROFESSIONAL SERVICES

Report Period Start	Report Period End		Contract Period Start	Contract Period End
07/01/2021	12/31/2021		04/04/2017	04/03/2022
PO Number				PO Date
PO 540 21SC124480K-DB				02/17/2021
Department	Public Works			
Bid Number	16RFP071816K-DJ			
Service Commodity	Operation & Maintenance Services for Camp Creek Managed Assets			
Contractor	Veolia Water North America-South, LLC			

0 = Unsatisfactory	<i>Achieves contract requirements less than 50% of the time, not responsive, effective and/or efficient, unacceptable delay, incompetence, high degree of customer dissatisfaction.</i>
1 = Poor	<i>Achieves contract requirements 70% of the time. Marginally responsive, effective and/or efficient; delays require significant adjustments to programs; key employees marginally capable; customers somewhat satisfied.</i>
2 = Satisfactory	<i>Achieves contract requirements 80% of the time; generally responsive, effective and/or efficient; delays are excusable and/or results in minor programs adjustments; employees are capable and satisfactorily providing service without intervention; customers indicate satisfaction.</i>
3 = Good	<i>Achieves contract requirements 90% of the time. Usually responsive; effective and/or efficient; delays have not impact on programs/mission; key employees are highly competent and seldom require guidance; customers are highly satisfied.</i>
4 = Excellent	<i>Achieves contract requirements 100% of the time. Immediately responsive; highly efficient and/or effective; no delays; key employees are experts and require minimal directions; customers expectations are exceeded.</i>

1. Quality of Goods/Services (-Specification Compliance - Technical Excellence - Reports/Administration - Personnel Qualification)

Comments:

<input type="radio"/> 0 <input type="radio"/> 1 <input type="radio"/> 2 <input type="radio"/> 3 <input checked="" type="radio"/> 4	Meets and exceeds requirements of the contract routinely. Provides reports in accurate and timely manner. Meets permit requirements. Veolia has exceptional skilled staff and has no noncompliance in years.
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2. Timeliness of Performance (-Were Milestones Met Per Contract - Response Time (per agreement, if applicable) - Responsiveness to Direction/Change - On Time Completion Per Contract)

Comments:

<input type="radio"/> 0 <input type="radio"/> 1 <input type="radio"/> 2 <input type="radio"/> 3 <input checked="" type="radio"/> 4	Veolia continuously makes improvements in plants and pump stations operations and maintenance. Very responsive in emergencies and during construction. Meets all the contract requirements.
--	--

3. Business Relations (-Responsiveness to Inquiries - Prompt Problem Notifications)

Comments:

- 0
- 1
- 2
- 3
- 4

Provides all necessary information in timely manner.
 Provides quick response to customer requests and inquiries.
 Veolia has an very good public relations program .

4. Customer Satisfaction (-Met User Quality Expectations - Met Specification - Within Budget - Proper Invoicing - No Substitutions)

Comments:

- 0
- 1
- 2
- 3
- 4


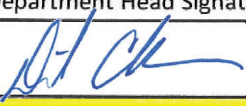
Meets and exceeds NPDES permit and Maintenance requirements with in Budget.
 Veolia needs improvements in invoicing on time.

5. Contractors Key Personnel (-Credentials/Experience Appropriate - Effective Supervision/Management - Available as Needed)

Comments:

- 0
- 1
- 2
- 3
- 4

All personnel are experienced and very responsive, meet and exceed contractual requirements for staffing.

Overall Performance Rating:		3.8	
Would you select/recommend this vendor again? (Check box for Yes. Leave Blank for No) <input checked="" type="radio"/> Yes <input type="radio"/> No		Rating completed by: O P Shukla, Operations Administrator  02/18/2022	
Department Head Name		Department Head Signature	Date
David Clark			February 18, 2022



CONTRACT RENEWAL AGREEMENT

DEPARTMENT: Public Works

BID/RFP# NUMBER: 16RFP071816K-DJ

BID/RFP# TITLE: Operation & Maintenance (O&M) Services for Camp Creek Managed Assets

ORIGINAL APPROVAL DATE: December 21, 2016

RENEWAL EFFECTIVE DATES: April 4, 2022

RENEWAL OPTION #: 1 OF 1

NUMBER OF RENEWAL OPTIONS: 1

RENEWAL AMOUNT: \$ 6,277,692.00 (April 4, 2022 – December 31, 2022) See Attachment A for Annual Fees for FY2022 – FY2027

COMPANY'S NAME: Veolia Water North America – South, LLC

ADDRESS: 387 18th Street, NW

CITY: Atlanta

STATE: GA

ZIP: 30363

This Renewal Agreement No. 1 was approved by the Fulton County Board of Commissioners on BOC DATE: **BOC NUMBER:**

SIGNATURES: SEE NEXT PAGE

SIGNATURES:

Vendor agrees to accept the renewal option and abide by the terms and conditions set forth in the contract and specifications as referenced herein:

FULTON COUNTY, GEORGIA

VEOLIA WATER NORTH AMERICA – SOUTH, LLC

**Robert L. Pitts, Chairman
Fulton County Board of Commissioners**

**Joseph A. Tackett
Senior Vice President**

ATTEST:

ATTEST:

**Tonya R. Grier
Interim Clerk to the Commission**

**Secretary/
Assistant Secretary**

(Affix County Seal)

(Affix Corporate Seal)

AUTHORIZATION OF RENEWAL:

ATTEST:

**David Clark, Director
Public Works**

Notary Public

County: _____

Commission Expires: _____

(Affix Notary Seal)

ITEM#: _____ RCS: _____ RECESS MEETING	ITEM#: _____ RM: _____ REGULAR MEETING
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ATTACHMENT A

Annual Fees for FY2022 – FY2027 (partial)

	FY2022 (part) 4/4 - 12/31/2022	FY2023 1/1 - 12/31/2023	FY2024 1/1 - 12/31/2024	FY2025 1/1 - 12/31/2025	FY2026 1/1 - 12/31/2026	FY2027 (part) 1/1 - 4/3/2027
Fixed Service Fee	\$5,085,363	\$6,824,109	\$6,824,109	\$6,824,109	\$6,824,109	\$1,738,745.58
Maintenance Allowance	\$1,117,808	\$1,500,000	\$1,500,000	\$1,500,000	\$1,500,000	\$382,191.78
Contngency Allowance	\$74,521	\$100,000	\$100,000	\$100,000	\$100,000	\$25,479.45
Escalation	\$0	\$204,723.27	\$415,588	\$632,779	\$856,486	\$276,937
Total	\$6,277,692	\$8,628,832	\$8,839,697	\$9,056,888	\$9,280,595	\$2,423,354

The following price adjustments contemplated in the contract to be adjusted as part of the renewal process are as follows:

1. Chemical cost- Section 47.1 - Uncontrollable circumstances definition includes epidemic under the list of inclusions. The current Global Pandemic has interrupted not only the availability but also the supply chain in all areas. Veolia has indications from our Global suppliers that these costs will continue to increase due to these issues. Veolia has asked for current price relief in the purchases of chemicals used in the treatment process and were not anticipated in 2017 contract when the scope was bid.
2. Sludge Relief- Section 47.1 – Uncontrollable circumstances definition includes change of law under the list of inclusions. The Biosolids market in Georgia originally started to deteriorate with the failure of the prime landfill used for sludge disposal because of excessive water content in the sludge. Veolia was able to secure alternative disposal sites that have seen the governing laws on acceptance of High Moisture Content (HMC) changed to reduce the likelihood of another failure. These changes have driven disposal cost well above any pricing Veolia could have foreseen during the initial bid for the scope in 2017. Veolia has proposed a new baseline rate that will be used during the renewal period in pricing the cost of biosolid disposal.
3. Staffing modification - Section 50.7 (B) Changes in Staffing Plan. The contract allows for the modification of the staffing plan with Fulton County approval. Veolia proposes adding an additional (2) two positions to the contract approved staff plan. The positions will further enhance the partnership with additional staff for operations and maintenance as well support for ongoing and upcoming facility and station modifications. These positions will also provide further development of staff for the next five year term. Public Works agrees that additional staff is necessary to successfully operate and maintain these assets.
4. Escalation – Section 62.3 (F) Adjustment Factor (CPI Adjustment). The contract allows for the adjustment of the fixed fee to be increased (or decreased) in conjunction with the Consumer Price Index. During the first five years of the contract, Veolia Water North America voluntarily agreed to hold the annual adjustment to 2% per year regardless of the actual CPI value. For the renewal, Veolia Water North

America has requested to increase this value to 3% per year which is consistent with the annual escalation that is in the North Fulton contract.

**DEPARTMENT OF PUBLIC WORKS
INTEROFFICE MEMORANDUM**



TO: Board of Commissioners
THROUGH: Dick Anderson, County Manager
Pamela Roshell, Deputy Chief Operating Officer Health & Human Services
FROM: David Clark, P.E., Public Works Director
DATE: March 9, 2022
SUBJECT: Renewal of Operations and Maintenance Services for Camp Creek Managed Assets – RFP #16RFP071816K-DJ

At the March 16, 2022 Recess Meeting of the Fulton County Board of Commissioners, the Public Works Department will be recommending that the existing operation and maintenance contract for the Camp Creek Managed Assets be renewed for another five years with the current vendor, Veolia Water North America, consistent with the contract. The existing contract allows for a number of price adjustments and Public Works is recommending that they be exercised as part of the renewal.

HISTORY

The Camp Creek Managed Assets includes the operation and maintenance of 2 wastewater treatment facilities (Camp Creek and Little Bear) and 18 pump stations located throughout South Fulton County. Veolia Water North America was awarded this maintenance contract after a competitive process on December 21, 2016 by the Fulton County Board of Commissioners for the time period April 4, 2017 through April 3, 2022. The contract allows for one additional five-year renewal period.

Since April 2017, Veolia Water North America has operated the assets extremely well, including achieving 5 consecutive platinum awards from the Georgia Association of Water Professionals for excellence in plant operations. The total contract value for the first five years was \$32,969,015, including Fulton County controlled contingencies.

PROPOSED RENEWAL

Fulton County Public Works and Veolia Water North America have met several times in the past six months to discuss renewing the contract as allowed. Given the volatility of the current economy and job market, Public Works believes that it is in Fulton County’s best interest to renew Veolia’s contract, with these contemplated price adjustments, instead of opening it back up to a competitive bid at this time.

There are several contract provisions that allows the contract price to be adjusted as part of the renewal process. After reviewing the contract and several negotiating meetings between Public Works and Veolia Water North America, Public Works is supportive of adjusting the contract price for the next five years for the following four items:

1. Chemical cost- Section 47.1 - Uncontrollable circumstances definition includes epidemic under the list of inclusions. The current Global Pandemic has interrupted not

only the availability but also the supply chain in all areas. Veolia has indications from our Global suppliers that these costs will continue to increase due to these issues. Veolia has asked for current price relief in the purchases of chemicals used in the treatment process and were not anticipated in 2017 contract when the scope was bid.

2. Sludge Relief- Section 47.1 – Uncontrollable circumstances definition includes change of law under the list of inclusions. The Biosolids market in Georgia originally started to deteriorate with the failure of the prime landfill used for sludge disposal because of excessive water content in the sludge. Veolia was able to secure alternative disposal sites that have seen the governing laws on acceptance of High Moisture Content (HMC) changed to reduce the likelihood of another failure. These changes have driven disposal cost well above any pricing Veolia could have foreseen during the initial bid for the scope in 2017. Veolia has proposed a new baseline rate that will be used during the renewal period in pricing the cost of biosolid disposal.
3. Staffing modification - Section 50.7 (B) Changes in Staffing Plan. The contract allows for the modification of the staffing plan with Fulton County approval. Veolia proposes adding an additional (2) two positions to the contract approved staff plan. The positions will further enhance the partnership with additional staff for operations and maintenance as well support for ongoing and upcoming facility and station modifications. These positions will also provide further development of staff for the next five year term. Public Works agrees that additional staff is necessary to successfully operate and maintain these assets.
4. Escalation – Section 62.3 (F) Adjustment Factor (CPI Adjustment). The contract allows for the adjustment of the fixed fee to be increased (or decreased) in conjunction with the Consumer Price Index. During the first five years of the contract, Veolia Water North America voluntarily agreed to hold the annual adjustment to 2% per year regardless of the actual CPI value. For the renewal, Veolia Water North America has requested to increase this value to 3% per year which is consistent with the annual escalation that is in the North Fulton contract.

In accepting these adjustments as permitted under the current contract, the five year renewal total value will be annual fee would be \$44,507,059, including Fulton County controlled contingencies. Since the first 3 months are covered under the initial five-year contract, the actual 2022 fee for operating the Camp Creek Managed Assets would be \$6,277,692 for the time period April 4, 2022 – December 31, 2022.

Both Public Works and Purchasing Departments trust that these explanations help provide the necessary background informing concerning this upcoming BOC agenda item. If any Commissioner would like additional information or discuss this proposed renewal in more detail, please do not hesitate to reach out to David Clark and Felicia Strong-Whitaker.

cc: Felicia Strong-Whitaker, Purchasing Director



Fulton County Board of Commissioners

Agenda Item Summary

Agenda Item No.: 22-0196

Meeting Date: 3/16/2022

Department

Senior Services

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Request approval to extend an existing contract - Department of Senior Services, RFP#16RFP02082016A-CJC - Senior Transportation Services in an amount not to exceed \$1,350,000.00 with Transdev, Incorporated (Lombard, IL), to provide senior Transportation Services for Senior Services and Behavioral Health programs.

Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*

In accordance with Purchasing Code Section 102-420, contract modifications within the scope of the contract and necessary for contract completion of the contract, in the specifications, services, time of performance or terms and conditions of the contract shall be forwarded to the Board of Commissioners for approval.

Strategic Priority Area related to this item *(If yes, note strategic priority area below)*

Health and Human Services

Commission Districts Affected

- All Districts
- District 1
- District 2
- District 3
- District 4
- District 5
- District 6

Is this a purchasing item?

Yes

Summary & Background *(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)*

The Department of Senior Services recommends approval for the three (3) month extension with Transdev, Incorporated to provide senior transportation services. The RFP for services was solicited. One bid was received. Based on a recommendation from the Purchasing Department, the RFP was resolicited resulting in a sole proposer. In order to account for time to complete the procurement

process and address cost drivers such as increased fuel and labor wages, the Department is requesting to extend the contract to prevent a disruption in Senior Transportation Services.

Scope of Work: The services provided under this contract include services for Senior Services and Behavioral Health Programs. The services are provided to the 14 neighborhood senior centers, 4 adult day care centers, and 3 developmentally disabled training centers. The service also includes non-emergency medical appointments, dialysis, trips to the multipurpose centers, and group trips and field trips for centers.

Community Impact: The services provide transportation to approximately 1,800 Fulton County eligible seniors and developmentally disabled participants.

Department Recommendation: The Department of Senior Services recommends approval.

Project Implications: Transportation services are the conduit to connect seniors to daily living activities and life enrichment services. Additionally, the transportation services provide needed engagement to developmentally disabled citizens for training, appointments, etc. If this service interrupted, it would disrupt the lives of 1,800 Fulton County Citizens

Community Issues/Concerns: If the contract is not extended, then eligible seniors aged 60 and above including developmentally disabled residents will not have access to County-based transportation services.

Department Issues/Concerns: Senior transportation is the top requested service from senior residents. The program is an intervention strategy to provide access to services necessary to seniors and enables them to age in place. If the contract is not extended, then seniors will experience an interruption and termination of transportation services.

Contract Modification

Current Contract History	BOC Item	Date	Dollar Amount
Original Award Amount	16-0853	10/5/2016	\$6,000,000.00
1st Renewal	17-0808	10/4/2017	\$6,000,000.00
Amendment No. 1	18-0421	6/20/2018	\$208,240.00
2 nd Renewal	18-0810	11/7/2018	\$5,900,000.00
Amendment No. 2	19-0391	5/15/2019	\$100,000.00
3 rd Renewal	19-0773	10/2/2019	\$5,900,000.00
4 th Renewal	20-0964	12/16/2020	\$4,800,000.00
Extension No. 1	21-0775	10/6/2021	\$979,826.88
Extension No. 2			\$1,350,000.00
Total Revised Amount			\$31,238,066.88

Contract & Compliance Information *(Provide Contractor and Subcontractor details.)*

Contract Value: \$1,350,000.00

Prime Vendor: Trans Dev Services, Inc.
Prime Status: Non-Minority
Location: Lombard, IL
County: DuPage County
Prime Value: \$1,350,000.00 or 100.00

Total Contract Value: \$1,350,000.00 or 100.00%
Total M/FBE Value \$-0-

Exhibits Attached

Exhibit 1: Contractor Performance Report
 Exhibit 2: Extension No.2 to form of Contract

Contact Information

Ladisa Onyiliogwu, Director, Department of Senior Services, 404-281-4042

Contract Attached

No

Previous Contracts

Yes

Total Contract Value

Original Approved Amount: \$6,000,000.00
 Previous Adjustments: \$29,288,068.88
 This Request: \$1,350,000.00
 TOTAL: \$31,238,066.88

Grant Information Summary

Amount Requested:	\$90,000.00	<input type="checkbox"/>	Cash
Match Required:	\$19,651.76	<input type="checkbox"/>	In-Kind
Start Date:	7/1/2021	<input type="checkbox"/>	Approval to Award
End Date:	6/30/2022	<input type="checkbox"/>	Apply & Accept
Match Account \$:	461-183-TR22-1160		

Fiscal Impact / Funding Source

Funding Line 1:

100-183-183W-1192, General, Senior Services, Aging Grant Supplemental, - \$1,240,348.24

Funding Line 2:

461-183-TR22-1160, Grants, Senior Services, Professional Services, - \$90,000.00

Funding Line 3:

100-183-183W-1567, General, Senior Services, Transfer Out-County Share, \$19,651.76

Key Contract Terms	
Start Date: 04/01/2022 4/1/2022	End Date: 06/30/2022 6/30/2022
Cost Adjustment: Click here to enter text.	Renewal/Extension Terms: Three (3) months

Overall Contractor Performance Rating:3.0

Would you select/recommend this vendor again?

Yes

Report Period Start:
10/1/2021

Report Period End:
12/31/2021



**DEPARTMENT OF PURCHASING &
CONTRACT COMPLIANCE**

CONTRACTORS PERFORMANCE REPORT

Report Period Start	Report Period End	Contract Period Start	Contract Period End
10/1/2021	12/31/2021	1/1/2021	12/31/2021
Purchaser Order Number		Purchase Order Date	

Department Senior Services

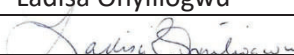
Bid Number 16RFP02082016A-CJC Service Commodity Senior Transportation Services

Contractor

Performance Rating

0 = Unsatisfactory	Archives contract requirements less than 50% of the time not responsive, effective and/or efficient; unacceptable delay; incompetence; high degree of customer dissatisfaction.
1 = Poor	Archives contract requirements 70% of the time. Marginally responsive, effective and/or efficient; delays require significant adjustments to programs; key employees marginally capable; customer somewhat satisfied.
2 = Satisfactory	Archives contract requirements 80% of the time. Generally responsive, effective and/or efficient; delays are excusable and/or results in minor programs adjustments; employees are capable and satisfactorily providing service without intervention; customers indicate satisfaction.
3 = Good	Archives contract requirements 90% of the time. Usually responsive; effective and/or efficient; delays have not impact on programs/mission; key employees are highly competent and seldom require guidance; customers are highly satisfied
4 = Excellent	Archives contract requirements 100% of the time. Immediately responsive; highly efficient and/or effective; no delays; key employees are experts and require minimal directions; customers' expectations are exceeded.

1. Quality of Goods/Services	(Specification Compliance – Technical Excellence – Reports/Administration – Personnel Qualification)
	The contractor has provided reports on time and compliant with providing transportation services according to the service delivery model. The organization has qualified staff and adheres to the contract terms.
0	
1	
2	
x 3	
4	

2. Timeliness of Performance		(Were Milestones Met Per Contract – Response Time (per agreement, if applicable) – Responsiveness to Directions/Change – On Time Completion Per Contract)	
	0	The contractor provides great responses to change orders or special request from the Department. Contractor is flexible and accommodates all requests without hesitation. The contractor has provided services compliant to the contract.	
	1		
	2		
X	3		
	4		
3. Business Relations		(Responsiveness to Inquires – Prompt Problem Notifications)	
	0	The contractor responds to all inquiries and questions in a sufficient manner. The contractor is very prompt to answer calls, emails and any special requests. The contractor maintains daily communication with the Department.	
	1		
	2		
X	3		
	4		
4. Customer Satisfaction		(Met User Quality Expectations – Met Specification – Within Budget – Proper Invoicing – So Substitutions)	
	0	The contractor meets all quality expectations and stays within budget and provides proper invoicing as required.	
	1		
	2		
X	3		
	4		
5. Contractors Key Personnel		(Credentials/Experience Appropriate – Effective Supervision/Management – Available as Needed)	
	0	The contractor employs staff and has management that has been providing this service for the past 4 years without issues.	
	1		
	2		
X	3		
	4		
Overall Performance Rating	3.0	Date 1/31/2022	
Would you select/recommend this vendor again?	yes		
Rating completed by:	Andre M. Danzy		
Department Head Name:	Ladiša Onyiliogwu		
Department Head Signature			

EXTENSION NO. 2 TO FORM OF CONTRACT

Contractor: **Transdev, Incorporated**

Contract No. **16RFP02082019A-CJC, Senior Transportation**

Address: **2251 Sylvan Road, Suite 125**
City, State **East Point, GA 30344**

Telephone: **404-978-1824**

E-mail: **ayana.williams@transdev.com**

Contact: **Ayana Williams**
General Manager

W I T N E S S E T H

WHEREAS, Fulton County (“County”) entered into a Contract with Transdev, Inc. to provide senior transportation services, dated 1st of January 2017, on behalf of the Department of Senior Services; and

WHEREAS, the County wishes to extend the contract for an additional three (3) months as the Department of Senior Services completes cost proposal negotiations, and

WHEREAS, Extension No. 1 was approved by the Fulton County Board of Commissioners on October 6, 2021, BOC#21-0775; and

WHEREAS, the Contractor has performed satisfactorily over the period of the contract; and

WHEREAS, Extension No. 2 was approved by the Fulton County Board of Commissioners on [Insert Board of Commissioners approval date and item number].

NOW, THEREFORE, the County and the Contractor agree as follows:

This Extension No. 2 to Form of Contract is effective as of the 1st day of April, 2022, between the County and Transdev, Inc., who agree that all Services specified will be performed in accordance with this Extension No. 2 to Form of Contract and the Contract Documents for an additional three (3) month period, with the contract ending June 30, 2022.

1. **SCOPE OF WORK:** To provide senior transportation services.
2. **COMPENSATION:** The Services herein shall be performed by the Contractor for a total amount not to exceed \$1,350,000.00 (One Million Three Hundred Fifty

Thousand Dollars and No Cents).

3. **LIABILITY OF COUNTY:** This Extension No. 2 to Form of Contract shall not become binding on the County and the County shall incur no liability upon same until such agreement has been executed by the Chair to the Commission, attested to by the Clerk to the Commission and delivered to Contractor.
4. **EFFECT OF EXTENSION NO. 2 TO FORM OF CONTRACT:** Except as modified by this Extension No. 2 to Form of Contract, the Contract, and all Contract Documents, remain in full force and effect.

[INTENTIONALLY LEFT BLANK]

IN WITNESS THEREOF, the Parties hereto have caused this Contract to be executed by their duly authorized representatives as attested and witnessed and their corporate seals to be hereunto affixed as of the day and year date first above written.

OWNER:

FULTON COUNTY, GEORGIA

CONSULTANT:

TRANSDEV, INCORPORATED

Robert L. Pitts, Chairman
Fulton County Board of Commissioners

Laura Hendricks
CEO

ATTEST:

ATTEST:

Tonya R. Grier
Clerk to the Commission

Secretary/
Assistant Secretary

(Affix County Seal)

(Affix Corporate Seal)

APPROVED AS TO FORM:

ATTEST:

Office of the County Attorney

Notary Public

APPROVED AS TO CONTENT:

County: _____

Ladisa Onyiliogwu, Director
Department of Senior Services

Commission Expires: _____

(Affix Notary Seal)

ITEM#: _____ RCS: _____ RECESS MEETING	ITEM#: _____ RM: _____ REGULAR MEETING
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Fulton County Board of Commissioners

Agenda Item Summary

Agenda Item No.: 22-0197

Meeting Date: 3/16/2022

Department

Senior Services

Requested Action

Request approval of a recommended proposal - Department of Senior Services, 22ITBC009A-CJC, Material Aid Incontinence Products in the total amount not to exceed \$94,837.00 with Siak Enterprise, LLC (Lawrenceville, GA), to provide Incontinence products to eligible Fulton County seniors aged 60 and above. Effective upon BOC approval through June 30, 2022. This 100% grant funded.

Requirement for Board Action

In accordance with Purchasing Code Section 102-373, all competitive sealed bids of more than \$49,999.99 shall be forwarded to the Board of Commissioners for approval.

Strategic Priority Area related to this item *(If yes, note strategic priority area below)*

Health and Human Services

Commission Districts Affected

- All Districts
- District 1
- District 2
- District 3
- District 4
- District 5
- District 6

Is this a purchasing item?

Yes

Summary & Background

The Department of Senior Services recommends approval. The Department of Senior Services receives funding through a grant from Atlanta Regional Commission to provide material aid to eligible Fulton County seniors aged 60 and above. The grant supports the purchase and dissemination of incontinence products, which includes protection under pads and briefs to homebound seniors that require support for the purchase of these items.

Scope of Work: The Department of Senior Services is the County based agency designed to

provide Older Americans Act services within Fulton County. The department is responsible for the planning and coordination of home and community-based services that enable senior residents to age in place. The contract will cover incontinence products for eligible Fulton County senior residents aged 60 and above.

Community Impact: This service will impact up to 200 Fulton County seniors with products that are often too expensive to purchase due to the seniors fixed income. This service will allow for seniors to receive safe quality products to assist with aging in place.

Department Recommendation: The Department of Senior Services recommends approval.

Project Implications: Incontinence products are very important to seniors that are living with this disability. In addition, the approval of this contract will help mitigate the costs for these essential items.

Community Issues/Concerns: There are no community concerns or issues.

Department Issues/Concerns: The Department has no issues or concerns.

Contract & Compliance Information *(Provide Contractor and Subcontractor details.)*

Contract Value: \$94,837.00

Prime Vendor: Siak Enterprise, LLC
Prime Status: African American Female Business Enterprise - Non- Certified
Location: Lawrenceville, GA
County: Gwinnett County
Prime Value: \$94,837.00 or 100%

Total Contract Value: \$94,837.00 or 100%
Total M/FBE Value: \$94,837.00 or 100%

Exhibits Attached *(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)*

- Exhibit 1: Contractor Performance Memorandum
- Exhibit 2: Recommendation Memorandum
- Exhibit 3: Bid Tabulation Sheet

Contact Information

Ladisa Onyiliogwu, Director, Department of Senior Services, 404-281-4042

Contract Attached

No

Previous Contracts

No

Total Contract Value

Original Approved Amount: \$0.00
 Previous Adjustments: \$0.00
 This Request: \$94,837.00
 TOTAL: \$94,837.00

Grant Information Summary

Amount Requested: \$94,837.00 Cash
 Match Required: \$0 In-Kind
 Start Date: 4/1/2022 Approval to Award
 End Date: 6/30/2022 Apply & Accept
 Match Account \$:

Fiscal Impact / Funding Source

Funding Line 1:

461-183-AR22-1160: Grants, Senior Services, Professional Services, - \$94,837.00

Key Contract Terms	
Start Date: One Time Procurement	End Date:
Cost Adjustment:	Renewal/Extension Terms:

Overall Contractor Performance Rating: This is a new vendor

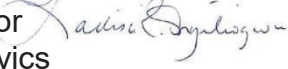
Would you select/recommend this vendor again? N/A
Choose an item.

Report Period Start: **Report Period End:**

INTER-OFFICE MEMORANDUM
Department of Senior Services



TO: Felicia Strong-Whitaker, Director
Fulton County Purchasing Department

FROM: Ladisa Onyiliogwu, Director 
Department of Senior Services

DATE: February 28, 2022

RE: Siak Enterprise, LLC

The purpose of this memorandum is to inform you that Siak Enterprise has never done business with the Fulton County and the Fulton County Department of Senior Services.

Siak Enterprise, LLC was approved by the evaluation committee for the In-Home Services program.

For more information, please contact Andre M. Danzy, 404-612-3099.

cc: Stacey Gray-Hill, Financial Systems Administrator, Senior Services
Kweli Rashied-Henry, Deputy Director, Senior Services

INTEROFFICE MEMORANDUM



TO: Felicia Strong-Whitaker, Director
Department of Purchasing

FROM: Ladisa Onyiliogwu, Director *Ladisa Onyiliogwu*
Department of Senior Services

DATE: February 28, 2022

RE: 22ITBCO09A-CJC, Material Aid Incontinence
Products

REQUESTED ACTION: Recommended approval of a single bid:
Siak Enterprise LLC
901 Hampton Hill Court
Lawrenceville, GA 30044

PURPOSE: To provide incontinence products to eligible seniors (in accordance with the specifications outlined in procurement #22ITBCO09A-CJC)

DISCUSSION: The Purchasing Department solicited an “Invitation to Bid” for material aid incontinence products. One (1) response for the bid solicitation was received. The department is recommending that Siak Enterprise LLC be awarded this bid. The vendor has provided/met all special conditions set forth in the specifications.

Siak Enterprise, LLC was the only vendor that provided a proposal that met all specifications.

The purchase order set-up amount is not to exceed ninety-four thousand, eight hundred thirty-seven (US \$94,837.00) dollars.

If you have any questions, please contact Andre Danzy at 404-964-7837.

Cc: Stacey Gray-Hill, Financial Systems Administrator, Senior Services
Kweli Rashied-Henry, Deputy Director, Senior Services



Fulton County Board of Commissioners

Agenda Item Summary

Agenda Item No.: 22-0141

Meeting Date: 3/16/2022

Department

Select Fulton

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Request approval of a Resolution for a Fulton County Tax Allocation District (TAD) Review Process for Participation - to provide the Board of Commissioners with clear information on the goals, accountability and use of funds in a proposed TAD seeking the inclusion of Fulton County ad valorem taxes. **(HELD ON 3/2/22)**

Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*

Pursuant to Fulton County Code Sec. 1-117, the Board of Commissioners has exclusive jurisdiction and control in directing and controlling all the property of the county, as they may deem expedient, according to law, having the care, management, keeping, collecting, or disbursement, of money belonging to the county, or appropriated for its use and benefit, and to exercise such other powers as are granted by law, or are indispensable to their jurisdiction over County matters and County finances.

Strategic Priority Area related to this item *(If yes, note strategic priority area below)*

Infrastructure and Economic Development

Commission Districts Affected

- All Districts
- District 1
- District 2
- District 3
- District 4
- District 5
- District 6

Is this a purchasing item?

No

Summary & Background *(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)*

Scope of Work: Fulton County currently participates in 15 TADs, a majority of which are located

inside the City of Atlanta. Since 1999, \$346,876,612 of Fulton County operating funds have gone to projects inside the TADs, with the County representing, on average, 49% of the total share of funds contributed to the TADs. Select Fulton developed the Fulton County Tax Allocation District (TAD) Review Process for Participation to provide the BOC with clear information on the goals, accountability and use of funds in a proposed TAD seeking the inclusion of County ad valorem taxes. Importantly, this process helps to inform the municipalities which elements of their proposed TAD the County will review and consider. Currently, the City of South Fulton and the City of Alpharetta have notified Fulton County of their intent to seek Fulton County's participation in their newly proposed TADs. Additionally, key partners like the Fulton County Schools have recently established a TAD review process for participation. Thus, Select Fulton is proposing and seeking BOC approval on the attached Fulton County TAD Review Process for Participation.

Community Impact: Impacts funding in a newly proposed TAD seeking the inclusion of County ad valorem taxes.

Department Recommendation: Select Fulton recommends approval of this TAD review process.

Project Implications: Provides for better understanding on use of County funds in any newly proposed TAD.

Community Issues/Concerns: None

Department Issues/Concerns: None



Fulton County Government Tax Allocation District Review Process for Participation

INTRODUCTION

Fulton County seeks to partner with its municipalities to stimulate economic opportunities for its residents in the form of new commercial developments, infrastructure improvements and community benefits. Tax Allocation Districts (TAD) are strategic tools under the Georgia Redevelopment Powers Law (O.C.G.A. § 36- 44-1 et. seq.) that enable the County to commit long-term funding, in a defined area, to redevelopment projects by action of the Fulton County Board of Commissioners (BOC). The law also expressly states that “it is the intention of the General Assembly that this chapter be liberally construed,” and, therefore, the statutory requirements are broad.

Fulton County has developed the following tiered review process to provide the BOC clear information on the goals and use of funds in a proposed TAD seeking the inclusion of County ad valorem taxes. Importantly, this process helps to inform our municipal partners which elements of their proposed TAD the County will review and consider.

SUBMISSION

Instructions: All requests for consent to include the County’s ad valorem tax in a proposed TAD must review and provide complete responses to as many items requested below. Completed responses should be submitted electronically to the contact below at Select Fulton, the County’s Department of Economic Development. Questions/comments should be submitted to the same contact below.

Samir Abdullahi
Deputy Director, Select Fulton
Department of Economic Development
141 Pryor Street SW, Suite 2052 | Atlanta, GA 30303
Phone: 404—612-8120; Cell 404-808-7995
Email: Samir.Abdullahi@fultoncountyga.gov

REVIEW PROCESS

Select Fulton staff will work with relevant internal departments and the County Manager to prepare a summary informational report to the BOC based on the proposed TAD responses. Staff will reach out to the municipality of the proposed TAD for any clarifications or additional information needed. The proposed TAD will be presented to



the BOC within 90 days after a completed response is submitted. The final decision for Fulton's TAD participation will rest with the BOC.

PROPOSED TAD REVIEW: TIERED APPROACH

The following tiered approach is used to provide clear information on the proposed TAD. Please provide a complete response to as many of the items below:

TIER I: STATUTORY REVIEW: *Tier I reflects the basic statutory requirements set forth in the Georgia Redevelopment Powers Law.*

1. **Feasibility:** The proposed TAD must demonstrate that "but for" the County's participation in TAD financing, the project would not be feasible and could not be completed without the proposed TAD assistance. In determining whether this "but for" test is met, the proposed TAD should:
 - a. Describe redevelopment cost estimates and proposed financing methods for the redevelopment,
 - b. Specify the estimated tax allocation increment base of the TAD,
 - c. specify the amount, term, and rate of interest of proposed tax allocation bonds to be issued,
 - d. estimate positive tax allocation increments for the period of the bonds,
 - e. specify the property pledges for payment or security of payment for TAD bonds, and
 - f. provide pro-forma and expense schedules which include annual pro- forma projected for a minimum ten-year period containing detailed assumptions including vacancies and debt service.
2. **Economic Growth:** Explain why the redevelopment areas has not been and is not reasonably expected to be subject to growth and development by private enterprise. Additionally, the proposed TAD should detail the anticipated impact on the local economy as a result of implementing the TAD.
3. **Boundaries:** Specify and include a map of the boundaries of the proposed TAD redevelopment area along with the effective date for creation and termination of the TAD.

TIER II: GENERAL COUNTY REQUESTS : *Tier II specifies Fulton County's minimum requests for TAD participation.*

1. **County Governance in TAD:** The TAD proposal should include a meaningful number of BOC delegates to actively participate in the decision-making process. Either in the form of representation on the redevelopment agency seeking the County's participation in the TAD. Or BOC approval of development projects seeking TAD funds. Specify what type of representation the County will have in the decision-making process if any.



2. **Term and Use of County Tax Increment:** The term of the County's inclusion of tax increments for the TAD should not exceed 25 years and shall only be used for debt service. Does the proposed TAD have longer term than 25 years?
3. **Annual Reporting:** The municipality/redevelopment agency should provide an annual report with financial statements that discusses the progress of the TAD including the implementation of the redevelopment plan, updates on supported projects, use of the tax increment, any excess increment, and whether any bond issues are outstanding. Such annual report shall also contain the findings of an independent auditor. Describe the reporting process on the proposed TAD to Fulton County.
4. **Halo-Effect Areas:** The proposed areas of redevelopment should be limited to such areas that require redevelopment and not encompass any halo-effect areas. Does the proposed TAD include areas not directly in need or receiving redevelopment?
5. **School District Consent:** Has the relevant School District consented to or is anticipated to consent to the inclusion of ad valorem taxes?

TIER III: TAD SPECIFIC RECOMMENDATIONS: *Tier III focuses on the specific TAD proposal. As all TADs have different needs and goals, a rigid criteria may overlook issues unique to a specific TAD. The following topics below, although not required by state law, are strongly recommended to be included in TAD proposals seeking Fulton participation:*

1. **Public Benefits:** The proposed TAD should provide substantial community benefits to the area being redeveloped. Describe the community benefits that would be funded by the proposed TAD such as, but not limited to:
 - i. Affordable Housing
 - ii. Transit
 - iii. Arts and Cultural Use
 - iv. Walkability
 - v. Environmental Remediation
 - vi. Broadband Access
2. **PILOT Payments:** Does the TAD propose to provide PILOT payments to the County?



#22-0141



Fulton County Tax Allocation District *Review Process for Participation*

March 2nd, 2022



TAD Review Process: **What To Expect**



- I. **What are TADS?**
- II. **Current Landscape**
- III. **Recommendation**



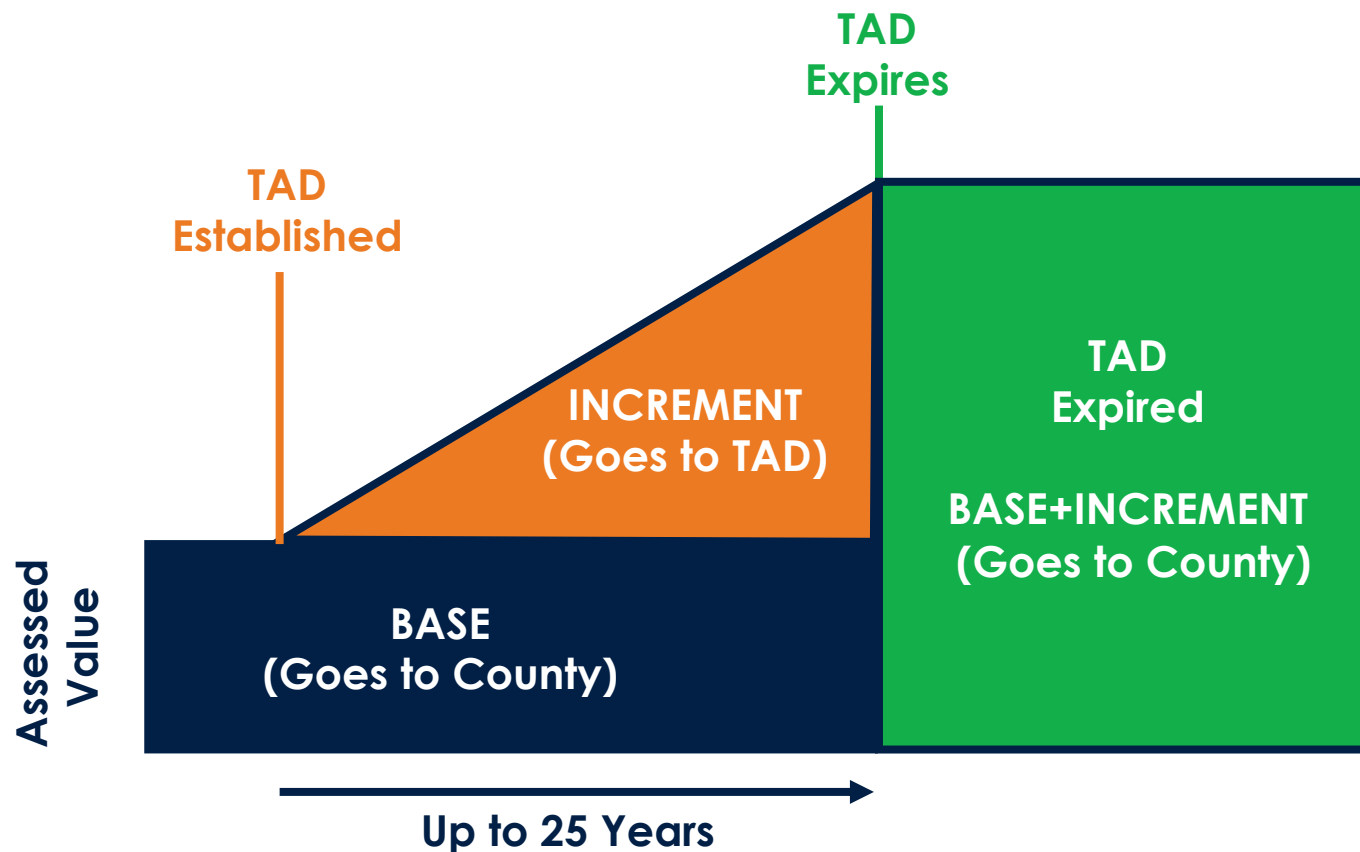
TAD Review Process: **What are TADs?**



Tax Allocation Districts Defined

Redevelopment Tool

- Fund eligible public and private redevelopment efforts
- Only within designated area of TAD



TAD Review Process: **Current Landscape**

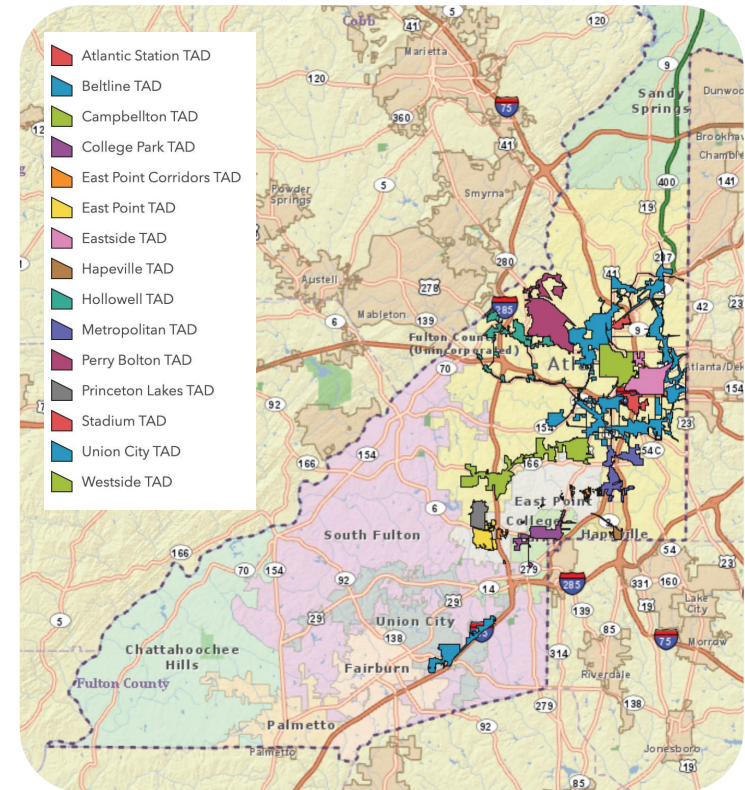


Fulton County Participation

Current TADS in Fulton

FAST FACTS

- Currently **15 TADS** (mostly Atlanta)
- **\$346M** Fulton County funds since 1999
- **49% of all TAD funds** come from Fulton
- **5.8%** of Fulton land in TAD



Need for Review Process

- Alpharetta & South Fulton TAD Request
 - Increase to 7.8% of County land
- TAD Differences
 - School Participation
 - Fulton County Representation
 - Reporting
- New Fulton County School TAD Process



TAD Review Process: Recommendation



Three-Tiered Approach

I. Statutory

- Feasibility
- Economic Growth
- Boundaries

II. General County

- Governance
- 25 Year Term
- Reporting
- Halo Effect Area
- School District Consent

III. TAD Specific

- Public Benefits
 - Affordable Housing
 - Transit
 - Arts/Culture

Review Process

- Review Committee
 - Community Development, Public Works, the Tax Assessor, Tax Commissioner, Finance, and the County Attorney
- TAD Summary Report
 - Presented to the BOC within 90 days





Three-Tiered Approach

Benefits

1. BOC has clear information on newly proposed TADs
2. Municipalities informed on County TAD requests/process

Renewed Focus

- Feasibility
- Proposed Use of Funds
- BOC Representation on TAD Authority
- BOC Project Level Approval
- School System Participation
- Public Benefits





Fulton County Board of Commissioners

Agenda Item Summary

Agenda Item No.: 22-0198

Meeting Date: 3/16/2022

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Request approval of a Resolution amending Fulton County Personnel Policy. **(Hausmann)**



Fulton County Board of Commissioners

Agenda Item Summary

Agenda Item No.: 22-0199

Meeting Date: 3/16/2022

Department

External Affairs

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Presentation of 2022 Legislative Agenda.

Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*

Request Approval

Strategic Priority Area related to this item *(If yes, note strategic priority area below)*

Open and Responsible Government

Commission Districts Affected

All Districts

District 1

District 2

District 3

District 4

District 5

District 6

Is this a purchasing item?

No

Summary & Background *(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)*

Scope of Work:

Community Impact:

Department Recommendation: Recommend Approval.

Project Implications:

Community Issues/Concerns:

Agenda Item No.: 22-0199

Meeting Date: 3/16/2022

Department Issues/Concerns:



Fulton County Board of Commissioners

Agenda Item Summary

Agenda Item No.: 22-0200

Meeting Date: 3/16/2022

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Discussion: Invest Atlanta Board of Directors February 17, 2022 Meeting Summary **(Morris)**



**SUMMARY OF ACTIONS TAKEN AT THE REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE ATLANTA DEVELOPMENT AUTHORITY
D/B/A INVEST ATLANTA**

FEBRUARY 17, 2022

BOARD MEMBERS IN ATTENDANCE: MAYOR ANDRE DICKENS; RANDY HAZELTON; CHRIS AHRENKIEL; FRED SMITH; TODD GREENE; HONORABLE JASON DOZIER; HONORABLE MICHELLE OLYMPIADIS; HONORABLE LEE MORRIS

RESOLUTIONS

1. RESOLUTION OF THE BOARD OF DIRECTORS OF THE ATLANTA DEVELOPMENT AUTHORITY D/B/A "INVEST ATLANTA" AUTHORIZING THE EXECUTION AND DELIVERY OF AN **INTERGOVERNMENTAL AGREEMENT** BETWEEN INVEST ATLANTA AND THE CITY FOR THE ADMINISTRATION OF THE "ONE ATLANTA - CENTENNIAL YARDS COMMUNITY BENEFITS PROGRAM" TO PROVIDE CITY RESIDENTS ACCESS TO ECONOMIC DEVELOPMENT, WORKFORCE DEVELOPMENT, AND AFFORDABLE HOUSING RESOURCES AND FUNDING; AND FOR OTHER PURPOSES.
RESOLUTION APPROVED

2. RESOLUTION OF THE BOARD OF DIRECTORS OF THE ATLANTA DEVELOPMENT AUTHORITY D/B/A INVEST ATLANTA AUTHORIZING THE PROVISION OF CAMPBELLTON ROAD TAX ALLOCATION DISTRICT PAY-AS-YOU-GO FINANCING **TO BRENTWOOD COMMONS, LP**, IN AN AGGREGATE AMOUNT NOT TO EXCEED TWO MILLION SIX HUNDRED THOUSAND DOLLARS (\$2,600,000.00) TO PROVIDE FUNDING SUPPORT FOR THE CONSTRUCTION OF A MULTIFAMILY HOUSING DEVELOPMENT; AUTHORIZING THE NEGOTIATION, EXECUTION AND DELIVERY OF A DEVELOPMENT AGREEMENT; AND FOR OTHER PURPOSES.
RESOLUTION APPROVED

3. RESOLUTION OF THE BOARD OF DIRECTORS OF THE ATLANTA DEVELOPMENT AUTHORITY D/B/A INVEST ATLANTA APPROVING THE REINSTATEMENT AND CURRENT GRANTEE OF EASTSIDE TAX ALLOCATION DISTRICT FUNDING SUPPORT IN AN AMOUNT NOT TO EXCEED FOUR MILLION DOLLARS (\$4,000,000.00) FOR THE **McAULEY PARK PHASE I** PROJECT TO BE LOCATED AT 375 GARTRELL STREET, SE ATLANTA, GEORGIA 30312; AUTHORIZING THE NEGOTIATION, EXECUTION AND DELIVERY OF A DEVELOPMENT AGREEMENT AND ANCILLARY DOCUMENTS IN CONNECTION WITH SUCH ALLOCATION; AND FOR OTHER PURPOSES.
RESOLUTION APPROVED

4. RESOLUTION OF THE BOARD OF DIRECTORS OF THE ATLANTA DEVELOPMENT AUTHORITY D/B/A INVEST ATLANTA AUTHORIZING A GRANT FROM THE WESTSIDE TAX ALLOCATION DISTRICT RESURGENS FUND TO SAC WELCH HOLDINGS, LLC, IN AN AMOUNT NOT TO

EXCEED SIX HUNDRED SIXTY THOUSAND DOLLARS (\$660,000.00) TO ASSIST IN FUNDING THE CONSTRUCTION AND REDEVELOPMENT OF COMMERCIAL OFFICE SPACE LOCATED AT **201 JOSEPH E. LOWERY BOULEVARD**; AUTHORIZING THE NEGOTIATION, EXECUTION AND DELIVERY OF A DEVELOPMENT AGREEMENT AND ANCILLARY DOCUMENTS IN CONNECTION WITH THE AWARD OF SUCH GRANT AND FOR OTHER PURPOSES.

RESOLUTION APPROVED

5. RESOLUTION OF THE BOARD OF DIRECTORS OF THE ATLANTA DEVELOPMENT AUTHORITY D/B/A INVEST ATLANTA AUTHORIZING A LOAN TO **EVERGREEN REDEVELOPMENT, LLC** FROM THE EASTSIDE TAX ALLOCATION DISTRICT PREDEVELOPMENT ASSISTANCE FUND IN AN AGGREGATE AMOUNT NOT TO EXCEED TWO HUNDRED AND FIFTY THOUSAND DOLLARS (\$250,000); AUTHORIZING THE NEGOTIATION, EXECUTION AND DELIVERY OF A DEVELOPMENT AGREEMENT AND OTHER DOCUMENTS MEMORIALIZING THE LOAN; AND FOR OTHER PURPOSES

RESOLUTION APPROVED



Fulton County Board of Commissioners

Agenda Item Summary

Agenda Item No.: 22-0201

Meeting Date: 3/16/2022

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Discussion: Atlanta BeltLine, Inc. March 9, 2022 CEO Report **(Morris)**



CEO REPORT

Atlanta
BeltLine, Inc.
Board of
Directors
Meeting

March 9, 2022

 @atlantabeltline

 @atlantabeltline

 @atlantabeltline





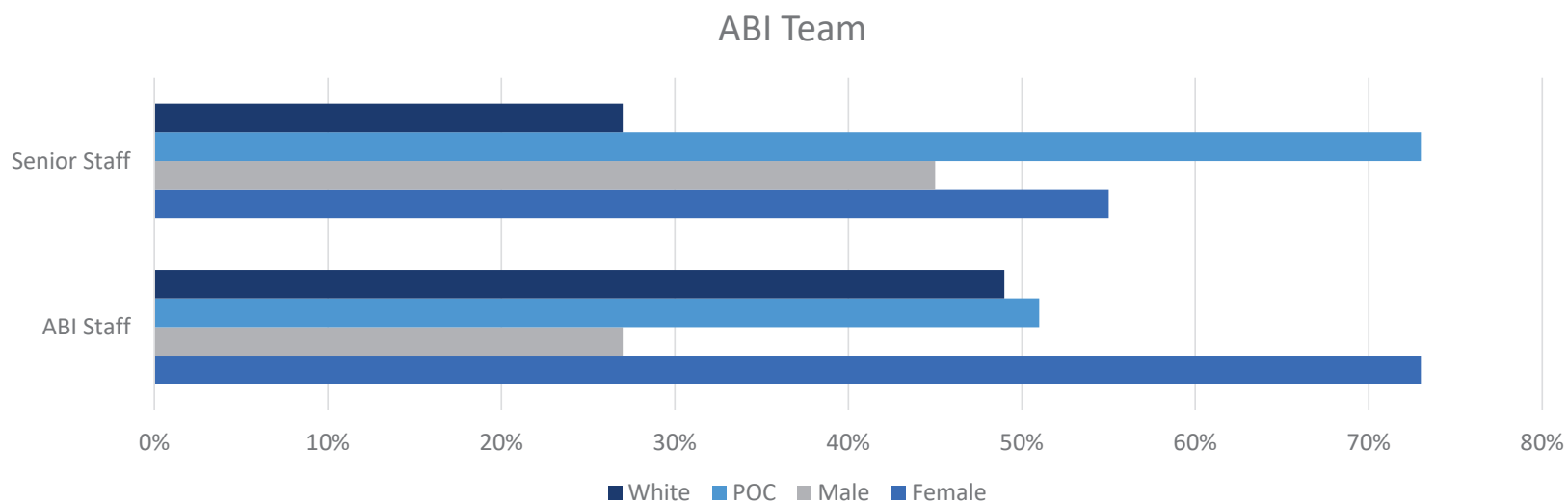
ATLANTA BELTLINE VISION





INTERNAL OPERATIONS: WORKFORCE EQUITY

- Included racial equity as a core competency in all job descriptions
- Implemented equitable recruitment and hiring practices
- Evaluated internal policies and benefits to ensure equity and inclusion





AFFORDABLE HOUSING

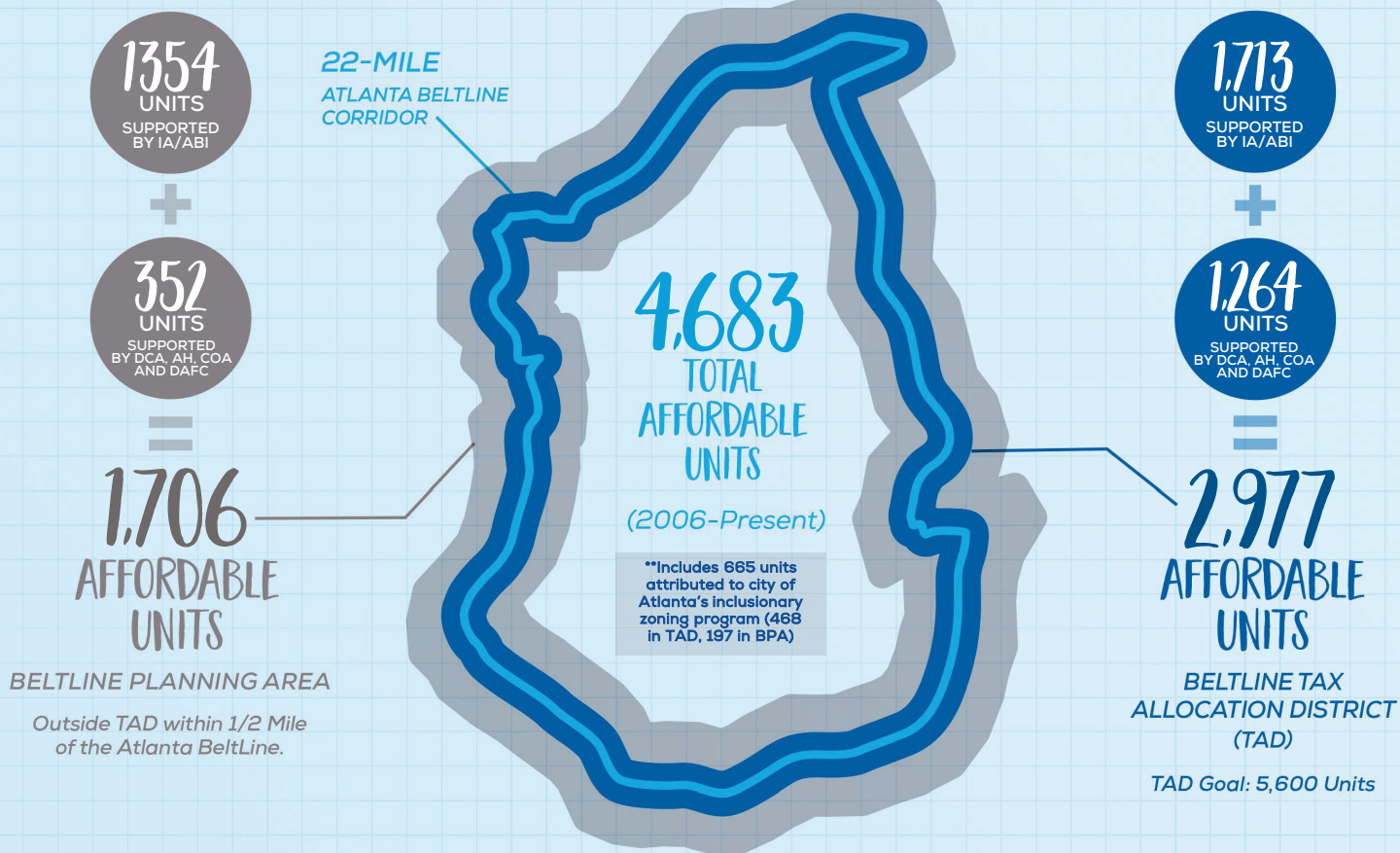
AFFORDABLE UNITS CREATED/PRESERVED

TAD and Planning Area boundaries are represented here for illustrative purposes only.

For precise boundary lines, please visit: beltline.org/map

CHART LEGEND >>

- ABI Atlanta BeltLine
- AH Atlanta Housing
- COA City of Atlanta
- DAFC Development Authority of Fulton County
- DCA Department of Community Affairs
- IA Invest Atlanta





HOUSING AFFORDABILITY: TAD SCORECARD





AFFORDABLE HOUSING PIPELINE

Atlanta BeltLine Affordable Housing Locations

Pipeline In TAD ● In BPA ▲

🏠 Atlanta BeltLine, Inc. (ABI) Controlled Property

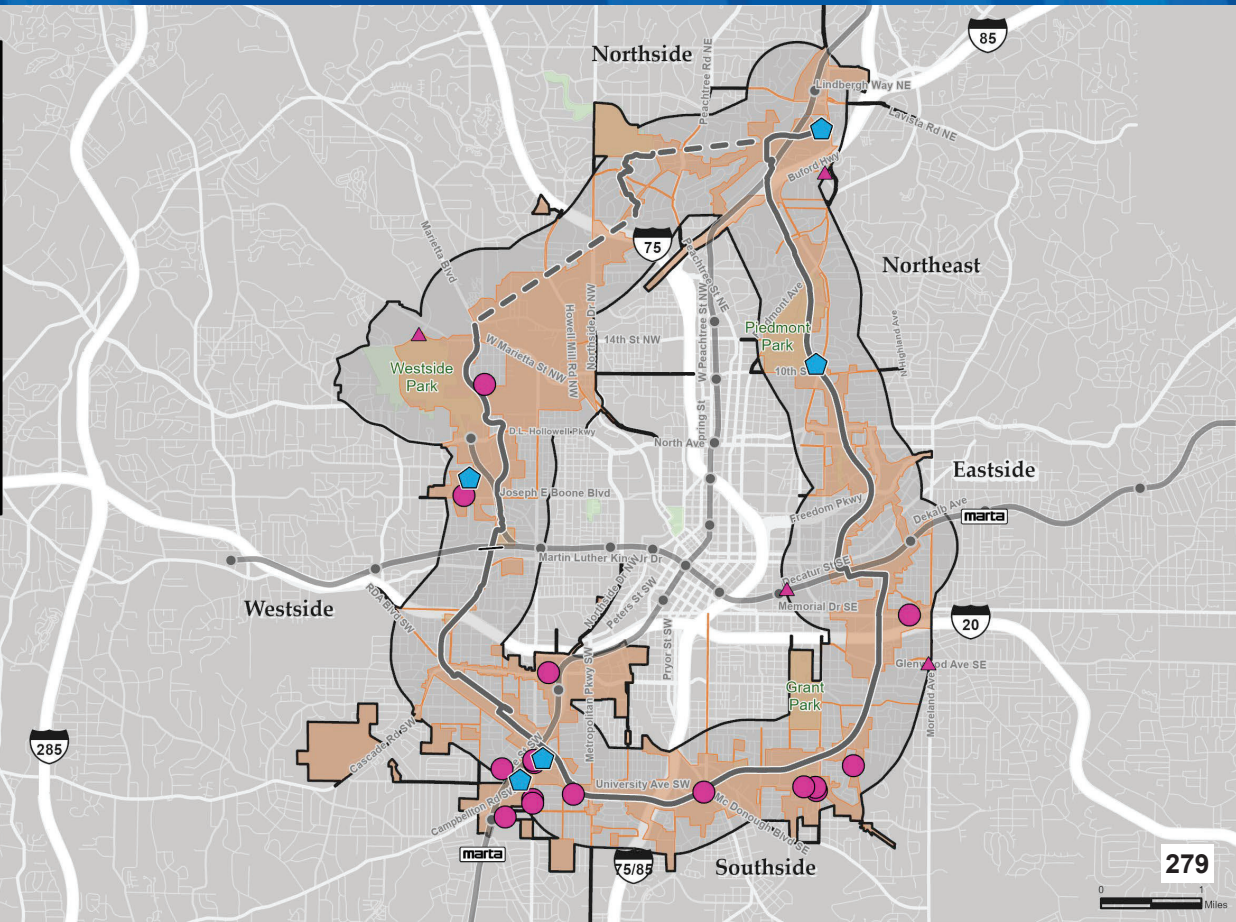
— Atlanta BeltLine Trail Corridor

🟠 Atlanta BeltLine Tax Allocation District (TAD)

🗺 Atlanta BeltLine Planning Area (BPA)

- Affordable housing pipeline locations include developments supported by partners including IA, DCA, AH, COA and DAFC
- All ABI controlled properties are within the TAD

Atlanta BeltLine Affordable Housing Pipeline
Updated: February 2022



Map created by ABI GIS • February 23, 2022 • GIS\Projects\HPD



SKYLINE APARTMENTS

Closed in February
2022

Puts ABI over 50%
of 5,600 goal
through end of
2030

Address: 1090 Hank
Aaron Drive, Atlanta, GA
30315 (Peoplestown)
250-unit building

Developer: Exact Capital
Group, LLC.

100% affordable

- 250 units @ or below
60% AMI
 - 46 studios
 - 101 1-bedroom
 - 103 2-bedroom





AFFORDABLE HOUSING PRODUCTION

2006-2018:

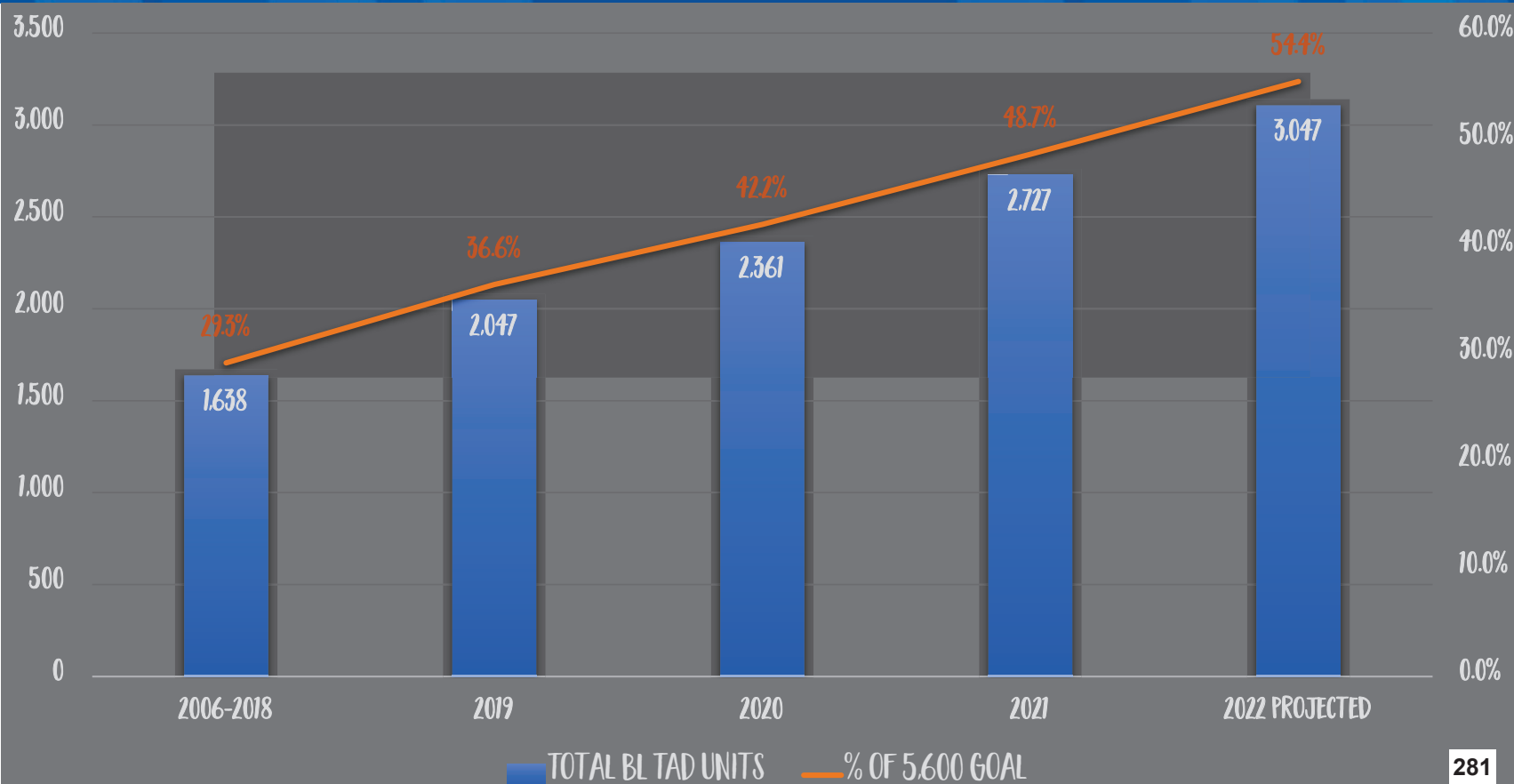
- 1,638 units created or preserved in TAD

2021:

- 366 units created or preserved, exceeding goal of 320 units

2022:

- 2,977 units have been created/preserved in the TAD since 2006
- We are 53.1% toward our goal of 5,600 units by 2030
- 2022 Goal of 320 units





JOB CREATION

REDEVELOPMENT PLAN GOALS

50,000 Permanent Jobs*
 • 24,200 (as of 2019)

48,000 Construction Jobs
 • 49,470 (as of 2020)

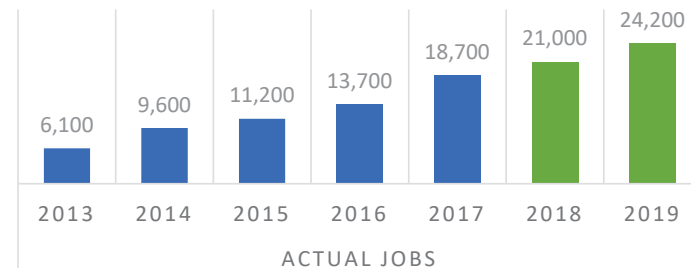
Permanent Private Job Creation (Beltline Planning Area)



24,200**

50,000*

ESTIMATED JOB ATTRACTION



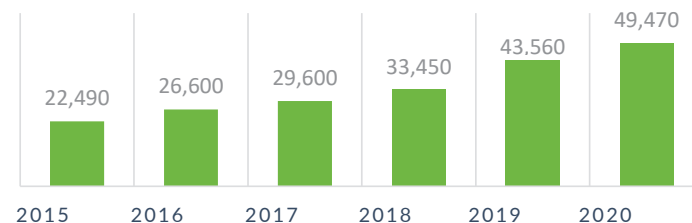
One-Year Construction Job Creation



48,000

49,470**

CONSTRUCTION JOBS ESTIMATE



*With the passage of the SSD, ABI increased the target goal from 30,000 to 50,000

**Source U.S. Census Data and Private Investment Tracking



TRAIL UPDATES

Northeast Trail

Northwest Trail

Westside Trail

Southside Trail

Streetscapes

- Shovel Ready

Atlanta BeltLine Trails

- Completed
- Under Construction
- Shovel Ready
- In Design
- Study in Progress**

Atlanta BeltLine & Partner Parks

- Complete
- Shovel Ready
- In Design

Atlanta BeltLine Streetcar

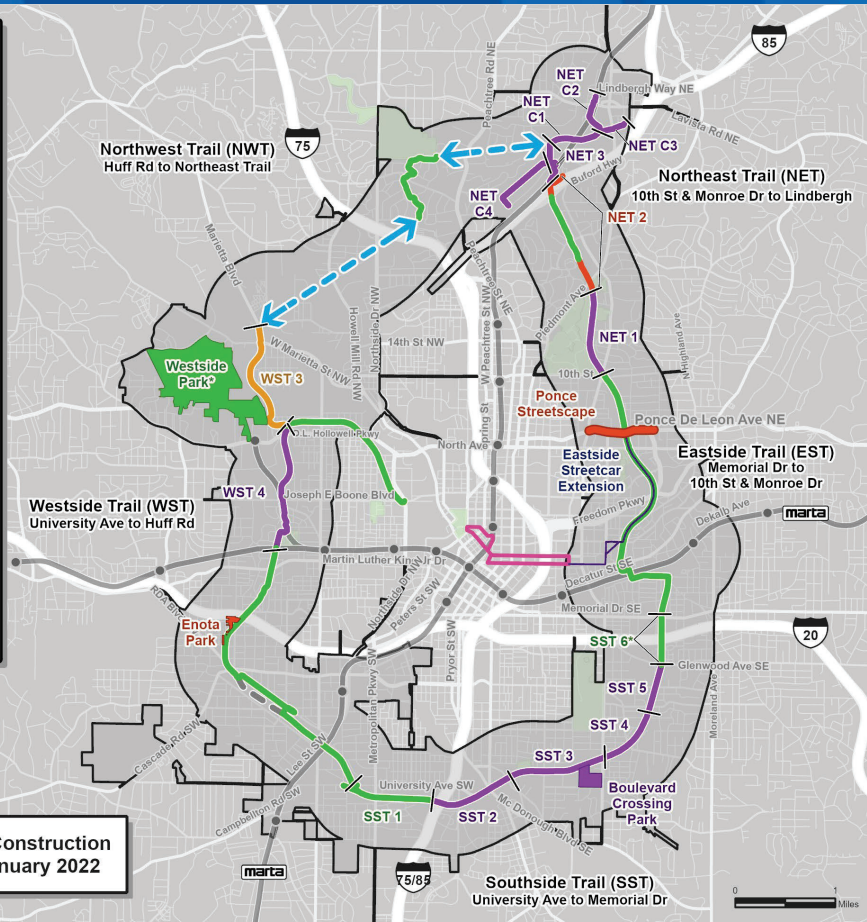
- Study in Progress (MARTA)
- Downtown Atlanta Streetcar

Atlanta BeltLine Planning Area (BPA)

- Atlanta BeltLine

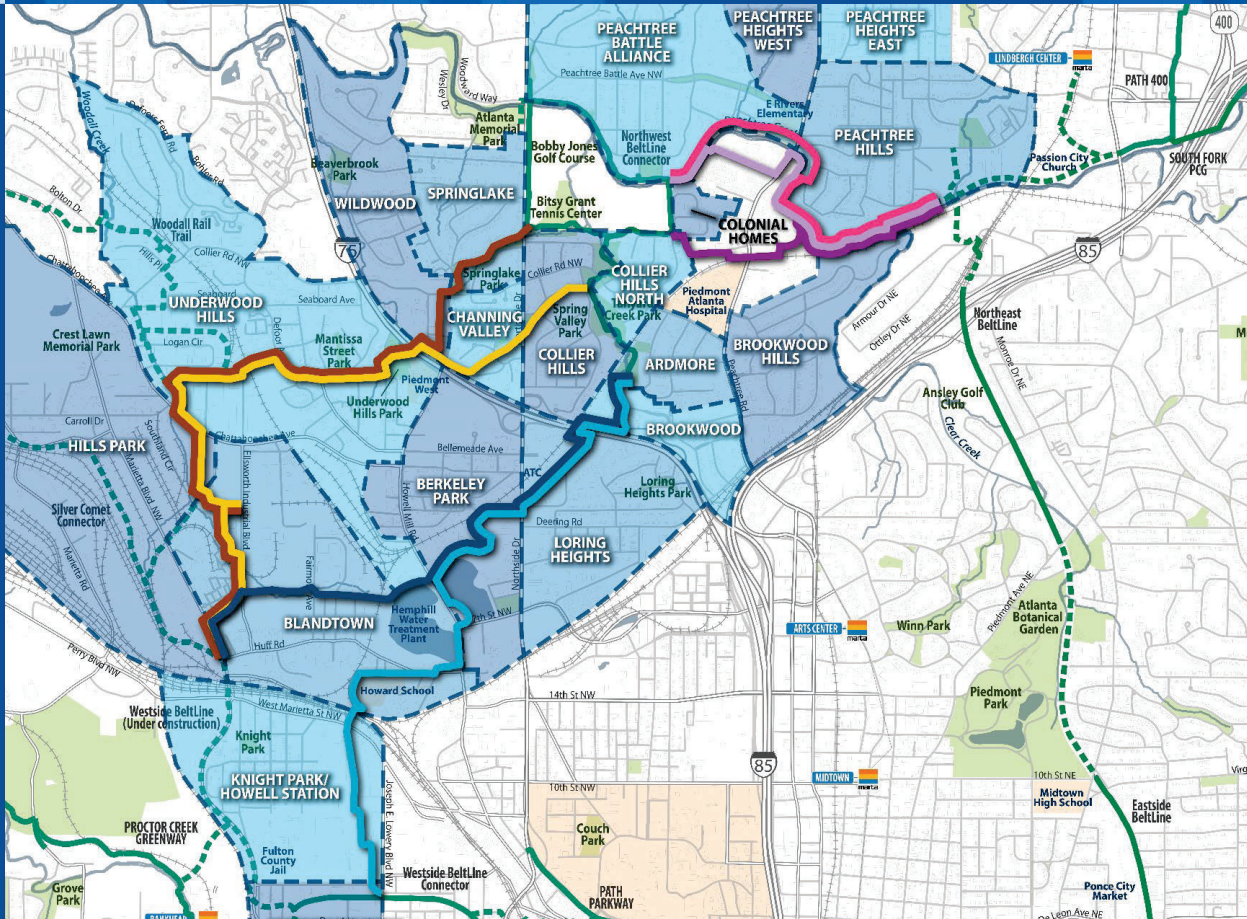
*Westside Park and Southside Trail Segment 6 are partially complete and open to the public. Additional phases are planned.
**NWT - Multiple alignments are under consideration.

Atlanta BeltLine Design & Construction Project Status Update: January 2022





NORTHWEST CORRIDOR



Legend

- NW BeltLine Trail Study Corridors
- Corridor #1
 - Corridor #2
 - Corridor #3
 - Corridor #4
 - Corridor #5
 - Corridor #6
 - Corridor #7
 - Neighborhood Boundary
 - Existing Trail
 - - - Planned Trail
 - Park

These corridors are concepts and are subject to change as design, engineering, and community engagement progresses



ARTS & CULTURE

Reynoldstown
Community
Space

Atlanta BeltLine
Lantern Parade

- May 21
- Westside Trail





QUESTIONS?

