TENTATIVE AGENDA

UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA

SPECIAL CALLED SESSION

TUESDAY, APRIL 2, 2024, **5:00 P.M.**

CITY HALL

A. Roll call

B. Purpose of meeting: to enter into executive session for an attorney/client conference to discuss threatened or pending litigation

C. Enter into executive session

D. Adjourn

A qualified interpreter for the hearing impaired is available upon request at least 10 days in advance of this meeting. Please call (706) 613-3031 (TDD {706} 613-3115) to request an interpreter or for more information.

If making a public comment, please fill out the form available on the table in the hallway to help ensure that your information is correctly entered into the minutes. Once you have spoken, please hand your form to the staff in front of the podium for the Clerk.

TENTATIVE AGENDA

UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA

TUESDAY, APRIL 2, 2024, **6:00 P.M.**

CITY HALL

If business has not concluded by 8:15 p.m., there will be a 15-minute break.

A. Roll call

B. Approve Minutes of meetings of Tuesday, March 5; Tuesday, March 19; and non-voting meetings of Tuesday, March 12; Thursday, March 14; and Tuesday, March 19.

C. Written communications

D. Public input. If you wish to address the Mayor and Commission on any item listed below on the consent agenda, please go to the podium and state your name and address. RULES OF THE COMMISSION STATE THAT MEMBERS OF THE PUBLIC MAY SPEAK ONCE DURING THE FOLLOWING PORTION OF THE AGENDA FOR UP TO THREE MINUTES WITH A 30 SECOND REMINDER AT TWO AND A HALF MINUTES.

E. Consent agenda. Items under this section have been discussed at prior public meetings and will be presented for consideration as a single item. Only one vote will be taken.

1. ADOPT: Ordinance amendment regarding PSCOB member training

2. ADOPT: Ordinance for First Street and Vine Street - Proposed all-way stop

3. ADOPT: Ordinance for Freeman Drive at Fowler Drive and Kenwood Drive - Proposed all-way stop

4. ADOPT: Ordinance for West Hancock Avenue and North Newton Street - Proposed all-way stop

5. ADOPT: Ordinance for West Hancock Avenue and North Pope Street - Proposed all-way stop

6. ADOPT: Ordinance for FY24 Landfill Enterprise Fund capital and operational budget transfer

7. ADOPT: Ordinance for Victims of Crime Act Grant – Solicitor General's office application for 2024

8. ADOPT: Ordinance for ACC Transit grant award from the GDOT Trust Fund Program

9. ADOPT: Ordinance for amendment to Animal Services FY24 Budget

10. ADOPT: Resolutions in recognition of Athens Pride month and Juneteenth

11. APPROVE: Amendment to Athens Area Habitat for Humanity ARPA Phase I affordable housing contract

12. APPROVE: Sanford Stadium sewer improvements Phase I – Contract award

13. APPROVE: Government Operations Committee (GOC) report: Business inclusion policy

14. APPROVE: SPLOST 2020 Project 03, Classic Center Arena – Art location change for Site #2

15. APPROVE: SPLOST 2020 Project 16, Memorial Park Improvements – Professional design services contract

16. APPROVE: TSPLOST 2023 Project 30, Traffic Safety Infrastructure Improvements, Proposed project concept .

17. APPROVE: (Revised) Office of Operational Analysis FY24 Audit Workplan

F. Public hearing and deliberation on recommendations from the Athens-Clarke County Planning Commission. The proposed recommendations will be disposed of by the receipt of public input, the close of public input, and the consideration by the Commission. PLEASE REFER TO ATTACHMENT A FOR TIME LIMITS FOR PRESENTATIONS.

18. Request of Michael B. Thurmond/Armentrout, Matheny, Thurmond P.C., owner Georgia of Phi Kappa Tau Inc., for special use in C-D (RIV) (Commercial-Downtown River) District on 0.55 acres known as 141 Wilkerson Street. Proposed use is fraternity chapter house. Type II District 4

Planning Commission recommendation: Approval (unanimous)

19. Request of Frank Pittman/Pittman & Greer Engineering, owner Ashook Thakkar, for rezoning on 2.8 acres known as 180 Moss Road from AR (Agricultural Residential) to C-R (Commercial-Rural). Proposed use is commercial gas station and convenience store. Type II District 3

Planning Commission recommendation: Denial (unanimous)

20. Request of Frank Pittman/Pittman & Greer Engineering, owner Green Acres Baptist Church Inc., for rezoning from RS-25 (Single-Family Residential) to RM-1 (Mixed Density Residential) on 4.8 acres known as 2295 Barnett Shoals Road and 170 Forest Road. Proposed use is residential multi-family. Type II District 8

Planning Commission recommendation: Approval w/conditions (unanimous)

21. Proposed text amendment to Type I planning action procedures

Planning Commission recommendation: Approval w/conditions (unanimous)

G. Public input. If you wish to address the Mayor and Commission on any item listed below under old and new business, please go to the podium and state your name and address. RULES OF THE COMMISSION STATE THAT MEMBERS OF THE PUBLIC MAY SPEAK ONCE DURING THE FOLLOWING PORTION OF THE AGENDA FOR UP TO THREE MINUTES WITH A 30 SECOND REMINDER AT TWO AND A HALF MINUTES.

H. Old business

22. SPLOST 2020 Project 26, Recovered material processing and reuse facility project (Sub-Project #1), professional services contract

23. FY25 Community Partnerships Program (CPP) funding recommendations
.

24. Approval for additional ARPA funding for Eviction Prevention Program

25. Crosswalk policy update and annual project approval

26. SPLOST 2011 Project 21, Linnentown public art project concept

27. SPLOST 2020 Project 03, Classic Center Arena – Proposed construction contract change order to JE Dunn

28. SPLOST 2020 Project 03, Classic Center Arena – Proposed professional services change order

29. Periodic audit of the Tax Assessor's Office

I. New business

J. Public input. If you wish to address the Mayor and Commission on any item other than those listed on this agenda, please go to the podium and state your name and address. RULES OF THE COMMISSION STATE THAT MEMBERS OF THE PUBLIC MAY SPEAK **ONCE** DURING THE FOLLOWING PORTION OF THE AGENDA FOR UP TO THREE MINUTES WITH A 30 SECOND REMINDER AT TWO AND A HALF MINUTES.

K. Receive report from Mayor Pro tem

30. Adopt a Highway proclamations

L. Receive report from Manager

31. Contract awards in excess of $10,000 for month of February 2024

M. Receive report from Auditor

N. Receive report from Attorney

O. Receive input from Commissioners

P. Adjourn

A qualified interpreter for the hearing impaired is available upon request at least 10 days in advance of this meeting. Please call (706) 613-3031 (TDD {706} 613-3115) to request an interpreter or for more information.

Wireless access will be available for general use shortly before, during, and shortly after each Mayor and Commission meeting. Connect to ACC_Guest.

Free parking deck vouchers for members of the public attending the monthly Regular Voting Meetings, Work Sessions, and Agenda Setting Meetings of the Mayor and Commission held at City Hall are available on the 2nd floor of City Hall.

ATTACHMENT A

PROCEDURE FOR PUBLIC INPUT ON ZONING RELATED PUBLIC HEARINGS.

All persons supporting and opposing a proposed rezoning may take either one of two different opportunities to address the Mayor and Commission at the final public hearing on the proposed rezoning, as follows:

1.a. Proponents shall first present their ten (10) minute argument in support of the proposed rezoning, and opponents shall then present their ten (10) minute argument in opposition to the proposed rezoning.

b. Neither side will be required to use all of its ten (10) minute argument period.

c. Either side may allocate its ten (10) minute argument period among any number of speakers, provided that the presentation by all speakers for each side shall not exceed ten (10) minutes per side.

d. All persons wishing to speak longer than three (3) minutes during one side's ten (10) minute argument period must register their intent to do so with the Clerk of Commission not later than the time that the meeting of the Mayor and Commission at which the final public hearing on the proposed rezoning is to be conducted is first called to order.

e. In the event that all persons wishing to speak longer than three (3) minutes as a part of one side's ten (10) minute argument are not able to agree how that side's ten (10) minute argument period shall be allocated, they shall inform the Mayor of their disagreement before either side begins its 10-minute argument, in which event the Mayor shall decide and announce the manner in which that side's ten (10) minute argument period shall be allocated. Any Commissioner dissatisfied with the Mayor's allocation of that side's ten (10) minute argument shall have the right to appeal the Mayor's allocation decision to the Commission before either side begins its ten (10) minute argument.

2. After the supporters and opponents of the proposed rezoning have concluded their ten (10) minute arguments, any person who has not yet spoken either for or against the proposed rezoning shall be allowed to address the Mayor and Commission concerning the proposed rezoning for no longer than three (3) minutes per person.

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA, WITH RESPECT TO THE **PUBLIC SAFETY CIVILIAN OVERSIGHT BOARD**; AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia, hereby ordains as follows:

SECTION 1. Section 3-18-9 entitled "*Training*" of the Code of Athens-Clarke County, Georgia, is hereby amended by deleting said section in its entirety and the following new section is inserted in lieu thereof so that it now reads as follows:

"Sec. 3-18-9. - Training.

Public Safety Civilian Oversight Board members shall receive the training necessary to develop expertise in law enforcement and corrections oversight and community policing, as demonstrated by completion of either the Athens-Clarke County Police Department's Community Police Academy or the Sheriff's Office Civilian Academy. Whether by means of formal academy completion, or by acceptable alternative learning, members shall fulfill the minimum required annual training hours outlined in the PSCOB bylaws. Topics for participation may include a variety of subjects, including, but not limited to, training regarding ordinances governing the Public Safety Civilian Oversight Board, a broad range of law enforcement and corrections practices and procedures, criminal arrest procedures, case law concerning use of force, practices for people in mental health crisis or under the influence of intoxicants, problem-oriented policing, cultural awareness, racial equity, civil rights, the complaint process, investigative procedures, confidentiality requirements, ethics training and public records and public meeting laws. Members may also maintain and further develop their expertise through annual training provided by the Unified Government of Athens-Clarke County."

SECTION 2. Should any provision, paragraph, sentence, or word of this Ordinance be rendered or declared invalid by any final court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, paragraphs, sentences, or words of this Ordinance as hereby issued shall remain in full force and effect. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. The Clerk of Commission is authorized, in consultation with the Athens-Clarke County Attorney, to correct any scrivener's errors that may be found in this Ordinance after the adoption and approval hereof.

SECTION 4. This Ordinance shall become effective once approved by the Mayor or as set forth in Section 2-204 of the Charter of the Unified Government of Athens-Clarke County, Georgia.

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: Ordinance Amendment Regarding PSCOB Member Training

DATE: February 28, 2024

EXECUTIVE SUMMARY:

It is proposed to amend the ordinance related specifically to PSCOB training by allowing an option for either the Community Police Academy or Sheriff's Office Civilian Academy to fulfill the minimum requirement, in addition to flexibility in the various subject matter options available for continuing education.

BUDGET INFORMATION:

REVENUES: N/A

EXPENSES: N/A

FUNDING SOURCE: N/A

COMMISSION ACTION REQUESTED ON: April 2, 2024

PURPOSE:

To request that the Mayor and Commission:

a. Adopt an amendment to Ordinance Sec. 3-18-9. – Training **(Attachment #1)**; and
b. Authorize the Mayor and appropriate staff to execute all necessary documents.

HISTORY:

1. On November 2, 2021, the Mayor and Commission (M&C) adopted an ordinance (Sec. 3-18) establishing a Public Safety Civilian Oversight Board (PSCOB).

2. On December 21, 2022, PSCOB finalized bylaws applicable to their members with four main articles that detail their Declaration of Purpose & Intent; Board Structure & Training Requirements; General Powers & Duties; and Amendments.

3. On February 7, 2023, the Mayor assigned creation of a Public Safety Monitor function within the Operational Analysis Office or other appropriate ACCGov units to the Government Operations Committee (GOC).

4. On August 1, 2023, the M&C formally adopted an ordinance amending the Code of Athens-Clarke County (Sec. 1-3-1) with respect to the Internal Auditor, duties and responsibilities, specifically including the role of liaison with PSCOB.

5. On October 2, 2023, the M&C formally adopted another ordinance amendment to the Code of Athens-Clarke County (Sec. 3-18-11), adjusting the time in which an appointment is made for any vacancies on PSCOB.

6. On January 24, 2024, at their regular monthly meeting, various members of PSCOB expressed concern over the minimum required training standards outlined by ordinance and bylaws, thus communicating that flexibility through multiple options would be more beneficial and attainable.

7. On January 24, 2024, the 2024 PSCOB Annual Workplan was approved for implementation, which outlines training expectations as set forth by ordinance, bylaws, and member aspirations.

8. On February 28, 2024, PSCOB voted to recommend the ordinance be changed pertaining to training, as outlined in Sec. 3-18-9.

FACTS & ISSUES:

1. Development of the ordinance and associated bylaws related to PSCOB included not only thorough research, review, and debate amongst members and staff, but also a review of examples from similar models across the country. As such, the final, adopted language may present challenges over time that were not anticipated when put into practice. Each community, like that of ACCGov, recognizes its own unique opportunities for training, which may conflict with examples otherwise utilized during formulation of the original ordinance.

2. The applicable ordinance recommended for amendment presently states:

   Sec. 3-18-9. - Training.

   "Public Safety Civilian Oversight Board members shall receive the training necessary to develop expertise in law enforcement and corrections oversight and community policing, including, but not limited to, the Athens-Clarke County Police Department's Citizens Police Academy, training regarding ordinances governing the Public Safety Civilian Oversight Board, a broad range of law enforcement and corrections practices and procedures, criminal arrest procedures, case law concerning use of force, practices for people in mental health crisis or under the influence of intoxicants, problem-oriented policing, cultural awareness, racial equity, civil rights, the complaint process, investigative procedures, confidentiality requirements, ethics training and public records and public meeting laws. Members shall maintain and further develop their expertise through annual training provided by the Unified Government of Athens-Clarke County."

It is hereby proposed that the ordinance be amended as follows:

> *"Public Safety Civilian Oversight Board members shall receive the training necessary to develop expertise in law enforcement and corrections oversight and community policing, ~~including, but not limited to~~, as demonstrated by completion of either the Athens-Clarke County Police Department's ~~Citizens~~ Community Police Academy or Sheriff's Office Civilian Academy. Whether by means of formal academy completion, or by acceptable alternative learning, members shall fulfill the minimum required annual training hours outlined in the PSCOB bylaws. Topics for participation may include a variety of subjects, including, but not limited to, training regarding ordinances governing the Public Safety Civilian Oversight Board, a broad range of law enforcement and corrections practices and procedures, criminal arrest procedures, case law concerning use of force, practices for people in mental health crisis or under the influence of intoxicants, problem-oriented policing, cultural awareness, racial equity, civil rights, the complaint process, investigative procedures, confidentiality requirements, ethics training and public records and public meeting laws. Members ~~shall~~ may also maintain and further develop their expertise through annual training provided by the Unified Government of Athens-Clarke County."*

3. As written, training must include, at a minimum, completion of the ACCGov Community Police Academy, which covers the vast majority of listed law enforcement and corrections practices and procedures, for which members should become familiar.

4. PSCOB was subsequently made aware of a similar offering by the Sheriff's Office that would also provide valuable insight similar to the Community Police Academy, while elaborating on further topics unique to the responsibilities of the Sheriff's Office.

5. Per the current PSCOB bylaws, a minimum of five hours of annual training is required by each member, and must be aligned with the variety of subjects outlined in the ordinance.

6. Members have expressed difficulty in attending weekday training events given personal and professional commitments. Subject specific training in law enforcement is less likely to be made available on weekends.

7. Both academies are economical solutions to training since PSCOB has not been budgeted funds for such activity in FY24.

8. This recommendation supports the following ACCGov FY23-25 Strategic Plan Goals, Strategies, & Initiatives:
    - Goal Area #1, Strategy F: Examine, understand, and improve public safety policies and processes to enhance public trust.
        1. *Form relationships with respected and trusted community members.*
        2. *Extend ACCGov's reach into the community.*

- Goal Area #3, Strategy D: Increase resident engagement in the decision-making process to give greater emphasis to information and power sharing, mutual respect and reciprocity between residents and their government.
    3. *Support BACs as vehicles for education, information sharing, and engagement in decision-making.*
    4. *Develop common practices, policies, and procedures and train all BAC members and department liaisons.*

OPTIONS:

1. Mayor and Commission:
    a. Adopt an amendment to Ordinance Sec. 3-18-9. – Training **(Attachment #1)**; and,
    b. Authorize the Mayor and appropriate staff to execute all necessary documents.

2. Mayor and Commission do not adopt the ordinance amendment.

3. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option #1 a & b.

DEPARTMENT:

Gavin J. Hassemer — 2/28/2024

Gavin J. Hassemer
Internal Auditor

Date:

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1 a & b

March 14, 2024

Manager

Date:

Attachment(s):
Attachment #1: Proposed Ordinance Amendment

Existing Ordinance: Sec. 3-18-9. - Training

"Public Safety Civilian Oversight Board members shall receive the training necessary to develop expertise in law enforcement and corrections oversight and community policing, including, but not limited to, the Athens-Clarke County Police Department's Citizens Police Academy, training regarding ordinances governing the Public Safety Civilian Oversight Board, a broad range of law enforcement and corrections practices and procedures, criminal arrest procedures, case law concerning use of force, practices for people in mental health crisis or under the influence of intoxicants, problem-oriented policing, cultural awareness, racial equity, civil rights, the complaint process, investigative procedures, confidentiality requirements, ethics training and public records and public meeting laws. Members shall maintain and further develop their expertise through annual training provided by the Unified Government of Athens-Clarke County."

Proposed Ordinance: Sec. 3-18-9. – Training

"Public Safety Civilian Oversight Board members shall receive the training necessary to develop expertise in law enforcement and corrections oversight and community policing, ~~including, but not limited to,~~ as demonstrated by completion of either the Athens-Clarke County Police Department's ~~Citizens~~ Community Police Academy or Sheriff's Office Civilian Academy. Whether by means of formal academy completion, or by acceptable alternative learning, members shall fulfill the minimum required annual training hours outlined in the PSCOB bylaws. Topics for participation may include a variety of subjects, including, but not limited to, training regarding ordinances governing the Public Safety Civilian Oversight Board, a broad range of law enforcement and corrections practices and procedures, criminal arrest procedures, case law concerning use of force, practices for people in mental health crisis or under the influence of intoxicants, problem-oriented policing, cultural awareness, racial equity, civil rights, the complaint process, investigative procedures, confidentiality requirements, ethics training and public records and public meeting laws. Members ~~shall~~ may also maintain and further develop their expertise through annual training provided by the Unified Government of Athens-Clarke County."

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA WITH RESPECT TO THE **ESTABLISHMENT OF AN ALL-WAY STOP AT THE INTERSECTION OF FIRST STREET AND VINE STREET**; AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. Pursuant to Section 3-3-50 of the Code of Athens-Clarke County, Georgia, there is hereby established the following changes at the intersection of First Street and Vine Street:

- The intersection of First Street and Vine Street shall be designated as an all-way stop, as shown on that certain map entitled "First St. at Vine St. Proposed All-way Stop," dated February 22, 2024, and attached hereto as Attachment #1.

- The installation of stop signs, stop bars, crosswalks, and sidewalk ramps per current standards and specifications at the intersection of First Street and Vine Street is hereby authorized.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Attachment # 1



ATHENS-CLARKE COUNTY GEORGIA

0 12.5 25 50 Feet

NOTICE:
The Department of Transportation and Public Works does not warrant the accuracy of this information. Information shown should be field verified.

Legend

Stop Sign

Stop Bar

Map Prepared On:
February 22, 2024

First St. at Vine St.
Proposed All-way Stop

Prepared by:
The Unified Government of Athens-Clarke County
Department of Transportation and Public Works
Traffic Engineering

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: First Street and Vine Street - Proposed All-Way Stop

DATE: February 23, 2024

EXECUTIVE SUMMARY:

ACCGov Traffic Engineering recommends the intersection of First Street and Vine Street be converted to an all-way stop due to increased crashes. Converting this intersection to an all-way stop will reduce the potential for angle and left turn crashes.

BUDGET INFORMATION:

REVENUES:

EXPENSES:

ANNUAL:	$ 320	Annual Life Cycle Maintenance
OTHER:	$1,600	Material Costs
	$1,000	(1) Type A Ramp
	$1,375	(1) Type A Ramp with Landing
	$1,000	20 ft Sidewalk

FUNDING SOURCE: Traffic Engineering FY24 Operating Budget

COMMISSION ACTION REQUESTED ON: April 2, 2024

PURPOSE:

To request that Mayor and Commission approve the installation of a stop sign at the intersection of First Street at Vine Street, as shown in **Attachment #1**.

HISTORY:

1. On April 18, 2017, Traffic Engineering staff evaluated the intersection of First Street and Vine Street, looking at the sight distances, vehicle volumes, and crash data. Based on the collected data and according to the Manual on Uniform Traffic Control Devices (MUTCD), an all-way stop was not warranted.

2. On April 23, 2019, Transportation & Public Works (T&PW) received a request from Commissioner Parker to install a 3-way stop at the intersection of First Street and Vine Street.

3. On April 25, 2019, Traffic Engineering staff evaluated the intersection of First Street and Vine Street, looking at the sight distances, vehicle volumes and crash data. Based on the collected data and according to the MUTCD, an all-way stop was not warranted.

4. On September 13, 2023, T&PW received a request from District 2 Commissioner Melissa Link to evaluate the intersection of First Street at Vine Street for an all-way stop.

5. On September 26, 2019, Traffic Engineering reviewed traffic volumes and crash history for the intersection of First Street and Vine Street from January 2018 to August 2023. Staff determined that the traffic volume did not meet the requirement for an all-way stop.

6. On January 19, 2024, T&PW received a request to evaluate the intersection of First Street at Vine Street for an all-way stop.

7. On February 2, 2024 staff evaluated the intersection of First Street at Vine Street for an all-way stop.

FACTS & ISSUES:

1. First Street is a two-lane local roadway with a posted speed limit of 30 MPH. Vine Street is a two-lane collector roadway with a posted speed limit of 25 MPH.

2. The existing traffic control consists of a stop sign for Vine Street which makes up the west bound leg of the intersection.

3. If approved by M&C, T&PW staff would also upgrade the ADA accessibility of this intersection through pedestrian ramp and crosswalk improvements during installation of permanent all-way stop signage.

4. In December 2023 the Federal Highway Administration released the 11th edition of the Manual for Uniform Traffic Control Devices (MUTCD). The new edition contained changes to the all-way stop control warrants and reduced the number of crashes required for an all-way stop from five or more angle or left turn crashes in a twelve-month period to four or more crashes in a twelve-month period or five or more angle or left turn crashes in thirty-six-month period for a three-legged intersection.

5. The installation of a stop control analysis is guided by the MUTCD. The intersection of First Street at Vine Street satisfies the crash history criterion as defined in Section 2B.13.B of the MUTCD.

6. Section 2B.13.B of the MUTCD does allow for the installation of an all-way stop control if there are "*four or more reported crashes in a twelve-month period or five or more reported crashes in a 36-month period that were of a type susceptible to correction by the installation of all-way stop control*.".

7. The intersection of First Street at Vine Street has had five angle crashes in a thirty-six-month period. Angle and left turn crashes are susceptible to correction by the installation of all-way stop control.

8. T&PW staff recommend that stop control be installed on First Street at its intersection with Vine Street to mitigate the angle and left turn crashes.

9. If approved by Mayor and Commission, T&PW staff would install a temporary sign on the First Street approaches for 14 days to alert motorists to the traffic control change and, after the 14-day notification period, install two stop signs (**Attachment #1**).

10. This recommendation supports the following ACCGov Strategic Plan Goal & Strategy:
    - Safely Move Around Athens, Strategy E: *Enhance safety for all modes of transportation*

OPTIONS:

1. Mayor and Commission approve the installation of an all-way stop at the intersection of First Street at Vine Street, as shown in **Attachment #1**.

2. Mayor and Commission do not approve the installation of an all-way stop at the intersection of First Street at Vine Street.

3. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option #1.

DEPARTMENT: Transportation & Public Works
Prepared by: Tim Griffeth, Traffic Engineer



Rani Katreeb, P.E.
Interim Director

February 28, 2024
Date:

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1



Manager

March 14, 2024
Date:

ATTACHMENTS:

Attachment #1: All Way Stop First St @ Vine St

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA WITH RESPECT TO THE **ESTABLISHMENT OF AN ALL-WAY STOP AT THE INTERSECTION OF FREEMAN DRIVE AT FOWLER DRIVE AND KENWOOD DRIVE**; AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTON 1. Pursuant to Section 3-3-50 of the Code of Athens-Clarke County, Georgia there is hereby established the following changes at the intersection of Freeman Drive at Kenwood Drive and Fowler Drive:

- The intersection of Freeman Drive at Kenwood Drive and Fowler Drive shall be designated as an all-way stop, as shown on that certain map entitled "Freeman Dr. at Fowler Dr. and Kenwood Dr. Proposed All-way Stop," dated February 22, 2024, and attached hereto as Attachment #1.

- The installation of stop signs, stop bars, crosswalks, and sidewalk ramps per current standards and specifications at the intersection of Freeman Drive at Fowler Drive and Kenwood Drive is hereby authorized.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.



ATHENS-CLARKE COUNTY GEORGIA

0 12.5 25 50 Feet

NOTICE:
The Department of Transportation and Public Works does not warrant the accuracy of this information. Information shown should be field verified.

Legend

Stop Sign

Stop Bar

Map Prepared On:
Februaryt 22, 2024

Freeman Dr. at Fowler Dr. and Kenwood Dr. Proposed All-way Stop

Prepared by:
The Unified Government of Athens-Clarke County
Department of Transportation and Public Works
Traffic Engineering

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: Freeman Drive at Fowler Drive and Kenwood Drive - Proposed All-Way Stop

DATE: February 23, 2024

EXECUTIVE SUMMARY:

ACCGov Traffic Engineering recommends the intersection of Freeman Drive at Fowler Drive and Kenwood Drive be converted to an all-way stop due to increased crashes. Converting this intersection to an all-way stop will reduce the potential for angle and left turn crashes.

BUDGET INFORMATION:

REVENUES:

EXPENSES:

ANNUAL:	$ 240	Annual Life Cycle Maintenance
OTHER:	$1,200	Material Costs
	$3,960	(2) Type B Ramps with Landings
	$2,000	(2) Type A Ramps

FUNDING SOURCE: Traffic Engineering FY24 Operating Budget

COMMISSION ACTION REQUESTED ON: April 2, 2024

PURPOSE:

To request that Mayor and Commission approve the installation of a stop sign at the intersection of Freeman Drive at Fowler Drive and Kenwood Drive, as shown on **Attachment #1.**

HISTORY:

1. On November 17, 2016, Transportation & Public Works (T&PW) received a request from Commissioner Bailey to evaluate the intersection of Freeman Drive at Fowler Drive and Kenwood Drive for an all-way stop.

2. On January 25, 2017, Traffic Engineering staff evaluated the intersection of Freeman Drive at Fowler Drive and Kenwood Drive looking at the sight distances, vehicle volumes, and crash data. Based on the collected data and according to the Manual on Uniform Traffic Control Devices (MUTCD), an all-way stop was not warranted.

3. On June 9, 2021, Traffic Engineering staff received a request to evaluate the intersection of Freeman Drive at Fowler Drive and Kenwood Drive for an all-way stop.

4. On August 18, 2021, Traffic Engineering staff evaluated the intersection of Freeman Drive at Fowler Drive and Kenwood Drive looking at the sight distances, vehicle volumes, and crash data. Based on the collected data and according to the MUTCD, an all-way stop was not warranted.

5. On January 19, 2024, staff re-evaluated the intersection of Freeman Drive at Fowler Drive and Kenwood Drive for an all-way stop based on repeated resident requests and due to the changes made to the requirements for an all-way stop in the updates Manual on MUTCD (Facts & Issues #4).

FACTS & ISSUES:

1. Freeman Drive is a two-lane collector roadway with a posted speed limit of 35 MPH. Fowler Drive is two-lane local roadway with a posted speed limit of 25 MPH. Kenwood Drive is two-lane local roadway with a posted speed limit of 25 MPH.

2. The existing traffic control consists of stop signs on Fowler Drive which makes up the west bound leg of the intersection and on Kenwood Drive which makes up the east bound leg of the intersection.

3. If approved by M&C, T&PW staff would also upgrade the ADA accessibility of this intersection through pedestrian ramp and crosswalk improvements during installation of permanent all-way stop signage.

4. In December 2023 the Federal Highway Administration released the 11th edition of the Manual for Uniform Traffic Control Devices (MUTCD). The new edition contained changes to the all-way stop control warrants and reduced the number of crashes required to install an all-way stop from five or more angle or left turn crashes in a twelve-month period to five or more crashes in a twelve-month period or six or more angle or left turn crashes in thirty-six-month period for a four-legged intersection.

5. The installation of a stop control analysis is guided by the MUTCD. The intersection of Freeman Drive at Fowler Drive and Kenwood Drive satisfies the crash history criterion as defined in Section 2B.13.A of the MUTCD.

6. Section 2B.13.A of the MUTCD does allow for the installation of all-way stop control if there are "*five or more reported crashes in a twelve-month period or six or more reported crashes in a 36-month period that were of a type susceptible to correction by the installation of all-way stop control*.".

7. The intersection of Freeman Drive at Fowler Drive and Kenwood Drive has had four angle crashes and two left turn crashes in a thirty-six-month period. Angle and left turn crashes are susceptible to correction by the installation of all-way stop control.

8. T&PW staff recommend that stop control be installed on Freeman Drive at its intersection with Fowler Drive and Kenwood Drive to mitigate the angle and left turn crashes.

9. If approved by Mayor and Commission, T&PW staff would install a temporary sign on the Freeman Drive approaches for 14 days to alert motorists to the traffic control change and, after the 14-day notification period, install 2 stop signs (**Attachment #1**).

10. This recommendation supports the following ACCGov Strategic Plan Goal & Strategy:
    - Safely Move Around Athens, Strategy E: *Enhance safety for all modes of transportation*

OPTIONS:

1. Mayor and Commission approve the installation of an all-way stop at the intersection of Freeman Drive at Fowler Drive and Kenwood Drive, as shown in **Attachment #1**.

2. Mayor and Commission do not approve the installation of an all-way stop at the intersection of Freeman Drive at Fowler Drive and Kenwood Drive.

3. Mayor and Commission Defined Option.

DEPARTMENT RECOMMENDED ACTION: Option #1.

DEPARTMENT: Transportation & Public Works
Prepared by: Tim Griffeth, Traffic Engineer



Rani Katreeb, P.E.
Interim Director

February 28, 2024
Date:

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1



Manager

March 14, 2024
Date:

ATTACHMENTS:

Attachment #1: Freeman Dr @ Fowler Dr and Kenwood Dr All-Way Stop

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA WITH RESPECT TO THE **ESTABLISHMENT OF AN ALL-WAY STOP AT THE INTERSECTION OF WEST HANCOCK AVENUE AND NORTH NEWTON STREET**; AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. Pursuant to Section 3-3-50 of the Code of Athens-Clarke County, Georgia, there is hereby established the following changes at the intersection of West Hancock Avenue and North Newton Street:

- The intersection of West Hancock Avenue and North Newton Street shall be designated as an all-way stop, as shown on that certain map entitled "West Hancock Ave. at N. Newton Street Proposed All-way Stop," dated February 23, 2024, and attached hereto as Attachment #1.

- The installation of stop signs, stop bars, crosswalks, and sidewalk ramps per current standards and specifications at the intersection of West Hancock Avenue and North Newton Street is hereby authorized.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Attachment # 1



0 15 30 60 Feet

NOTICE:
The Department of Transportation and Public Works does not warrant the accuracy of this information. Information shown should be field verified.

Legend

Proposed Stop Sign

Proposed Stop Bar

Map Prepared On:
February 23, 2024

W. Hancock Ave. at N. Newton St.
Proposed All-way Stop

Prepared by:
The Unified Government of Athens-Clarke County
Department of Transportation and Public Works
Traffic Engineering

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: West Hancock Avenue and North Newton Street - Proposed All-Way Stop

DATE: February 23, 2024

EXECUTIVE SUMMARY:

ACCGov Traffic Engineering recommends the intersection of West Hancock Avenue and North Newton Street be converted to an all-way stop due to increased crashes. Converting this intersection to an all-way stop will reduce the potential for angle and left turn crashes.

BUDGET INFORMATION:

REVENUES:

EXPENSES:

ANNUAL:	$100 Annual Life Cycle Maintenance
OTHER:	$400 Material Costs

FUNDING SOURCE: Traffic Engineering FY24 Operating Budget

COMMISSION ACTION REQUESTED ON: April 2, 2024

PURPOSE:

To request that Mayor and Commission approve the installation of an all-way stop sign at the intersection of West Hancock Avenue and North Newton Street, as shown in **Attachment #1**

HISTORY:

1. On March 6, 2023, Transportation & Public Works (T&PW) received a request from District 4 Commissioner Wright to evaluate the intersection of West Hancock Avenue and North Newton Street for an all-way stop.

2. On March 30, 2023, Traffic Engineering staff evaluated the intersection of West Hancock Avenue and North Newton Street for an all-way stop.

3. On January 25, 2024 Commissioner Wright submitted a request to reevaluate the intersection of West Hancock Avenue and North Newton Street for an all-way stop as a result of changes to the Manual on Uniform Traffic Control Devices (MUTCD) (Facts & Issues #4).

FACTS & ISSUES:

1. West Hancock Avenue is a two-lane collector roadway with a posted speed limit of 30 MPH. North Newton Street is two-lane local roadway with a posted speed limit of 30 MPH.

2. The existing traffic control consists of stop signs for North Newton Street which makes up the north bound and south bound legs of the intersection.

3. Pedestrian activity is minimal at this intersection.

4. In December 2023, the Federal Highway Administration released the 11th edition of the Manual for Uniform Traffic Control Devices (MUTCD). The new edition contained changes to the all-way stop control warrants and reduced the number of crashes required to install an all-way stop from five or more angle or left turn crashes in a twelve-month period to five or more crashes in a twelve-month period or six or more angle or left turn crashes in thirty-six-month period for a four-legged intersection.

5. The installation of a stop control analysis is guided by the MUTCD. The intersection of West Hancock Avenue and North Newton Street satisfies the crash history criterion as defined in Section 2B.13.A of the MUTCD.

6. Section 2B.13.A of the MUTCD does allow for the installation of all-way stop control if there are "*five or more reported crashes in a twelve-month period or six or more reported crashes in a 36-month period that were of a type susceptible to correction by the installation of all-way stop control*.".

7. The intersection of West Hancock Avenue and North Newton Street has had five right angle crashes in a twelve-month period.

8. T&PW staff recommends that stop control be installed on West Hancock Avenue at its intersection with Newton Street to mitigate the right angle and left turn crashes.

9. If approved by Mayor and Commission, T&PW staff would install a temporary sign on the West Hancock Avenue approaches for 14 days to alert motorists to the traffic control change and, after the 14-day notification period, install two stop signs (**Attachment #1**).

10. This recommendation supports the following ACCGov Strategic Plan and Strategy:
    - Safely Move Around Athens, Strategy E: *Enhance safety for all modes of transportation.*

OPTIONS:

1. Mayor and Commission approve the installation of an all-way stop at the intersection of West Hancock Avenue and North Newton Street, as shown in **Attachment #1**.

2. Mayor and Commission do not approve the installation of an all-way stop at the intersection of West Hancock Avenue and North Newton Street.

3. Mayor and Commission Defined Option.

DEPARTMENT RECOMMENDED ACTION: Option #1.

DEPARTMENT: Transportation & Public Works
Prepared by: Tim Griffeth, Traffic Engineer



Rani Katreeb, P.E.
Interim Director

February 28, 2024
Date:

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1



Manager

March 14, 2024
Date:

ATTACHMENTS:

Attachment #1: W. Hancock Ave at N. Newton St All-Way Stop

Attachment # 1



0 15 30 60 Feet

NOTICE:
The Department of Transportation and Public Works does not warrant the accuracy of this information. Information shown should be field verified.

Legend

Proposed Stop Sign

Proposed Stop Bar

Map Prepared On:
July 20, 2022

W. Hancock Ave. at N. Newton St.
Proposed All-way Stop

Prepared by:
The Unified Government of Athens-Clarke County
Department of Transportation and Public Works
Traffic Engineering

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA WITH RESPECT TO THE **ESTABLISHMENT OF AN ALL-WAY STOP AT THE INTERSECTION OF WEST HANCOCK AVENUE AND NORTH POPE STREET**; AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTON 1. Pursuant to Section 3-3-50 of the Code of Athens-Clarke County, Georgia there is hereby established the following changes at the intersection of West Hancock Avenue and North Pope Street:

- The intersection of West Hancock Avenue and North Pope Street shall be designated as an all-way stop, as shown on that certain map entitled "W. Hancock Ave. at N. Pope St. Proposed All-way Stop," dated November 28, 2023, and attached hereto as Attachment #1.

- The installation of stop signs, stop bars, crosswalks, and sidewalk ramps per current standards and specifications at the intersection of West Hancock Avenue and North Pope Street is hereby authorized.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Attachment # 1



0 15 30 60 Feet

NOTICE:
The Department of Transportation and Public Works does not warrant the accuracy of this information. Information shown should be field verified.

Legend

- Proposed Stop Sign
- Proposed Stop Bar

Map Prepared On:
November 28, 2023

W. Hancock Ave. at N. Pope St.
Proposed All-way Stop

Prepared by:
The Unified Government of Athens-Clarke County
Department of Transportation and Public Works
Traffic Engineering

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: West Hancock Avenue and North Pope Street - Proposed All-Way Stop

DATE: February 23, 2024

EXECUTIVE SUMMARY:

ACCGov Traffic Engineering recommends the intersection of West Hancock Avenue and North Pope Street be converted to an all-way stop due to increased crashes. Converting this intersection to an all-way stop will reduce the potential for angle and left turn crashes.

BUDGET INFORMATION:

REVENUES:

EXPENSES:

ANNUAL:	$100	Annual Life Cycle Maintenance
OTHER:	$400	Material Costs

FUNDING SOURCE: Traffic Engineering FY24 Operating Budget

COMMISSION ACTION REQUESTED ON: April 2, 2024

PURPOSE:

To request that Mayor and Commission approve the installation of an all-way stop at the intersection of West Hancock Avenue and North Pope Street, as shown in **Attachment #1**.

HISTORY:

1. On September 20, 2023 Transportation & Public Works (T&PW) received a request to evaluate the intersection of West Hancock Avenue and North Pope Street for an all-way stop.

2. On November 9, 2023 staff evaluated the intersection of West Hancock Avenue and North Pope Street for an all-way stop.

FACTS & ISSUES:

1. West Hancock Avenue is a two-lane collector roadway with a posted speed limit of 30 MPH. North Pope Street is two-lane local roadway with a posted speed limit of 30 MPH.

2. The existing traffic control consists of stop signs for North Pope Street which makes up the north bound and south bound legs of the intersection.

3. Pedestrian activity is minimal at this intersection.

4. The installation of a stop control analysis is guided by the Manual on Uniform Traffic Control Devices (MUTCD). The intersection of West Hancock Avenue and North Pope Street satisfies the crash history criterion as defined in Section 2B.07.B of the MUTCD.

5. Section 2B.07.B of the MUTCD does allow for the installation of a stop control if there are "*five or more reported crashes in a twelve-month period that are susceptible to correction by a multi-way stop installation. Such crashes include right-turn and left-turn collisions as well as right-angle collisions*."

6. The intersection of West Hancock Avenue and North Pope Street has had eight right angle crashes from May 2022 to April 2023 which meets the MUTCD requirement of five or more reported crashes in a twelve-month period that are susceptible to correction by a multi-way stop installation.

7. T&PW recommends that all-way stop control be installed on West Hancock Avenue at its intersection with North Pope Street to mitigate the right-angle crashes.

8. If approved by Mayor and Commission, T&PW staff would install temporary signs on the West Hancock Avenue approaches for 14 days to alert motorists to the traffic control change and, after the 14-day notification period, install two stop signs (**Attachment #1**).

9. This recommendation supports the following ACCGov Strategic Goal and Strategy:
   - Safely Move Around Athens, Strategy E: *Enhance safety for all modes of transportation.*

OPTIONS:

1. Mayor and Commission approve the installation of an all-way stop at the intersection of West Hancock Avenue and North Pope Street, as shown in **Attachment #1**.

2. Mayor and Commission do not approve the installation of an all-way stop at the intersection of West Hancock Avenue and North Pope Street.

3. Mayor and Commission Defined Option.

DEPARTMENT RECOMMENDED ACTION: Option #1.

DEPARTMENT: Transportation & Public Works
Prepared by: Tim Griffeth, Traffic Engineer



Rani Katreeb, P.E.
Interim Director

February 28, 2024
Date:

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1



Manager

March 14, 2024
Date:

ATTACHMENTS:

Attachment #1: West Hancock Ave at North Pope St All-Way Stop

Attachment #1

AN ORDINANCE TO AMEND THE FY2024 ANNUAL OPERATING AND CAPITAL BUDGET FOR ATHENS-CLARKE COUNTY, GEORGIA SO AS TO PROVIDE FUNDING FOR THE RECOVERED MATERIALS PROCESSING FACILITY (RMPF); AND FOR OTHER PURPOSES**.**

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. The Commission of Athens-Clarke County, Georgia desires to amend the FY2024 Landfill Enterprise Fund Budget for the purpose of amending the capital and operating budget. Said Operating and Capital budget is hereby amended as follows:

Landfill Enterprise Fund:

Expenditures:	
Increase:	
Solid Waste Capital – RMPF Belt Replacement	$325,000
Decrease:	
Solid Waste - Capital	
RMPF Paving	$100,000
RMPF Covered Bale Storage	$225,000
Total	$325,000

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

ATHE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: FY24 Landfill Enterprise Fund Capital and Operational Budget Transfer

DATE: February 28,2024

EXECUTIVE SUMMARY:

The request is to move funds in the FY24 Capital Budget from two accounts into a third different account to replace equipment in the Recovered Materials Processing Facility (RMPF). Additionally, staff is further recommending a change order for operational funds to further fund processing fees at the RMPF. The RMPF is nearly thirty years old, and continues to present operational challenges due to its age.

BUDGET INFORMATION:

FUNDING SOURCE:

CAPITAL:	$100,000 (c0875)
	$225,000 (c0876)
OPERATIONAL:	$270,000
FUND:	Landfill Enterprise Fund

COMMISSION ACTION REQUESTED ON: April 2, 2024

PURPOSE:

To request that the Mayor and Commission:

a. Approve FY24 Landfill Enterprise Fund Capital Budget transfer of $100,000 from RMPF: Paving project code c0875 and $225,000 from RMPF: Covered Bale Storage project code c0876 to Belt Replacements for RMPF project code c0797 as a Budget Amendment outlined in Attachment #1;
b. Approve FY24 Change Order for an amount not to exceed $270,000 into Purchase Order 24100994 to further pay invoices to RDS-Virginia for processing recyclables;
c. Adopt the associated budget ordinance (**Attachment #1**); and
d. Authorize the Mayor and appropriate staff to execute all related documents.

HISTORY:

1. In November 1995, the Recovered Material Processing Facility (RMPF) was constructed

to divert recyclable waste from the landfill, package the material, and shipped to a facility for processing.

2. In December 2011, the RMPF was converted into a single-stream processing facility to increase efficiency and increase amount of material packaged for shipping.

3. On November 2015, the Center for Hard to Recycle Materials (CHaRM) was opened which allowed for the collection of hard to recycle materials. The CHaRM provides a space for the Teacher Reuse Store, yard equipment rentals, and a place for residents to repair household items.

4. On August 6, 2019, M&C approved the SPLOST 2020 project and budget and adopted a resolution calling for a referendum on November 5, 2019.

5. On November 5, 2019, Athens-Clarke County (ACC) voters approved the SPLOST 2020 Program Referendum. This Referendum included the Recovered Material Processing Facility (SPLOST 2020 Project 06).

6. On May 3, 2021, ACCGov Solid Waste Department released RFP 01023 for Operation and Maintenance services for the existing ACC RMPF facility.

7. On August 26, 2021, RDS-Virginia was awarded the contract for RFP 01023 to provide operational and management services of the current RMPF. As outlined in the original RFP, RDS will competitively purchase some portion of the required processing equipment for the new RMPF on behalf of ACCGov. By contract amendment, that equipment will be returned to ACCGov at the close of the contract term, with operator's incurred costs recouped by higher processing fees or revenue share terms.

8. On June 6, 2023, the M&C adopted the FY24 Capital Budget, which included $100,000 for paving the RMPF parking lot and $225,000 to build covered bale storage at the RMPF. Additionally, the Solid Waste budget was approved with $200,000 in Professional Services for RMPF Processing fees of operational funds.

9. On July 3, 2024, staff transferred $50,000 from Landfill Disposal into Professional Services to help pay for processing recyclables at an off-site processor for a total of $250,000 in the Professional Services account.

10. In November 6, 2023, staff transferred $75,350 from the Waste Minimization Fee to the RMPF Professional Services account to pay for processing fees. This account has been depleted as of January 2024.

11. In January 16, 2024, staff transferred, $90,000 from landfill accounts into the RMPF Professional Services account to pay processing fees to RDS-Virginia. This brings the total

transfer to date to $215,350 for a total of $415,350 in funds to pay processing fees in FY24.

FACTS & ISSUES:

1. The existing ACCGov Recovered Materials Processing Facility (RMPF), located at 699 Hancock Industrial Way, is owned by ACCGov but operated in partnership with a procured private contractor, RDS-Virginia. RDS-Virginia is responsible for operation of the facility, maintaining equipment, processing recyclable materials, and marketing the saleable commodities. Maintenance and replacement costs are shared by both parties. ACCGov is responsible for maintenance costs above $3,000 per item or related items, and RDS-Virginia is responsible for costs below that threshold. The contract duration is five years with the renewable option for up to three five-year terms. At the end of the contract terms ACCGov has the option to rebid the contract.

2. The existing RMPF is 28 years old (History #1). It is approximately 22,000 square feet on just over five acres. The facility currently processes approximately 19,000 tons per year of recyclables - residential and commercial single stream, pre-sorted cardboard, and pre-sorted shredded paper. The current facility was constructed to process paper (specifically, increased newsprint, mixed paper and cardboard), bottles, and cans.

3. ACCGov relies on the facility to stay in operation and process saleable material to offset the operational cost of the operator. This current facility has a monthly operating cost ranging from $12,000 to $30,000 since FY2021. The downtime at the facility requires recycled material to be diverted to another processing facility or be sent to the ACCGov Landfill; both of which increases the operating costs, reduces ACCGov Landfill capacity, and contributes to greenhouse gas emissions.

4. The SPLOST 2020 Project 26, will provide funding for a new RMPF. The new RMPF facility is expected process 12-15 tph (tons per hour) of recycled material which is approximately 40-50% more than the current facility. Additionally, the new facility will incorporate robot-picking equipment that provides a cleaner end product with greater efficiency. As the market for recyclable material increases and the facility produces a stable supply of saleable material, this will offset a portion of the monthly operations cost and could be a potential revenue stream for ACCGov Solid Waste.

5. When SPLOST 2020 Project 26 is approved, the following is the proposed implementation schedule for the key milestones:
    i. Schematic Design for M&C consideration – Spring 2024
    ii. Construction & Bid Documents Completed – Winter 2024
    iii. Construction Services presented for M&C consideration – Winter 2024
    iv. Construction Completion – Winter 2025

6. Unfortunately, due to the age of the current RMPF the equipment often breaks down and causes extended downtime, which leads to more landfilling of recyclables and/or transportation of recyclables to a separate processor at a significant cost.

7. During FY24 budget preparations, staff budgeted $100,000 for paving and another $225,000 to construct an area for covered bale storage at the current RMPF. This was prior to some major RMPF breakdowns. Staff does not need to add anything new to the current RMPF. The more critical needs are to replace old equipment to keep the facility operational.

8. Staff is recommending the transfer of capital funds from paving and covered bale storage in the amount of $325,000 to Belt Replacement for RMPF allowing for the replacement of broken equipment, and a change order in operational funds not to exceed $270,000 to pay processing invoices. **Attachment #1: Budget Amendment**

9. This recommendation supports the following ACCGov Strategic Plan Goal & Strategy:

    a. Built and Natural Infrastructure, Goal 6: Strategy D – *Provide the community with a processing facility that diverts waste from the landfill, sorts the diverted material, packages the recyclable material for future reuse, and reduces the creation of hazardous emissions.*

OPTIONS:

1. Mayor and Commission:

    a. Approve FY24 Landfill Enterprise Fund Capital Budget transfer of $100,000 from RMPF: Paving project code c0875 and $225,000 from RMPF: Covered Bale Storage project code c0876 to Belt Replacements for RMPF project code c0797;

    b. Approve FY24 Change Order for an amount not to exceed $270,000 into Purchase Order 24100994 to further pay invoices to RDS-Virginia for processing recyclables;

    c. Adopt the associated budget ordinance (**Attachment #1**); and

    d. Authorize the Mayor and appropriate staff to execute all related documents.

2. Mayor and Commission deny the request for the budget transfer and change order.

3. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option #1 a, b & c

DEPARTMENT: Solid Waste



Suki Janssen, Solid Waste Director — Date: 2/28/24

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1 a,b & c



Manager — Date: March 14, 2024

ATTACHMENTS:

Attachment#1: Budget Amendment

Attachment #1

AN ORDINANCE TO AMEND THE FY2024 ANNUAL OPERATING AND CAPITAL BUDGET FOR ATHENS-CLARKE COUNTY, GEORGIA SO AS TO PROVIDE GRANT FUNDING FROM THE PROSECUTING ATTORNEYS' COUNCIL OF GEORGIA FOR ONE FULLTIME POSITION AND ASSOCIATED EXPENSES TO SUPPORT ASSISTANCE TO CRIME VICTIMS; AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. The Commission of Athens-Clarke County, Georgia desires to amend the Grants Special Revenue Fund to provide grant funding from the Prosecuting Attorneys' Council of Georgia for one fulltime position and associated expenses to support domestic violence cases. Said Operating and Capital budget is hereby amended as follows:

Grants Special Revenue Fund:

REVENUES:
Increase:
Victims of Crime Act Grant (PAC) $60,911

EXPENDITURES:
Increase:
Solicitor Personal Services $60,911

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: Victims of Crime Act Grant – Solicitor General's Office Application for 2024

DATE: February 19, 2024

EXECUTIVE SUMMARY:

The Solicitor's Office is recommending acceptance of a grant of $60,911 that will fund one Victim Notification Clerk (and their supplies). The position will notify all victims of crime, in addition to answering questions, explaining victims' rights and making referrals for social services, and has been funded since 2016.

BUDGET INFORMATION:

REVENUES: $60,911 (Actual)

EXPENSES:

ANNUAL:	$60,911	Grant
CAPITAL:	$0	20% Local In-Kind Match - Waived
TOTAL:	$60,911	

FUNDING SOURCE: Prosecuting Attorneys' Council of Georgia, $60,911
Local In-Kind Match - $0 – Waived this year, usually met by volunteer hours.

COMMISSION ACTION REQUESTED ON: April 2, 2024

PURPOSE:

To request that the Mayor and Commission:

a. Approve the Solicitor General's application for and, if awarded, acceptance of a Prosecuting Attorneys' Council (PAC) of Georgia Grant in the amount of $60,911 to be used to fund one victim advocate position and necessary supplies for the assistance of crime victims in calendar year (CY) 2024;

b. Approve the continued funding of one full-time grant funded position for the Solicitor General's Office for CY24;

c. Adopt a budget amendment (**Attachment #1**) to the FY25 Solicitor General's Office budget; and

d. Authorize the Mayor and appropriate staff to execute all related documents.

HISTORY:

1. Since its inception in 1986, the Victims of Crime Act (VOCA) Victims' Assistance Grant program supports direct services to crime victims (i.e. persons who have suffered physical, sexual, financial, or emotional harm as a result of the commission of a crime). The federal office for Victims of Crime (OVC) makes annual formula grants, which in turn are sub-granted to local organizations, for states to ensure that crime victims' rights are upheld and that they play a meaningful role in the criminal justice process.

2. Since 2015, ACCGov has applied through the Prosecuting Attorneys' Council of Georgia (PAC), and has been awarded Victims of Crime Act (VOCA) funds on behalf of the Solicitor-General's Office. The funds support one full-time Victim Notification Clerk devoted to notifying all victims of crime. This position had been grant funded since the beginning in 2016 (ACCGov was awarded funds in 2015 but didn't hire until 2016). The Clerk also answers questions, explains victims' rights and makes referrals for social services. In addition, the Clerk will provide accompaniment to court hearings if needed or requested.

3. The last VOCA competitive cycle was in 2013. After the first competitive cycle CJCC asked PAC to apply on behalf of all the prosecutors/VWAP offices and administer these funds. PAC then reached out to all prosecutors/VWAP offices to determine what funds were needed. It was in the 2015 renewal application by PAC that ACCGov officially asked for funds. The base level received by ACCGov has been the same until last year (CY2023).

4. In CY2023, the award was decreased from $62,000 (match - $15,501) to $60,911 (match also decreased to $12,182 but is still waived). This was a decrease of $1,089.

5. Since 2015, some competitive supplemental funding has been available in the years, and ACCGov has occasionally applied for an increase to the base amount. This includes supplemental awards for COVID issues, technology, and training.

6. The last time a request went before the M&C to ask permission to accept a continuance award was in 2023.

FACTS & ISSUES:

1. The Victims of Crime Act Guidelines, as outlined in 1997, include responding to the emotional and physical needs of crime victims, assisting primary and secondary victims of crime to stabilize their lives after victimization, assisting victims to understand and participate in the criminal justice system, and providing victims of crime with a measure of safety and security.

2. According to VOCA guidelines, eligible agencies must have a record of effective service provision for victims of crime. All prospective applicants are required to provide a 20% cash and/or in-kind match. Applicants may meet this match using volunteer labor. In fact, VOCA requires subgrantees to use volunteers. However, since 2021, the usually required match has been waived.

3. The VOCA grant program is administered in the State of Georgia by the Criminal Justice Coordinating Council (CJCC). The Criminal Justice Coordinating Council has authorized The Prosecuting Attorneys' Council of Georgia to apply for a grant on behalf of District Attorneys' and Solicitor-General's offices to supplement victim assistance funds and address VOCA goals and guidelines in the state.

4. The Solicitor General's Office of ACCGov proposes to use VOCA grant funds to continue funding a Victim Notification Clerk position to assist the office in satisfying its statutory obligations and to increase outreach and notification to victims earlier in the criminal justice process, while meeting VOCA service guidelines.

5. The responsibilities of the Victim Witness Program in the Solicitor General's Office require advocates to assist victims of all crimes prosecuted by the Office, which include property offenses, thefts, and DUI and traffic accidents, in addition to victims in assault, domestic and dating violence, sexual assault, and stalking cases. State law requires that each victim must be notified of their rights according to the Crime Victim Bill of Rights.

6. According to the Solicitor General's Office case management system, Tracker, in 2023 Victim Advocates in the Solicitor-General's Office provided 23,742 documented services to new and continuing victims of crime. These documented services include phone calls, letters or notification, restitution assistance, assistance with Victim Impact Statements, referrals for social services, follow-up calls, court progress updates, and court accompaniment. Due to high case volume, it is unlikely that each service provided is documented in the case management system, especially those that occur outside the office.

7. While the advocates in the Solicitor-General's Office are able to fulfill the minimum statutory requirements of the Crime Victims' Bill of Rights, the Solicitor Generals Office experience shows that an increase and expansion of services can benefit victims' overall safety and experience with the criminal justice system. With additional staff, advocates can devote more time to victims' safety concerns and assist with victim and witness preparation. Additional staff will improve the efficiency of victim notification, even informing victims earlier in the process.

8. This grant usually requires a 20% match ($12,182), 25% of which MUST be met using volunteer hours. Volunteer hours are calculated at $15.00 per hour. The Solicitor's General's Office typically proposes to meet 100% of the match using volunteer hours or 812.13 hours for a total of $12,182. While the match is not required for 2024 (like 2021, 2022, & 2023) the solicitor's office will still use volunteers when space allows.

9. Subject to annual federal appropriations and allocations by the Criminal Justice Coordinating Council, this grant may be renewed. The first allocation allows this application to be continued for additional years. The Victims of Crime Act Grant runs on the Federal Fiscal Year, October 1 to September 30.

10. These recommendations support the following ACCGov Strategic Plan Goal & Strategy:

- Good Neighbors Goal, Strategy A: *Work to create and implement systems to identify, acknowledge, and address racism, trauma, harm, and violence in our community*

OPTIONS:

1. Mayor and Commission:

   a. Approve the Solicitor General's application for and, if awarded, acceptance of a Prosecuting Attorneys' Council of Georgia Grant in the amount of $60,911 to be used to fund one victim advocate position and necessary supplies for the assistance of crime victims in calendar year (CY) 2024;

   b. Approve the continuation of one full-time grant funded position for the Solicitor General's Office for CY24;

   c. Adopt a budget amendment (**Attachment #1**) to the FY25 Solicitor General's Office budget; and

   d. Authorize the Mayor and appropriate staff to execute all related documents.

2. Mayor and Commission deny acceptance of the Solicitor General's application of the VOCA grant in the amount of $60,911 from the Prosecuting Attorney's Council.
3. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option #1 – a, b, c, and d

DEPARTMENT:
Prepared by: Elizabeth Yates

Elizabeth Yates — 2/19/2024
Elizabeth Yates — Date:

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1 a, b, c, & d

March 14, 2024
Manager — Date:

ATTACHMENTS:

Attachment #1: Budget Ordinance

AN ORDINANCE TO AMEND THE FY2024 OPERATING AND CAPITAL BUDGET FOR ATHENS-CLARKE COUNTY, GEORGIA SO AS TO PROVIDE GRANT FUNDING FROM THE GEORGIA TRANSIT TRUST FUND THROUGH THE GEORGIA DEPARTMENT OF TRANSPORTATION FOR TRANSIT PROJECTS; AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. The Commission of Athens-Clarke County, Georgia desires to amend the Grants Special Revenue Fund to provide grant funding from the Georgia Transit Trust Fund through the Georgia Department of Transportation for Transit projects; and for other purposes

Said Operating & Capital budget is hereby amended as follows:

Grants Special Revenue Fund:

REVENUES:	
Increase:	
Georgia Department of Transportation	
Transit Trust Fund Program	$172,844
EXPENDITURES:	
Increase:	
Transit:	
Georgia Transit Trust Fund Projects	$172,844

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: Approve ACC Transit to receive grant award from the GDOT Transit Trust Fund Program

DATE: February 26, 2024

EXECUTIVE SUMMARY:

Staff is recommending the approval of a Memorandum of Understanding with the Georgia Department of Transportation, approval of a grant application, and the adoption of a budget ordinance associated with the Transit Trust Fund Program (TTFP). The TTFP is administered by GDOT and uses a population-based formula, based on 2020 Census data, to distribute state funding to Georgia's counties with existing transit service to further support public transportation across the state. TTFP funding is distributed to the agencies that provide public transportation for these counties. The SFY 2024 TTFP award to ACCGov includes funds to assist ACCGov Transit in the development and implementation of Public Transportation Agency Safety Plan goals and objectives.

BUDGET INFORMATION:

REVENUES: $172,844

EXPENSES:
- ANNUAL:
- CAPITAL:
- OTHER: $172,844 – Safety Management System Development

FUNDING SOURCE: SFY 2024 Georgia Transit Trust Fund Program

COMMISSION ACTION REQUESTED ON: April 2, 2024

PURPOSE:

To request that the Mayor and Commission (M&C):

a. Approve the Memorandum of Agreement (MOA) between GDOT and ACCGov Transit Department (ACCTD) for the FY24 GDOT-TTFP funding **(Attachment #1)**;
b. Approve the submission of an application by ACCTD for the FY24 GDOT-TTFP funding;
c. Accept the grant funds, if awarded;
d. Adopt a budget amendment ordinance **(Attachment #2)** for the GDOT pre-approved amount of $172,844; and
e. Authorize the Mayor and appropriate staff to execute all contracts and related documents.

HISTORY:

1. Since 1977, the FTA Urbanized Area Formula Program (Title 49 U.S.C. Section 5307) has provided annual operating and capital funding assistance to qualifying transit systems, including ACCGov Transit (ACCTD).

2. In fiscal year 2023, GDOT launched a new transit funding program, the TTFP, to provide additive funding to public transportation systems in Georgia. GDOT had determined a pre-approved allocation amount for eligible transit systems in Georgia.

3. In April 2023, GDOT notified ACCTD of a pre-approved award in the amount of $113,146. ACCTD submitted proposals to GDOT for the awarded amount.

4. In May 2023, GDOT informed ACCTD for a total pre-approved allocation of $594,367 from the GDOT-TTFP. GDOT requested that ACCTD submit new proposals for a total TTFP allocation of $594,367. ACCTD submitted the revised proposals on the same day that it was requested.

5. On May 12, 2023, GDOT finalized the MOA and sent it to ACCTD for authorization. GDOT's deadline for approval of the MOA is before June 1, 2023.

6. On October 23, 2023, GDOT notified ACCTD of SFY2024 funds allocated to the agency available in the amount of $172,844.

7. October 23, 2023, ACCTD staff submitted a proposal for development and implementation of PTASP required Safety Management System to meet PTASP goals and objectives.

8. On December 29, 2023, GDOT notified ACCTD the SFY 2024 TTFP application was approved.

FACTS & ISSUES:

1. GDOT TTFP funds are 100% Georgia state government revenue requiring no local matching dollars.

2. GDOT TTFP funds must be applied to an expense not already covered under previous FTA or GDOT grant application(s).

3. The GDOT Public Transportation Agency Safety Plan (adopted February 6, 2024) has additional safety management system (SMS) and employee training mandates which must be met by ACCTD for compliance with FTA CFR 49 Part 673.

4. Approval and Acceptance of SFY 2024 TTFP funds will assist Transit in meeting ACCGov Mayor and Commission Strategic Goal Area 5: "Safely Move Around Athens", Strategy E "Enhance safety for all modes of transportation"

OPTIONS:

1. Mayor & Commission:
    a. Approve the Memorandum of Agreement (MOA) between GDOT and ACCGov Transit Department (ACCTD) for the FY23 GDOT-TTFP funding **(Attachment #1)**;
    b. Approve the submission of an application by ACCTD for the FY23 GDOT-TTFP funding;
    c. Accept the grant funds if awarded;
    d. Adopt a budget amendment ordinance **(Attachment #2)** for the GDOT pre-approved amount of $594,367.00; and
    e. Authorize the Mayor and appropriate staff to execute all contracts and related documents.

2. Mayor & Commission do not approve the MOA between GDOT and ACCTD for the GDOT-TTFP funding.

3. Mayor & Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option # 1 a, b, c, d, & e

DEPARTMENT: Transit
Prepared by: Victor Pope



Victor Pope — February 26, 2024
Date:

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option # 1 a, b, c, d, & e



Manager — March 14, 2024
Date:

ATTACHMENTS:

Attachment #1: SFY 2024 GDOT Transit Trust Fund Agreement
Attachment #2: Special Revenue Fund FY 2024 Budget Amendment

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AGREEMENT BY AND BETWEEN
UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
AND
GEORGIA DEPARTMENT OF TRANSPORTATION
FOR
TRANSIT TRUST FUND PROGRAM ALLOCATION

THIS AGREEMENT FOR ALLOCATION OF FUNDS UNDER THE TRANSIT TRUST FUND PROGRAM ("Agreement"), effective as of _____ (the "Effective Date") is made by and between the UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY ("TRANSIT AGENCY"), and the Georgia Department of Transportation ("GDOT"), a public agency of the State of Georgia. TRANSIT AGENCY and GDOT may collectively be referred to as the "Parties" and individually as the "Party."

WHEREAS, during the 2020 legislative session, the Georgia General Assembly passed HB 105 (codified as O.C.G.A. § 48-13-140) establishing fees on for-hire ground transport service, intended to fund transit projects within the State of Georgia ("State"); and

WHEREAS, during the 2021 legislative session, the Georgia General Assembly passed HB 511 (codified as O.C.G.A. § 48-13-141) establishing a Georgia Transit Trust Fund ("TTF") as a separate fund in the State Treasury, with annual appropriations of for-hire ground transportation fees; and

WHEREAS, the GDOT Commissioner shall be the trustee of the Georgia Transit Trust Fund; and

WHEREAS, the funds allocated by GDOT to the TTFP shall be distributed to counties with transit service using a formula, excluding counties covered by the Atlanta-Region Transit Link Authority ("The ATL"), as reflected in the TTFP SFY2024 Annual County Allocations posted to the GDOT website, on the Division of Intermodal Transit Program page: https://www.dot.ga.gov/GDOT/Pages/TTFP.aspx; and

WHEREAS, TRANSIT AGENCY submitted the TTFP Application for the Fiscal Year 2024, which was accepted by GDOT; and

WHEREAS, GDOT has agreed to transfer the amount of ONE HUNDRED SEVENTY- TWO THOUSAND EIGHT HUNDRED FORTY-FOUR and 00/100 Dollars, $172,844.00 ("Transit Project(s) Amount") to the TRANSIT AGENCY in a certain manner; and

WHEREAS, TRANSIT AGENCY represents that it will expend the monies described herein for the purposes of funding transit projects as further described in the TTFP Application ("Transit Project(s)"), and pursuant to the terms and conditions set forth herein.

NOW THEREFORE, for and in consideration of the covenants and agreements contained herein and other valuable consideration, the receipt and adequacy of which are hereby acknowledged by both Parties, the Parties agree as follows:

1. **TERM.** This Agreement shall begin on the Effective Date and shall continue for 24 months, or until the TRANSIT AGENCY has expended or contractually obligated the entire Transit Project(s) Amount, or until the TRANSIT AGENCY has completed the Transit Project(s), whichever occurs first. (the "Term").

2. **ACCEPTANCE.** GDOT hereby makes and TRANSIT AGENCY hereby accepts the payment of $172,844.00 for the funding of Transit Project(s) described on the TTFP Application, attached hereto as Exhibit A and incorporated herein by reference, which funding will be additive and not supplant existing funds.

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TRANSIT AGENCY agrees that the Transit Project(s) Amount will not be used for expenses already incurred or paid before the Effective Date unless such expenses are expressly authorized in advance and in writing by GDOT.

3. **DEADLINES.** TRANSIT AGENCY must expend or contractually obligate the Transit Project(s) Amount no later than the end of the Term.

4. **TIME IS OF THE ESSENCE.** Time is of the essence for this Agreement.

5. **ACCOUNTABILITY.**

5.1. Accounting. TRANSIT AGENCY will account for the Transit Project(s) Amount in accordance with generally accepted governmental accounting principles. TRANSIT AGENCY will also account for the Transit Project(s) Amount by keeping track of the application of the Transit Project(s) Amount to the Transit Project(s) to account for the receipt and expenditures in accordance with generally accepted accounting principles.

5.2. Audit. TRANSIT AGENCY will cooperate with an audit request by GDOT either by the State Auditor or other officers of the State with power to conduct or request such audit. In its agreements with its recipients for the expenditure of the Transit Project(s) Amount, TRANSIT AGENCY will require such parties to allow and cooperate with such audits.

In Process

5.3. Records Retention. TRANSIT AGENCY will maintain the records described in Section 5.1 and all other documents produced as a result of this Agreement in accordance with the Records Retention policy set forth by the State.

5.4. Written Agreements. Any expenditure or obligation of the Transit Project(s) Amount by TRANSIT AGENCY to a third party must be pursuant to a written agreement.

6. **PAYMENT.** GDOT shall make full payment to TRANSIT AGENCY of the Transit Project(s) Amount within thirty (30) days of receipt of an invoice from TRANSIT AGENCY. The invoice template is attached hereto as Exhibit B. The Transit Project(s) Amount cannot be used for anything other than funding the Transit Project(s) identified in the TTFP Application. To the extent any portion of the Transit Project(s) Amount is used for anything other than the Transit Project(s) identified in the TTFP Application, TRANSIT AGENCY will immediately reimburse such funds to GDOT. The Statement of Project Expenditure ("SOPE") form, attached hereto as Exhibit C, shall be completed and submitted by the TRANSIT AGENCY at GDOT's request and shall be completed and submitted by the TRANSIT AGENCY upon completion of the Transit Project(s) and used to detail Transit Project(s) Amount expenditures and remaining balance (if any). At the end of the Term, if TRANSIT AGENCY has not obligated all of the Transit Project(s) Amount(s), all unexpended funds must be returned to GDOT immediately. GDOT will provide TRANSIT AGENCY written notification to indicate approval of Transit Project(s) closeout and instructions on the return of unused funds, if applicable.

7. **CONFLICTS OF INTEREST.** TRANSIT AGENCY hereby attests that all of the officials of the TRANSIT AGENCY have certified and that its recipients will certify that they have not violated any applicable conflict of interest law under either state law (O.C.G.A. §§ 45-10-20 through 45-10-28) or any local ordinance, charter, rule or regulation and that they shall comply with the same throughout the Term of this Agreement.

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8. **ENFORCEABLE AND LEGALLY BINDING ACTIONS.** By entering into this Agreement, TRANSIT AGENCY warrants and represents that it has complied with all laws applicable to its participation in the Agreement and makes the Agreement binding.

9. **PARTIES BOUND.** This Agreement will bind the respective heirs, executors, administrators, legal representatives, successors, and assigns of each Party.

10. **ASSIGNMENT.** TRANSIT AGENCY may not assign all or part of this Agreement to a third party without the prior written permission of GDOT, which may be granted or refused at the sole discretion of GDOT. Any assignment made in violation of this paragraph is hereby declared null and void.

11. **NOTICE.** Any notices, requests, demands, or other communications that may be required hereunder, shall be in writing and transmitted via hand delivery, overnight courier, or certified mail to the Parties at the respective addresses set forth below. Notices may also be sent by email provided that the recipient acknowledges receipt. Notices will be deemed to have been given when received unless otherwise noted in the Agreement.

UNIFIED GOVERNMENT
ATHENS-CLARKE COUNTY
Attn: Kelly Girtz
Title: Mayor, Unified Government of Athens-Clarke County
Phone: 762-400-6009
Email: Kelly.Girtz@accgov.com

Georgia Department of Transportation

Attn: Leigh Ann Trainer
Title: Assistant Division Director
One Georgia Center, 600 W Peachtree NW
Atlanta, GA 30308
Phone: (404) 347-0597
Email: ltrainer@dot.ga.gov

In Process

12. **WAIVER AND SEVERABILITY.** The waiver by either Party of any breach of any provision in this Agreement shall not be deemed to be a waiver of such provision of any subsequent breach of the same or any other provision in this Agreement. Any such waiver must be in writing to be effective, and no such waiver shall establish a course of performance between the Parties contradictory to the terms hereof. All provisions of this Agreement are severable, and the unenforceability or invalidity of any of the provisions will not affect the validity or enforceability of the remaining provisions. The remaining provisions will be construed so as to carry out the full intention of the Parties.

13. **RECITALS.** The recitals set forth in the beginning of this Agreement are true and correct and are hereby incorporated into this Agreement.

14. **SURVIVABILITY.** If any provision of this Agreement, or any portion thereof, should be ruled void, invalid, or unenforceable by any court of competent jurisdiction, then the remaining portion of such provision and all other provisions of this Agreement shall survive and be applied, and any invalid or unenforceable portion shall be construed or reformed to preserve as much of the original words, terms, purpose, and intent as shall be permitted by law.

15. **GOVERNING LAW.** This Agreement shall be governed by Georgia law, without regard to its conflict of law provisions. Venue shall be exclusively in the Superior Court of Fulton County, Georgia, and the Parties consent

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to venue and jurisdiction in such court to the fullest extent permitted by law for any and all claims related to this Agreement.

16. **AUTHORITY/SIGNATURE.** The individual signing this Agreement on behalf of each Party represents and warrants that (s)he has the actual authority to sign this Agreement on behalf of such Party and to bind such Party to the terms and conditions of this Agreement.

17. **NO THIRD-PARTY BENEFICIARY.** Nothing herein shall be construed as conferring upon any person or entity, other than the Parties hereto, any rights or benefits under or by reason of this Agreement.

18. **COUNTERPARTS.** This Agreement may be executed in counterparts which, when taken together, will constitute one agreement. Copies of this Agreement will be equally binding as originals and faxed or scanned and emailed counterpart signatures will be sufficient to evidence execution.

19. **INTERPRETATION.** Words importing the singular number shall include the plural number and vice versa unless the context shall otherwise require. Unless the context shall otherwise require, references to any Person or Party shall be deemed to include such Person's or Party's successors and permitted assigns. The headings or titles of this Agreement, its sections and exhibits are for convenience of reference only and shall not define or limit its provisions. Unless the context shall otherwise require, all references to any resolution, contract, agreement, lease, or other documents shall be deemed to include any amendments or supplements to, or modifications or restatements or replacements of, such documents that are approved from time to time in accordance with the terms hereof.

In Process

20. **COMPLETE AGREEMENT.** This Agreement constitutes the entire understanding between the Parties with respect to the subject matter; all prior agreements, representations, statements, negotiations, and undertakings are superseded hereby.

21. **EXHIBITS.** The following Exhibits are incorporated by reference into and made a part of this Agreement:

EXHIBIT A – TRANSIT AGENCY TTFP APPLICATION
EXHIBIT B – TTFP INVOICE TEMPLATE
EXHIBIT C – TTFP STATEMENT OF PROJECT EXPENDITURES FORM

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IN WITNESS WHEREOF, the Parties have signed, sealed and delivered this Agreement as of the Effective Date.

UNIFIED GOVERNMENT OF
ATHENS-CLARKE COUNTY

By: _____
SIGNATURE AND SEAL

Name: Kelly Girtz

Title: Mayor, Unified Government of Athens-Clarke County

Georgia Department of Transportation

By: _____
Title: Commissioner

Attest: _____
Title: Treasurer

SUBSCRIBED AND SWORN
BEFORE ME ON THIS THE

_____
_ Notary Public Signature and Seal
Date: _____

In Process

Name: _____

My Commission Expires: _____

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Safety GEORGIA DEPARTMENT OF TRANSPORTATION ("GDOT")
TRANSIT TRUST FUND PROGRAM
FISCAL YEAR 2024 APPLICATION

TRANSIT AGENCY AFFIDAVIT AND CERTIFICATION

I, _Victor Pope_____(Name), the Interim Transit Director_____(Title),

on behalf of _Unified Government of Athens-Clarke County DBA Athens Transit_(Transit Agency), who being duly sworn do swear that the information given herein is true to the best of his/her knowledge and belief. The Transit Agency swears and certifies that it has read and understands the Transit Trust Fund Program ("TTFP) General Guidelines and that it has complied with and will comply with the same.

The Transit Agency further swears and certifies that it has read and understands the provisions set forth in 2 CFR 200; Federal Transit Administration (FTA) Circular 5010.1E, Award Management; 9030.1E, Urbanized Area Formula Program; 9040.1G, Formula Grants for Rural Areas; 4220.1F, Third Party Contracting Guidance; the FTA Master Agreement; applicable portions of Federal Acquisition Regulations (FAR), including subpart 31.6; and Official Code of Georgia (O.C.G.A) §§ 32-9-1 through 32-9-3, 32-9-5, 32-9-9 through 32-9-11, 40-2-151.1, and 48-13-140 through 48-13-144.

Eligibility for TTFP funding mirrors FTA requirements. As required by federal financial management principles and outlined in the GDOT Transit Program Financial Management Oversight Manual, maintaining effective control and accountability for all TTFP and federal funds, property, and other assets is required. Each recipient of FTA funds is required to sign and comply with the annual FTA Certifications and Assurances. All TTFP recipients are issued a contract or Memorandum of Agreement (MOA) that includes specific reporting and compliance requirements.

Further, the Transit Agency shall be responsible for any claim, damage, loss, or expense that is attributable to negligent acts, errors, or omissions related to the designs, drawings, specifications, work, and other services furnished by or on behalf of the Transit Agency according to this Application ("Loss"). To the extent provided by law, the Transit Agency further agrees to hold harmless and indemnify GDOT and the State of Georgia from all suits or claims that may arise from said Loss.

If the Transit Agency fails to comply with the TTFP General Guidelines or fails to comply with its Application and Certification, or fails to cooperate with the auditor(s), or fails to maintain and retain sufficient records, then GDOT may, at its discretion, prohibit the Transit Agency from participating in the TTFP in the future and may pursue any available legal remedy to obtain reimbursement of the TTFP funds. Furthermore, if in the estimation of GDOT, a transit project shows evidence of failure to participate in the specified tasks, equipment and materials described in the project summary included with its Application, then GDOT may pursue any available legal remedy to obtain reimbursement of the allocated TTFP funds or prohibit Transit Agency from participating in the TTFP until corrections are made to address the deficiencies or reimbursement is made. All projects identified on the project list included with Transit Agency's Application, shall be completed in accordance with all relevant Federal, State and local laws.

Transit Agency: _____47452_____
E-Verify Number

_ _____ (Signature)

___Victor Pope_____ (Print)
Transit Director

12/28/2023
_____ (Date)

TRANSIT AGENCY SEAL:

Sworn to and subscribed before me,

This _____ day of_____, 20____.
In the presence of:

NOTARY PUBLIC
_____
My Commission Expires:

NOTARY PUBLIC SEAL:

DocuSigned by:

2ABB3152D82B421...

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GEORGIA DEPARTMENT OF TRANSPORTATION
TRANSIT TRUST FUND PROGRAM
FISCAL YEAR 2024 APPLICATION

PROPOSED TRANSIT PROJECT DESCRIPTION

Legal Name of Applicant Organization		Unified Government of Athens-Clarke County Transit Department
Physical Address		775 East Broad Street
Mailing Address		775 East Broad Street, Athens, GA 30601
Organization Type		☒ County Government ☒ City Government ☐ Regional Commission ☐ Non-Profit Organization ☐ Other (Specify)_____
Authorized Submitter **(This should also be the person to whom questions about this application are to be directed)**	**Name**	Victor Pope
	Title	Interim Transit Director
	Phone #	762-400-6893
	Email	Victor.Pope@accgov.com
E-Verify #		47452
Authorized Official who will Execute the Contract	**Name**	Kelly Girtz
	Title	Mayor, Unified Government of Athens-Clarke County, GA
	Phone #	762-400-6009
	Email	Kelly.girtz@accgov.com
Designated Staff Person who will Affix the Government's Seal	**Name**	Jean Spratlin
	Title	Clerk of Commission, Unified Government of Athens-Clarke County
	Phone #	762-400-6507
	Email	Jean.Spratlin@accgov.com
Designated Notary who will Notarize the Executing and Attesting Officials' Signatures	**Name**	Shemika Armstrong
	Title	Assistant Clerk of Commission
	Phone #	762-400-6506
	Email	Shemika.armstrong@accgov.com

Process

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Type of proposed TTFP project:	☒ **Operating** ☐ **Capital**
Project Description: • **Describe the proposed TTFP eligible transit project(s).** • **Indicate how the project complies with FTA requirements.** • **Limit project description to two (2) pages.**	Athens Transit request TTFP SFY 2024 Funds to assist with the development of Transit Agency Safety and Training programs. Athens Transit wishes to examine the needs of each job position, and determine factors which impact Athens Transit's ability to provide safe and effective Transit service. Athens Transit desires to develop a safety and training program tailored to the needs of our Transit Vehicle Mechanics, Transit Vehicle Operators, Transit Route Supervisors, Transit Shop Foreman, Transit Dispatch, Transit Maintenance Administrator, Transit Operations Administrator, and Assitant Transit Director for threats/risks faced in the Athens region. Athens intends to issue an RFP for a consultant to review, and evaluate the safety and training needs for the Athens Transit program. The Safety/security assessment will identify areas where potential safety/security liabilities exist, and in return develop a comprehensive Safety Program to address both routine operational needs, and emerging shortcomings. The Safety Program will provide frontline workers with the necessary job training to successfully identify, and mitigate both active threats to Transit system and employee safety, and security, as well as emerging threats. The Training program will provide employees with the skills necessary to operate, and/or perform maintenance on equipment/vehicles which utilize hazardous voltage/amperage, chemicals/gases, and due to sheer size require additional care. The Safety and Training program will outline the individual modules in sequence for each Transit job position to ensure appropriate Training is provided. Subsequently the Safety program shall reinforce initial training procedures; the overall effect will create a safety culture which ensures optimum efficiency in operation as well as being an excellent community partner.
Provide details certifying that TTFP funds will be additive and not supplant existing funds:	The proposed safety and training program is not part of any current grant.

PROPOSED PROJECT BUDGET

Provide a detailed project budget in the applicable columns/rows in the table below. TTFP funds must be additive and not supplant existing funds. Please double-click in the table to enter data in highlighted cells.

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Proposed Project Budget		Proposed Project Funds by Source			TOTAL
Item	Description	TTFP Funds	Local Funds	FTA Funds	Total Cost
1	Safety and Training Program D	$ 172,844.00			$ 172,844.00
2					$ -
3					$ -
4					$ -
5					$ -
6					$ -
7					$ -
8					$ -
9					$ -
10					$ -
Total Proposed Budget		$ 172,844.00	$ -	$ -	$ 172,844.00

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TTFP Invoice Template

Unified Government of Athens-Clarke County

Athens-Clarke County Transit Department

301 College Avenue, Athens, GA 30601

Phone: 762-400-6550
Email: Victor.Pope@accgov.com

REMIT TO:

Unified Government of
Athens-Clarke County
Transit Department
Victor.Pope@accgov.com

INVOICE TO:

GEORGIA DEPT OF TRANSPORTATION DIVISION OF INTERMODAL
600 WEST PEACHTREE STREET, N.W. ATLANTA,GA 30308-2214
GDOT_TTFP@dot.ga.gov

DATE	PROJECT NUMBER	PURCHASE ORDER NUMBER			INVOICE NUMBER

LINE	DESCRIPTION	QTY	UOM	UNIT PRICE	AMOUNT
1	FYXXXX TTFP Funds	1	EACH	$172,844.00	$172,844.00

In Process

TOTAL: $ $172,844.00

	:

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Georgia Department of Transportation

FY 2024

TRANSIT TRUST FUND PROGRAM

STATEMENT OF PROJECT EXPENDITURES

DATE:

COUNTY: Athens-Clarke County, GA

TRANSIT AGENCY NAME: Athens-Clarke County Transit Department

SUBMITTED BY: _____
Recipient's Authorized Official - Name and Title

1. TTFP ALLOCATION: $ _____
TTFP Funding Received from GDOT

2. TOTAL TTFP EXPENDITURES TO DATE: $ _____
Total TTFP Funds Spent on Project(s)

3. TOTAL PROJECT EXPENDITURES TO DATE: $ _____
Total TTFP Expenditures PLUS additional Local Expenditures

In Process

Attach financial documents to verify expenditures, including but not limited to invoices, purchase orders, receipts, contracts, general ledger, checks.

4. BALANCE OF TTFP FUNDS: $ _____
TTFP Allocation minus TTFP Expenditures (#1 minus #2)

FINAL REPORT (Yes or No): _____ *REQUEST PROJECT CLOSEOUT (Yes or No):* _____

By signing below, I hereby certify that the above expenditures are for the work completed on the attached TTFP Transit Project(s) for the FY___

Authorized Official Signature and Date: _____

For GDOT use only

PI Number: _____ Remaining Funds: _____

Effective Date of Agreement: _____

End Date of Agreement: _____

If Final Report, Project Closeout Approved? _____ Closeout Approval Date: _____

Attach additional information as necessary related to project review.

Reviewed and Approved By: _____ Date:_____
Transit Project Manager Name and Signature

ATTACHMENT #1

AN ORDINANCE TO AMEND THE FY2024 ANNUAL OPERATING AND CAPITAL BUDGET FOR ATHENS-CLARKE COUNTY, GEORGIA SO AS TO PROVIDE FUNDING FOR EXPENSES RELATED TO COSTS IN PROVIDING ANIMALS WITH MEDICAL CARE, INCLUDING MEDICAL SERVICES AND MEDICAL SUPPLIES, AND ANIMAL CARE MAINTENANCE IN THE ANIMAL SERVICES DEPARTMENT; AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. The Commission of Athens-Clarke County, Georgia desires to amend the General Fund Operating Budget to provide funding for expenses related to costs in providing animals with medical care, including medical services and medical supplies, and animal care maintenance in the Animal Services Department.

Said Operating and Capital budget is hereby amended as follows:

General Fund:

EXPENDITURES:

Decrease:

Other General Administration

General Fund Contingency up to $175,000

Increase:

Animal Services Department

Operating Expense up to $175,000

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: Animal Services Request for Contingency Funding

DATE: March 6, 2024

EXECUTIVE SUMMARY:
This is a request to add funds to the ACCGov Animal Services Department budget for the fiscal year 2023-2024 to maintain a level of care provided to ACCGov's animals.

BUDGET INFORMATION:

REVENUES:

EXPENSES:
ANNUAL:
CAPITAL:
OTHER: Up to $175,000 (Fiscal Year 2023-2024)

FUNDING SOURCE: General Fund Contingency

COMMISSION ACTION REQUESTED ON: March 18, 2024

PURPOSE:
To request that the Mayor and Commission (M&C) adopt a budget ordinance **(Attachment #1)** amending the FY24 Operating Budget to provide General Fund Contingency in the amount up to $175,000 for expenses related to costs in providing animals with medical care including medical services, animal care maintenance and medical supplies.

HISTORY:

1. On September 1, 2019, volunteers, rescue group partners, and community members attended a Mayor and Commission voting meeting to highlight some of the many issues the Animal Control Division of the Central Services Department was facing.

2. On September 17, 2019, the Manager's Office met with primary stakeholder organizations that support the Animal Control operations, including Athens Area Humane Society and AthensPets, among others. It was reaffirmed that the local government should maintain the lead role in overseeing both enforcement and the shelter operations.

3. On November 1, 2019, the Mayor and Commission (M&C) voted to elevate the Animal Control Division of the Central Services Department to departmental status. The Animal

Control Division was renamed the Animal Services Department, reporting directly to the Manager's Office.

4. On February 12, 2020, staff presented the recently completed Animal Services Strategic Plan at the regularly scheduled Mayor and Commission meeting.

5. On March 3, 2020, the M&C approved an FY20 budget amendment for Animal Services of $106,986 for overtime ($10,000), animal care maintenance ($59,978), housekeeping ($3,508), data processing ($3,500) and medical services ($30,000).

6. On June 25, 2020, the M&C approved the first full year of department budget for the newly founded Animal Services Department, totaling $1,148,337. Prior to FY21, Animal Services staff had not paid for medical operations for a full fiscal year. The experience gained during FY21, FY22 and FY23 will help staff better project medical costs moving forward.

7. During FY21, ACCGov Manager Williams approved $26,000 to be transferred from salary savings to cover medical expenses.

8. On September 13, 2021, Animal Services received $30,00) for operating contingency from the M&C.

9. On June 15, 2021, the M&C approved the FY22 Animal Services budget of $1,225,614, which included an increase in contract labor ($25,000) and medical services ($17,625).

10. During FY22, the Manager approved $141,000 to be transferred from salary savings to cover medical and animal care expenses.

11. On June 8, 2022, the Mayor and Commission approved an additional $115,000 of General Fund Operating Contingency for Animal Services.

12. On June 15, 2022, the M&C approved the FY23 Animal Services budget, which included an increase in contract labor ($35,000) and medical services ($19,362), and medical supplies ($5,000), and Animal Care Maintenance ($5,000).

13. On June 6, 2023, the Mayor and Commission approved an additional $200,000 of General Fund Operating Contingency for Animal Services.

14. On June 6, 2023, the M&C approved the FY23 Animal Services budget, which included an increase in medical services ($21,299), and medical supplies ($6,255), and Animal Care Maintenance ($4,269).

15. On March 4,2024, the Manager approved $36,000 to be transferred from salary savings to cover contract labor.

FACTS & ISSUES:

1. AthensPets, a local non-profit group, prior to the creation of the Animal Services Department, paid medical bills for the shelter animals and provided funding for animal care maintenance, medical services and supplies. ACCGov has since assumed responsibility for these costs and purchasing of these basic supplies.

2. Athenspets reallocated their funding and prioritized their mission to focus on the community's unaltered pets by cutting back on the financial aid they have previously provided Animal Services for basic and extensive animal medical care. While they continue to provide funding for extensive animal medical care, they no longer fund basic diagnostic care, the Animal Services Foster Program or basic spay and neuter services.

3. In order to provide better standards of care and animal husbandry, along with increasing live outcomes to save more lives, the Animal Services Department has increased the quality and quantity of medical care it provides. Animal Services impounds a high volume of homeless animals. Without a medical history, there is a need for a higher quality and quantity of vaccinations, testing, preventatives, vaccine boosters, food, and equipment.

   Animal Services is now providing all intake vaccinations, microchips, heartworm test for dogs, FIV/Leuk test for cats, flea, tick and heartworm prevention, deworming, and rabies shots, as well as paying for alterations. Animal Services also provides heartworm treatments for dogs that are heartworm positive which can then be adopted whereas in the past these dogs would have been euthanized if a rescue was unable to take them.

4. During this fiscal year Animal Services have increased spay and neuter operations at the adoption center. In this fiscal year there have been 134 more animals spayed and neutered during this same time as last fiscal year. Staff also have completed 107 additional exams on animals that have come into the Animal Shelter and have impounded an additional 103 animals during this same time period from last year.

5. Medical costs have continued to increase in FY24 due to supply and demand and will most likely continue to increase in FY25. Surgery costs at The Athens Area Humane Society, which is the primary surgical center that Animal Services utilizes, have risen by 40% on most of these procedures since January 2024. This was over their increase of almost 50% on some procedures the year before. For example, a dog spay used to start at $90; now this procedure starts at $130. The cost of a cat neuter used to start at $45; now this procedure starts at $80. In FY24 the budgeted amount for medical surgeries was ($234,286.00) and so far, have spent ($181,670.48).

6. Food and animal care costs have also continued to increase due to supply shortages and inflation. Since January 2024 dog food, cat food and litter prices have risen more than last

years 20%. In FY24, the budgeted amount for animal care maintenance and medical supplies was ($115,758) and to date $133,890.94 has been expended.

7. Due to the high volume of homeless animals that enter the shelter on a daily basis, there is also a need for a higher quality and quantity of appropriate, animal-specific cleaning products and supplies. Staff has changed cleaning protocols to include products that are safe for use around animals and intended to properly kill animal-specific disease. This year during the July 1st-February 29th time frame Animal Services has impounded 1744 animals which is 103 more animals than the same time period last fiscal year. Kitten season is right around the corner.

8. Without any medical staff or veterinarian onsite, combined with the high volume of injured and sick animals that enter daily or become sick while in the shelter, there is a higher need to outsource veterinary care.

9. Animal Services, in prioritizing the health of each animal, has seen the live release rates go up for both dogs and cats. In CY2018, the live release rate was 90.7% for dogs and 75% for cats. In CY2023, the live release rate was 90.8% for dogs and 91.2% for cats. The increase in medical operations is leading to better outcomes for the animals.

10. Animal Services has continued to have challenges filling Animal Caretaker vacancies, having reposted the position three times. As staff have worked to hire full-time employees, Animal Services has had to hire contracted labor to meet the workload demands. There are still 2 vacancies at Animal Services at this time. We are working hard to be becoming fully staffed.

11. In FY21 Animal Services asked for an additional $56,000 to help cover medical costs ($26,000 was salary savings), in FY22 Animal Services asked for an additional $256,000 ($131,000 was salary savings) to cover rising medical costs, in FY23 Animal Services asked for an additional $200,000 to cover rising medical costs and staffing shortages. Animal Services continues to struggle with costs due to the inability to control the rising surgery prices and the inability to anticipate exactly how many animals the department will receive.

12. Animal Services is currently working with the UGA Shelter Medicine Program to come up with a long-term solution which includes a plan for onsite surgeries. In the past there had been salary savings to cover some of these medical cost overages which is not the case this fiscal year. Staff have been able to gain a contract with Hills Science diet to purchase dog and cat food at a reduced rate. Staff have also found a supplier of litter in which they should also see some savings. Staff are predicting up to $10,000 a month could be saved as long as both programs have the needed stock. Staff are also looking at ways of better strategically planning the surgery schedule to be the most cost effective and AthenPets will be helping with transport costs. Staff are currently getting approximately 50 animals out a month through transport which does save ACCGov money as well.

13. This recommendation supports the following Mayor and Commission ACCGov Strategic Plan Goals.
    - Goal Area 1: Good Neighbors – F: Examine & improve public safety polices and processes to enhance public trust.
    - Goal Area 2: Identify and Close Gaps in Partnership with the Community – D: Identify ways to address unaddressed community needs and develop programs, policies, and processes to facilitate community transformation.
    - Goal Area 3: Organizational Improvement – C: Improve Programs, Processes, and Policies and communication external and internal, assess how resources are allocated to meet existing and future needs for better service delivery and what we deliver.

OPTIONS:

1. Mayor and Commission adopt a budget ordinance **(Attachment #1)** amending the FY24 Operating Budget to provide General Fund Contingency in the amount up to $175,000 for expenses related to costs in providing animals with medical care including medical services, animal care maintenance and medical supplies.

2. Mayor and Commission deny the request.

3. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option #1

DEPARTMENT:
Prepared by: Kristall Barber

Kristall Barber Date:

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1



Manager March 14, 2024 Date:

ATTACHMENTS:
Attachment #1: Budget Ordinance

RESOLUTION

A RESOLUTION TO DISPLAY THE PROGRESS PRIDE FLAG IN RECOGNITION OF ATHENS PRIDE MONTH

WHEREAS, following the Stonewall Riots of June 1969, lesbian, gay, bisexual, transgender, and queer ("LGBTQ+") communities and their allies in numerous cities have gathered for Pride celebrations, often in the month of June; and

WHEREAS, the Athens LGBTQ+ community has a rich history of demonstrated involvement in and contributions to the Athens-Clarke County community, including a cherished annual tradition of Pride celebrations; and

WHEREAS, the trailblazing work of LGBTQ+ movement leaders across generations and here in Athens have modeled courage in embracing their authentic selves and advancing cultural and policy changes that affirm LGBTQ+ rights and dignity; and

WHEREAS, despite these advancements, the LGBTQ+ community faces continued systemic community violence; and

WHEREAS, we recognize the intersecting impacts that systemic racism, classism, sexism, xenophobia, and heteropatriarchy have on our LGBTQ+ friends and neighbors; and

WHEREAS, we stand in support and solidarity with members of the LGBTQ+ community from all backgrounds in the face of these challenges; and

WHEREAS, on August 3rd, 2021, the Athens-Clarke County Commission passed a historic non-discrimination ordinance to protect the rights and uplift the dignity of all Athenians, including members of the LGBTQ+ community; and

WHEREAS, in June 2022, the Athens-Clarke County Commission declared that the month of June shall hereafter be known as Athens Pride Month; and

WHEREAS, we endeavor to advance equity, affirmation, and wellness for all LGBTQ+ residents and visitors of Athens, particularly those that have been historically silenced, stigmatized, and marginalized within and outside of dominant queer culture, and will continue to seek policies to this end.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Commission of the Unified Government of Athens-Clarke County, Georgia:

Section 1: That the Progress Pride Flag shall be flown at City Hall from June 1 to June 15, 2024, in compliance with ACCGov Administrative Policy CSD-002 in order to demonstrate the Unified Government's continued support for the LGBTQ+ community and its most vulnerable and historically marginalized members; and

Section 2: That the Unified Government shall support events that encourage understanding and celebration of the Athens-Clarke County LGBTQ+ community; and

Section 3: That the Mayor and Commission hereby direct the Manager to support this resolution.

SO RESOLVED, this day the _____ of _____, 2024.

APPROVED: _____
Kelly Girtz, Mayor

ATTEST: _____
Jean Spratlin, Clerk of Commission

RESOLUTION

A RESOLUTION TO DISPLAY THE JUNETEENTH FLAG IN RECOGNITION OF JUNETEENTH

WHEREAS, the United States of America is made up of people from every nation on Earth, who are declared equal not only in freedom but also in justice, both of which are essential for a healthy human civilization; and

WHEREAS, the United States of America was established on July 4, 1776, with the Declaration of Independence stating: "*We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness*"; and

WHEREAS, on January 1, 1863, President Abraham Lincoln signed the Emancipation Proclamation, providing that all persons enslaved within any state or designated part of a state "*shall be then, thenceforward, and forever free"*; and

WHEREAS, news of the end of slavery did not reach the frontier areas of the United States, in particular the State of Texas and the other Southwestern States, until months after the conclusion of the Civil War, more than two and a half years after President Abraham Lincoln issued the Emancipation Proclamation on January 1, 1863; and

WHEREAS, on June 19, 1865, Union soldiers, led by Major General Gordon Granger, arrived in Galveston, Texas, with news that the Civil War had ended and that the enslaved were free from bondage; and

WHEREAS, as those who were formerly enslaved were recognized for the first time as citizens, Black/African Americans came to commemorate June 19th, commonly known as "Juneteenth Independence Day," as inspiration and encouragement for future generations; and

WHEREAS, the faith and strength of character demonstrated by formerly enslaved people and the descendants of formerly enslaved people remain an example for all people of the United States, regardless of background, religion, or race; and

WHEREAS, slavery was not officially abolished until the ratification of the 13th Amendment to the Constitution of the United States in 1865, and this date is commemorated by the observance of National Freedom Day on February 1 of each year; and

WHEREAS, on June 18, 2021, President Joseph Biden, Jr., proclaimed June 19 as Juneteenth Day of Observance and called upon the people of the United States to acknowledge and celebrate the end of the Civil War and the emancipation of Black/African Americans and commit together to eradicate systemic racism that still undermines our founding ideals and collective prosperity; and

WHEREAS, on July 7, 2020, the Mayor and Commission of the Unified Government of Athens-Clarke County, Georgia, adopted a resolution in recognition that Black Lives Matter and committed to explore ways to work with community leaders to establish Juneteenth as a local annual holiday and celebration; and

WHEREAS, in June 2022, the Athens-Clarke County Commission formally recognized and observed Juneteenth as a local annual holiday and community celebration; and

WHEREAS, the Unified Government of Athens-Clarke County can never heal the trauma of Black/African American people nor fully erase the past but can empathize, recognize, and commit to working on building real equity and supporting the local observance of Juneteenth.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Commission of the Unified Government of Athens-Clarke County, Georgia:

Section 1: That the Juneteenth Flag shall be flown at City Hall from June 15 to June 30, 2024, in compliance with ACCGov Administrative Policy CSD-002 in order to demonstrate the Unified Government's continued support and recognition of June 19, 1865; and

Section 2: That the Unified Government shall explore ways to work with community leaders to support Juneteenth events; and

Section 3: That the Mayor and Commission hereby direct the Manager to support this resolution.

SO RESOLVED, this day the _____ of _____, 2024.

APPROVED: _____
Kelly Girtz, Mayor

ATTEST: _____
Jean Spratlin, Clerk of Commission

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: HRC Recommendation: Recognition of Athens Pride Month and Juneteenth

DATE: March 5, 2024

EXECUTIVE SUMMARY: The Human Relations Commission recommend the Mayor and Commission adopt the resolution to display the Juneteenth Flag from June 15 to June 30 in Recognition of Juneteenth and the resolution to display the Progress Pride Flag from June 1 to June 15 in recognition of Athens Pride Month.

BUDGET INFORMATION:

REVENUES:

EXPENSES:
ANNUAL:
CAPITAL:
OTHER:

FUNDING SOURCE:

COMMISSION ACTION REQUESTED ON: April 2, 2024

PURPOSE:

To request Mayor and Commission:

a. Approve the recommendation from the Human Relations Commission (HRC) regarding recognition of PRIDE Month and Juneteenth;
b. Adopt a resolution to recognize Athens Pride Month (**Attachment #1**); and
c. Adopt a resolution to recognize Juneteenth (**Attachment #2**).

HISTORY:

1. On July 7, 2020, the Mayor and Commission of the Unified Government of Athens-Clarke County, Georgia (M&C), adopted a resolution in recognition that Black Lives Matter and committed to explore ways to work with community leaders to establish Juneteenth as a local annual holiday and celebration.

2. On June 18, 2021, President Joseph Biden, Jr., proclaimed June 19 as Juneteenth Day of Observance and called upon the people of the United States to acknowledge and celebrate the end of the Civil War and the emancipation of Black/African Americans and

commit together to eradicate systemic racism that still undermines our founding ideals and collective prosperity.

3. In June 2022, the M&C formally recognized and observed Juneteenth as a local annual holiday and community celebration.

4. In June 2022, the M&C declared that the month of June shall hereafter be known as Athens Pride Month.

5. On June 7, 2022 the M&C adopted two resolutions to recognize and observe Juneteenth and Athens Pride Month.

6. On March 15, 2023, the Human Relations Commission (HRC) Community Outreach and Events subcommittee voted unanimously to recommend to the main body of the HRC that both the Progress Pride Flag and Juneteenth flag be flown in the month of June.

7. On March 22, 2023, the HRC made a recommendation to the Mayor and Commission that both the Progress Pride Flag and Juneteenth flag be flown in the month of June.

8. On March 14, 2024, the HRC made a recommendation to the Mayor and Commission that both the Progress Pride Flag and Juneteenth flag be flown in the month of June

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FACTS & ISSUES:

1. The Juneteenth resolution provides context regarding the importance and history of the event and its relationship to Athens-Clarke County.

2. The PRIDE resolution provides context regarding the importance and history of the LGBTQIA+ community and its relationship to Athens-Clarke County.

3. On August 3, 2021, the M&C passed a historic non-discrimination ordinance to protect the rights and uplift the dignity of all Athenians, including members of the LGBTQ+ community.

4. In June 2022, M&C formally recognized and observed Juneteenth as a local annual holiday and community celebration.

5. In June 2022, the M&C declared that the month of June shall hereafter be known as Athens Pride Month.

6. The HRC recommends that the Progress Pride Flag shall be flown in the month of June from June 1 -15, 2024.

7. The HRC further recommends that the Juneteenth Flag shall be flown in the month of June from June 15 – 30, 2024.

8. This recommendation supports the ACCGov Strategic Plan FY23-25 under the Goal Area Good Neighbors-

-Work to create and implement systems to identify, acknowledge, and address racism, trauma, harm, and violence in our community:

-Enact the policy recommendations of the Human Relations Commission.

OPTIONS:

1. Mayor and Commission:
   a. Approve the recommendation from the Human Relations Commission (HRC) regarding recognition of PRIDE Month and Juneteenth;
   b. Adopt a resolution to recognize Athens Pride Month (**Attachment #1**); and
   c. Adopt a resolution to recognize Juneteenth (**Attachment #2**).

2. Mayor and Commission deny the recommendation from the Human Relations Commission regarding recognition of Athens Pride Month and Juneteenth.

3. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option #1 a, b, &c

DEPARTMENT:

Prepared by: Remy Epps, Ph.D.



Remy Epps, Ph.D. Date:

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1 a, b, & c



Manager March 13 Date:

ATTACHMENTS:

Attachment #1: Athens Pride Month Resolution 2024
Attachment #2: Juneteenth Flag Resolution 2024

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: Amendment to Athens Area Habitat for Humanity ARPA Phase I Affordable Housing Contract

DATE: February 26, 2024

EXECUTIVE SUMMARY:
Athens Area Habitat for Humanity is requesting to amend their ARPA AH Phase I contract, changing the language from "parcel 172C1 J019 and located at 437 Little Oak Street Athens GA 30601" to read "in the Gaines Elementary School attendance zone." Habitat currently owns five infill lots within 1.2 miles from Micah's Creek that are ready for construction and don't require infrastructure development first, as the Micah's Creek homes will. With five families prepared to complete sweat equity and become homebuyers, Habitat would like to expand its service area (i.e., amend the contract scope) to include existing infill lots within close proximity of Micah's Creek. Habitat will still construct 10 homes as agreed upon in their original scope of work.

BUDGET INFORMATION:
REVENUES: $11,000,000 M&C Allocation of ARPA SLRF for Affordable Housing activities

EXPENSES: $1,500,000 Athens Area Habitat for Humanity Phase I AH Contract

FUNDING SOURCE: American Rescue Plan Act (ARPA) Coronavirus State and Local Fiscal Recovery Funds (SLRF)

COMMISSION ACTION REQUESTED ON: April 2, 2024

PURPOSE:
To request that the Mayor and Commission:

a. Approve the revised Scope of Work (**Attachment #1**), Project Timeline (**Attachment #2**), Budget (**Attachment #3**) and Equity Assessment (**Attachment #4**) that will completely replace Exhibit A of the current contract between ACCGov and Athens Area Habitat for Humanity so the agency may:
    - Expand service to housing units located within the Gaines Elementary School area instead of limited to units directly within the proposed Micah’s Creek development area;
    - Begin immediate development of five infill lots located within 1.2 miles of Micah’s Creek that are already prepared for construction and don’t require infrastructure development; and
    - Ensure five families currently earning sweat equity and pre-approved for homebuyer units aren’t delayed in gaining homeownership due to development timeline of housing directly within the Micah’s Creek project area.
b. Authorize the Mayor and appropriate staff to execute the necessary documentation related to this approval.

HISTORY:

1. On December 31, 2019, Chinese health officials notified the World Health Organization (WHO) of 41 patients with a pneumonia-inducing illness.

2. On January 30, 2020, WHO declared the outbreak a Public Health Emergency of International Concern.

3. On February 11, 2020, WHO announced a name for the new coronavirus disease: COVID-19.

4. On March 11, 2020, WHO declared COVID-19 a global pandemic.

5. On March 13, 2020, President Donald Trump declared a National Emergency in the United States in response to COVID-19.

6. On March 14, 2020, Governor Brian Kemp declared a Public Health Emergency in the State of Georgia.

7. On March 15, 2020, the first COVID-19 case was confirmed in Athens-Clarke County.

8. On March 16, 2020, the Mayor and Commission adopted an ordinance for the Declaration of Local State of Emergency in Athens-Clarke County.

9. On March 11, 2021, the American Rescue Plan Act of 2021 (ARPA) was signed into law. The $1.9 trillion package is intended to combat the COVID-19 pandemic by stabilizing state and local government operations, households, and small businesses.

10. In mid-March 2021, ACCGov was granted $57.6 million of ARPA Coronavirus State and Local Fiscal Recovery Funds (CSLFRF) funding to allocate across defined categories by virtue of being both a city and a county.

11. On June 3, 2021, the Finance Department shared a presentation on ARPA SLRF Guidance provided by the Government Finance Officers Association during an M&C retreat.

12. On June 15, 2021, the M&C approved and adopted the FY22 Capital and Operating Budget, which included an allocation of $2,220,900 of ARPA SLRF Revenue Replacement funds to balance the proposed FY22 budget.

13. On June 21, 2021, the Department of Treasury released the Interim Final Guidance for ARPA CSLFRF.

14. On June 22, 2021, ACCGov received the first tranche of ARPA funding in the amount of $28,794,422.

15. On August 12, 2021, ACCGov Manager Williams shared a presentation on ARPA SLRF funding with the M&C.

16. On August 17, 2021, the M&C approved an agreement with the Georgia Department of Health (DPH) for $250,000 of ARPA funds for the purposes of vaccine incentives for Athens-Clarke County residents.

17. On September 7, 2021, the M&C approved $400,000 of ARPA funds for ACCGov Employee vaccine incentive pay.

18. On September 17, 2021, Manager Williams emailed to the M&C a draft pro forma regarding the potential use of ARPA funds based on M&C feedback.

19. On September 21, 2021, the M&C allocated an additional $100,000 of ARPA SLRF funds to the DPH for vaccine incentives.

20. On October 12, 2021, ACCGov's external auditor, Mauldin and Jenkins, shared a presentation to review their thoughts with the M&C on the ARPA program and process during a regularly scheduled Work Session.

21. On October 22, 2021, the M&C discussed youth development approaches and outcomes desired that could be funded by APRA during their retreat.

22. On November 2, 2021, the M&C allocated $8,000,000 of ARPA funding to COVID-related employee premium pay and bonuses, as well as authorized two full-time positions that will be dedicated to ARPA administration and compliance.

23. At the November 3, 2021 retreat, the M&C reviewed the pro forma for potential funding budgets for ARPA.

24. At the December 2, 2021 retreat, the M&C reviewed the pro forma for potential funding budgets for ARPA.

25. On December 7, 2021, the M&C allocated:
    - $2,542,691 to the Athens Alliance Coalition to operate a sanctioned homeless encampment;
    - $2,425,000 to the Athenian First Development Corporation to administer an eviction prevention program;
    - $240,000 to the East Athens Development Corporation to provide an additional community vaccine incentive program; and
    - $100,000 to the Athens Neighborhood Health Center to provide an additional community vaccine incentive program.

26. On January 6, 2022, the Department of the Treasury released the Final Guidance for ARPA SLRF.

27. On January 13, 2022, Manager Williams shared a presentation to discuss the ARPA State and Local Fiscal Recovery Fund strategy and timeline during a Work Session.

28. On March 1, 2022, the Mayor and Commission approved a budget allocating ARPA State and Local Recovery Funds to various programs including a budget of $11,000,000 for Affordable Housing. This action included a strategic planning process, followed by an RFP, and the associated timeline. The M&C also designated the existing Georgia Initiative for Community Housing (GICH) Committee as the advisory committee for the affordable housing allocation.

29. On March 17, 2022, the ARPA Affordable Housing Advisory Committee (AHAC) met for the first time. At that meeting, the AHAC noted the importance of providing funding to housing partners in an expedited manner. Subsequently, the AHAC made a motion to recommend the M&C carve out $7M from the overall $11M Affordable Housing budget for a Phase I RFP that would be released immediately for long lead time projects.

30. On April 14, 2022, the AHAC met to develop a project concept for a Phase I allocation in support of affordable housing.

31. On April 15, 2022, ACCGov released a Request for Proposals (RFP) for the Housing Affordability Investment Strategy. This plan will serve as the strategic plan that will inform a portion of the ARPA Affordable Housing Allocation.

32. On April 21, 2022, the AHAC convened to review a project concept and timeline for a Phase I allocation in support of affordable housing.

33. On May 10, 2022, at a regularly scheduled M&C work session, Rick Parker of the Athens Housing Authority and on behalf of the North Downtown Athens Redevelopment partnership, gave a presentation outlining the recent gap in financing for the North Athens Redevelopment Project and an ask of ACCGov to provide an additional $5.2M in funding to allow the project to proceed as envisioned.

34. On May 17, 2022, proposals were returned for the solicitation to develop the Housing Affordability Investment Strategy. Only one qualified proposal was received from HR&A Advisors.

35. On May 17, 2022, the AHAC met to discuss the Request for Proposal (RFP) process for ARPA funding related to affordable housing development. The Committee made a recommendation to the M&C to “set aside up to $3M for the North Downtown Athens SPLOST project and to use the remaining funds from the $7M total carve out for an expedited RFP process that would culminate in a December 2022 M&C vote on project funding.” The Committee also recommended that any of the unused portions of the $3 million set aside be returned to the Phase I allocation in support of affordable housing, should it not be needed for the North Downtown Athens Redevelopment Project.

36. On May 17, 2022, the M&C approved a concept to fund a portion of the $13.7 million funding deficit for the North Downtown Athens Redevelopment Project. $1,733,334 of this balance was designated from the ARPA Affordable Housing allocation.

37. On June 7, the M&C approved project concept and timeline for Affordable Housing Phase 1. This project concept designated HCD's Vision Committee to provide feedback on received proposals from the RFP.

38. On June 24, 2022, a two-step Request for Proposals (RFP) was released to non-profit and for-profit entities to provide solutions to lack of adequate affordable housing in ACC.

39. Between June 27 and July 22, 2022, HCD offered technical assistance to interested parties, including a pre-proposal meeting (July 7, 2022).

40. On July 26, HCD released a Q&A Addendum to address questions received from agencies.

41. On July 29, 2022 at 4:00 p.m., the RFP closed for proposals. Eleven preliminary proposals from 9 entities totaling approximately $20MM were received:
    - 1165 Oglethorpe, LLC
    - Acceptance Recovery Center – Prince Avenue project
    - Acceptance Recovery Center – Westchester project
    - Athens Area Habitat for Humanity
    - Athens community Council on Aging
    - Athens Housing Authority
    - Athens Land Trust – Home Repair/Weatherization
    - Athens Land Trust – New Construction
    - East Athens Development Corporation
    - Hopeful Inspiration
    - J. W. York Properties, LLC

42. Between July 30, 2022 and September 15, 2022, HCD provided technical assistance to entities who submitted a preliminary proposal.

43. On August 2, 2022, M&C approved HR&A Advisors to develop the Housing Affordability Investment Strategy.

44. On September 16, 2022, HCD received 9 proposals for the Affordable Housing Phase 1 funds. These were submitted by 7 entities and totaled $14,394,344, including:
    - 1165 Oglethorpe, LLC
    - Acceptance Recovery Center – Prince Avenue project
    - Acceptance Recovery Center – Westchester project
    - Athens Area Habitat for Humanity
    - Athens community Council on Aging
    - Athens Land Trust – Home Repair/Weatherization
    - Athens Land Trust – New Construction
    - East Athens Development Corporation
    - Hopeful Inspiration

45. Between September 16 and November 16, 2022, the RFP Review Team evaluated proposals, gathered input from HCD's Vision Advisory Committee (including an in-person meeting on November 7, 2022), and finalized recommendations for contract awards.

46. On December 13, 2022, M&C unanimously approved Affordable Housing Phase I funding recommendations and adoption of an associated ordinance as per Mayor defined option, including funding for Habitat's proposed Micah's Creek project.

47. On August 10, 2023, after completion of comprehensive advisory committee meetings and public input sessions, the Affordable Housing Investment Strategy was presented to M&C for acceptance.

48. On October 3, 2023, the Affordable Housing Investment Strategy was accepted by the M&C through a Commission Defined Option.

49. On October 3, 2023, the ARPA Phase I Affordable Housing contract for Athens Area Habitat for Humanity's Micah's Creek project was fully executed.

50. On December 8, 2023, Athens Area Habitat for Humanity (Habitat) submitted a request to amend its Scope of Work for the approved Micah's Creek ARPA Phase I AH contract.

51. On February 19, 2024, HCD received complete amendment request documentation from Habitat for submission to M&C for consideration.

FACTS & ISSUES:

1. There are four general eligible uses for SLRF funds by cities and counties:
    a. Replace lost public sector revenue, using this funding to provide government services up to the amount of revenue lost due to the pandemic;
    b. Respond to the far-reaching public health and negative economic impacts of the pandemic by supporting the health of communities and helping households, small businesses, impacted industries, nonprofits, and the public sector recover from economic impacts;
    c. Provide premium pay for essential workers;
    d. Invest in water, sewer, and broadband infrastructure, making necessary investments to improve access to clean drinking water, to support vital wastewater and stormwater infrastructure, and to expand affordable access to broadband internet; and
    e. SLRF funds may be used for administration of SLRF programs and projects including costs to support effective management and oversight, compliance with legal and regulatory requirements, and accounting and reporting of SLRF funds.

2. The M&C were presented with staff recommendation on how to allocate the remainder of the SLRF. At the March 1, 2022 voting meeting, the M&C approved a commission defined option to allocate funds differently than was initially proposed (History #36). A summary of proposed and final allocations is as follows:

Category	Proposed Allocation	Final M&C Allocation
Revenue Replacement/Budget Balancing	$11.0M	$3.4M
Youth Development	$5.6M	$7.0M
Affordable Housing	$5.6M	$11.0M
Homelessness	$5.6M	$5.0M
Business and Workforce Development	$5.6M	$4.0M
Behavioral Health	$0M	$4.0M
Future Needs/Contingency	$5.6M	$4.6M
Administration	$0.9M	$0.9M
Total	**$39.9M**	**39.9M**

3. The U.S. Treasury Department requires that ARPA SLRF funds be obligated by December 31, 2024 and spent by December 31, 2026. At the March 1, 2022 meeting, the M&C approved general timelines for the designation and use of ARPA funds in the community. The M&C also designated the Georgia Initiative for Community Housing (GICH) task force as the advisory group for the ARPA Affordable Housing Allocation.

4. The AHAC was charged with creating a community-wide Housing Affordability Investment Strategy. An RFP to solicit proposals for a facilitator for this project was distributed. HR&A Advisors, the sole applicant to the RFP, was granted the contract during the August 2, 2022 M&C regular session.

5. Under the original timeline presented to the M&C, the period of assessment was anticipated to take approximately 6-8 months, and all groups would be expected to return to the M&C in late fall of 2022 with the strategic plans/prioritized recommendations for M&C consideration. At their first meeting for ARPA funding (History #29), the AHAC stated that many housing projects involve long lead time activities such as land acquisition, construction, and partnerships to secure affordable housing tax credits. The committee felt there was a risk that these projects could not be implemented in a manner that meets the Treasury Department deadlines if the Housing Affordability Investment Strategy must be developed first. This discussion subsequently resulted in the AHAC recommending the M&C consider a Phase I allocation of $7M for affordable housing projects that could be implemented before the Housing Affordability Investment Strategy was completed.

6. At subsequent meetings, the AHAC approved a recommended Phase I project concept and timeline for the M&C to consider. The original timeline would have resulted in the first affordable housing projects being considered at the December 2022 M&C voting meeting.

7. The ARPA Affordable Housing-Phase 1 RFP was open to for-profit developer or a public or private non-profit entity, incorporated by or licensed in the State of Georgia. It focused on four project categories:

a. New construction of affordable housing projects (min. request $500,000)
b. Major or minor rehabilitation projects on dwellings assisting lower income households (min. request $250,000)
c. Home repair and weatherization projects on dwellings assisting lower income households (min. request $250,000)
d. Affordable housing assistance programs in support of development projects (categories 1-3).

8. The RFP further emphasized and/or prioritized proposals that:
    a. Focused on new housing creation and preservation of existing affordable stock.
    b. Complied with all applicable federal, state and local building and health codes, as well as ACCGov design standards.
    c. Were "shovel-ready" and feasible
    d. Aligned with existing recommendations from the GICH Report, Envision Athens Agenda, Workforce Housing Study, Comprehensive Plan, or ACCGov Strategic Plan
    e. Were situated within the Neighborhood Revitalization Strategy Areas (census tracts 6, 9, 301, and 302)
    f. Were capped to serve individuals at 80% AMI in Qualified Census Tracts or 65% AMI elsewhere
    g. Met HUD HOME Homeownership Value Limits or HUD HOME Low Rent Limits for Athens-Clarke County.
    h. Leverage external resources
    i. Emphasized diversity, equity and inclusion practices.

9. After execution of their Phase I AH contract in October 2023 (History #46), Habitat determined the need to amend its original scope of work to include additional locations to ensure minimal delays in meeting the needs for development of affordable housing units for pre-qualified homebuyers already in the process of earning sweat equity. Construction of infrastructure for the planned development at 436 Little Oak Street (Micah's Creek project) may not be finalized until June 2024, which means home construction on that property may not occur until the fourth quarter of the calendar year, or October 2024.

10. Habitat owns five infill lots within 1.2 miles of the Micah's Creek project location that are shovel-ready and may be developed immediately.

11. Habitat requests an amendment to their ARPA Phase I AH contract to add five additional properties located within the Gaines Elementary School attendance zone that will replace five locations within the Micah's Creek property. The additional infill lots will support development of five 3BR/1BA single family affordable homebuyer units that meet the original contract development criteria. Locations of the additional infill sites are:
    - 519 N. Peter Street
    - 124 Booker Street
    - 130 Booker Street
    - 694 Branch Street

- 187 W. Carver Street

12. Habitat will maintain the contractual agreement to develop 10 single family affordable homebuyer units with ARPA Phase I funding. Habitat is not requesting any change in the current contract budget.

13. This recommendation meets the following ACCGov Strategic Plan Goals, Strategies, and/or initiatives:
    a. Strategy 4A: Support home ownership by increasing opportunities for low income and middle-income people to own a home, help people retain and remain in homes.
    b. Strategy 4C: Preserve and increase the supply of affordable rental housing.
    c. Strategy 4E: Improve equitable housing opportunities in identified disinvested or underinvested areas.

OPTIONS:

1. Mayor and Commission:
    a. Approve the revised Scope of Work (**Attachment #1**), Project Timeline (**Attachment #2**), Budget (**Attachment #3**) and Equity Assessment (**Attachment #4**) that will completely replace Exhibit A of the current contract between ACCGov and Athens Area Habitat for Humanity so the agency may:
        - Expand service to housing units located within the Gaines Elementary School area instead of limited to units directly within the proposed Micah's Creek development area;
        - Begin immediate development of five infill lots located within 1.2 miles of Micah's Creek that are already prepared for construction and don't require infrastructure development; and
        - Ensure five families currently earning sweat equity and pre-approved for homebuyer units aren't delayed in gaining homeownership due to development timeline of housing directly within the Micah's Creek project area; and
    b. Authorize the Mayor and appropriate staff to execute the necessary documentation related to this approval.

2. Mayor and Commission do not approve the proposed Scope of Work and Project Timeline amendment to the Athens Area Habitat for Humanity ARPA Phase I Affordable Housing contract.

3. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option #1 a & b

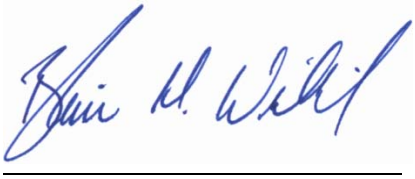
DEPARTMENT: Housing & Community Development
Prepared by: Melinda Lord

Roderick Wallace

Roderick Wallace, Director — Date: 2/26/2024

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1 a & b



Manager — Date: March 14, 2024

ATTACHMENTS:

Attachment #1- Exhibit A Scope of Work_ACC ARPA AH1 AAHFH_Amended Micah's Creek
Attachment #2- Exhibit A Project Timeline_ACC ARPA AH1 AAHFH_Amended Micah's Creek
Attachment #3- Exhibit B Budget_ACC ARPA AH1 AAHFH_Amended Micah's Creek
Attachment #4- Exbibit C Equity Assessment_ACC ARPA AH1 AAHFH_Amended Micah's Creek

Exhibit A-amended 02.19.2024

Reason for the requested amendment:

This document is being amended to add additional physical locations for Micah's Creek. Athens Area Habitat for Humanity (AAHFH) owns five infill lots within 1.2 miles of 437 Little Oak Street. AAHFH has five families currently getting their "sweat equity hours" as a component of our strict vetting system. Construction of infrastructure for the Planned Development will commence after approved by ACC entities; this process may not be finalized until June 2024, which means home construction on that property may not occur until Q4 2024. If the contract is amended, house construction could begin as soon as the Mayor/Commission vote to amend the contract. The five infill lots will be developed "by right," and are "shovel-ready" to build three bedroom/one bath houses with no requested budget changes. Houses on these infill lots meet the same criteria mentioned in the original application.)

Scope of Work ARPA
Affordable Housing Phase I
Athens Area Habitat for Humanity

New Construction Projects

Please provide a brief description of your proposed development.

The Micah's Creek Homeownership Opportunity Project (also known simply as "Micah's Creek") is the name of a project rather than the name of a location. Micah's Creek aims to create a blended community of homeowners which is intergenerational, demographically mixed, and culturally synergistic, with locations in the Gaines Elementary School attendance zone to include five infill lots (519 N. Peter Street, 124 Booker Street, 130 Booker Street, 694 Branch Street, 187 W. Carver Drive) and at a large parcel that includes 437 Little Oak Street, and these lots on Burney Street: 111, 121, 131, 141, 151, 161, 165, 171. The order of house construction would begin with

the five infill lots (in the order listed) followed by five houses on the larger parcel of Little Oak Street/Burney Street. ARPA Affordable Housing Phase I will fund 10 single-family homes by right, which will be owner occupied, with families having children enrolled in Gaines Elementary School comprising a sufficient portion of occupants as to constitute between 5 and 10 percent of the GES student body, and the remaining units owned by local musicians and artisans with incomes at 50-80% of area median income. All Micah's Creek homeowners will receive zero-interest mortgages with monthly payments no more than $399 plus property tax and insurance.

The sales price per home will be below the 2022 HUD home price limits (HHPL), which will be 95 percent of the median purchase price for the area. As of August 2022, median home price in Athens-Clarke County was in excess of $300,000. Sale price for single family homes in Micah’s Creek is estimated at $143,000, less than half of HHPL. Athens Area Habitat is willing to commit to a cap of 50% HHPL for all homes in Micah’s Creek.

AAHFH offers mortgages at 0% interest. Monthly payments will be determined by household income, not to exceed the 30% of household income to avoid housing stress as defined by HUD. At a sales price of $143,000, homeowners will make monthly payments of $399 per month plus taxes and insurance.

This model ensures that families already living within the area are prioritized, and that development of available lands does not serve as a *w*edge for gentrification and displacement of local residents. A site located near to public transportation, job opportunities, and centers of higher education and career-training will facilitate access to economic advancement for residents. Access to the Firefly Trail bike-and-pedestrian route provides opportunities for physical exercise and community interaction.

To insure the long-term affordability, AAHFH keeps a right of first refusal to buy back the home if the homeowner chooses to move, which then obligates Habitat to offer the home to another qualifying buyer. This is in force for the life of the mortgage, which makes the affordability period a minimum of 30 years. A silent second mortgage is put in place at the time of closing which amounts to the equity in the home at closing. This mortgage is forgiven over time but is in place to rebuff predatory lending. AAHFH's programs are geared towards creating generational wealth and as such, the assets can be passed along to heirs.

Current research demonstrates that home ownership improves educational achievement for children, as well as generating health and economic benefits for families. To determine the extent to which such effects occur, funding of a 5-year longitudinal study by the UGA Housing and Consumer Research Center will track

measurable outcomes for physical and mental health, emotional health, financial stability, employment and self-sufficiency, and social connectedness. It is also our hope that this project and resulting research can serve as a model for replicating the project and its programs in other communities around the state and beyond.

General Information

Site Address:	Large parcel which includes 437 Little Oak Street, 111 Burney Street, 121 Burney Street, 131 Burney Street, 141 Burney Street, 151 Burney Street, 161 Burney Street, 165 Burney Street, 171 Burney Street; and five infill lots: 519 N. Peter Street, 124 Booker Street, 130 Booker Street, 694 Branch Street, 187 W. Carver Drive Athens, GA 30601					
Parcel #(s):	172C1 J019; 172C1 J022A; 172C1 J022; 172C1 J022B; 172C1 J022C; 172C1 J022D; 172C1 J022E; 172C1 J022F; 172C1 J022G; 164C4 D003A; 164C4 D025; 164C4 D024; 172C2 H032; 164C4 E016					
Current Owner:	Athens Area Habitat for Humanity					
Current Zoning:	RS-5					
Housing Type	X	Single Family		Multi-Family		Both
Ownership	X	Owner Occupied		Rental		Both

Project Structures

Category	Owner Occupied	Rental
# of Buildings Renovated		
# of Affordable Units Created	10	
# of Affordable Bedrooms Created	30	

Site Utilities

Type	Available On Site	Construction Required	Not Included in Project
Electricity	**X**	**X**	
Natural Gas			
Water (public)	**X**	**X**	
Water (well)			
Sewer	**X**	**X**	
Septic			
Stormwater	**X**	**X**	
Cable/Fiber	**X**	**X**	
Other (describe)			

(Infill lots currently have utility access. Construction will be required for the infrastructure at the 437 Little Oak Street/Burney Street parcel.)

EXHIBIT A: AAHFH Project Timeline (Rev. 2.2024)

Please use the Gantt chart template below to detail the calendar year timeline of the major milestones for the proposed project.

Activity	Q1 23	Q2 23	Q3 23	Q4 23	Q1 24	Q2 24	Q3 24	Q4 24	Q1 25	Q2 25	Q3 25	Q4 25	Q1 26	Q2 26	Q3 26	Q4 26
Family Engagement and Recruitment	X	X	X	X	X	X	X									
Installation of Neighborhood Infrastructure		X	X	X	X	X	X									
Construction of First Three Houses on Infill Lots*						X	X	X								
Construction of Two Houses on Infill Lots**							X	X	X							
Construction of Five Houses with ACC ARPA Funding								X	X	X	X	X	X	X	X	
Track Student Progress for Ten Years							X	X	X	X	X	X	X	X	X	X

*Simultaneous construction of first three houses on infill lots (519 N. Peter, 124 Booker, 130 Booker).

** Construction of two houses on infill lots (694 Branch Street, 187 W. Carver Drive)

EXHIBIT B

UPDATED ACC ARPA AWARD BUDGET
ATHENS AREA HABITAT FOR HUMANITY

Item	ARPA $ Awarded*	Non-ARPA Support	Cash or In-Kind	Total	Notes
Acquisition**	$	$400,000	$800,000	$1,200,000	Non-ARPA Support: Georgia Investment in Housing Grant will purchase additional tract for $400,000. In-Kind: $800,000 purchase of 437 Little Oak Street on 6/21/2022
New Construction	$1,430,000	$4,300,849	$10,000	$5,740,849	ARPA $ Awarded: $1,430,000 to fund the building of 10 houses at $143,000/house. Non-ARPA Support: $2,800,849 Infrastructure funded by Federal Congressional Direct Spending and Georgia Investment in Housing grant plus $1,500,000 (15 houses) for homeless college students to be paid from Georgia Investment in Housing grant. In-Kind: $10,000 from W&A
Rehabilitation	$	$		$	
Programs**	$	$		$	
Administration	$70,000	$	$821,203	$891,203	ARPA $ Awarded: $70,000 Administration; In-Kind: AAHFH salaried employees (see explanation on attachment titled “ARPA Matching Funds Narrative”)
Other	$	$		$	
Total	**$1,500,000**	**4,700,849**	**1,631,203**	**$7,832,052**	

(No budget changes. As mentioned in the Scope of Work, new construction of ten houses will include five on infill lots and five at original location.)

EXHIBIT C

Sec. 8: Proposal Equity Assessment

Proposal:

1. What are the desired results and outcomes?

- Transition a significant percentage of families in the Gaines Elementary School attendance zone from renters to homeowners in order to improve their short-term financial, social, educational, and personal health outcomes and to improve their long-term ability to build generational wealth
- Produce a properly conducted longitudinal study of financial, social, educational, and health outcomes for families in order to measure the project's impact and provide a quantitative basis for replication of the project
- Provide urgently needed housing for local residents working in the music industry at or below the poverty level in order to improve their financial, social, and personal health outcomes and improve their long-term ability to build generational wealth, and to reduce the current attrition of labor and talent away from Athens' local music industry into other trades
- Fund future affordable housing and innovation through mortgage payments contributing to Athens Area Habitat for Humanity general fund which is dedicated to providing cost-manageable housing in the Athens area
- Contribute to funding of local government through additional property taxes and reduced need for public benefits among Micah’s Creek property owners
- Serve as a cornerstone project contributing to the transition of a local non-profit (Athens Area Habitat for Humanity) from a builder/renovator-focused model to a general contractor-focused model so that its contribution to cost-manageable housing and lending in Athens-Clarke County can be multiplied in the coming years

Community Engagement:

1. How have community members and stakeholders been engaged?

Meetings have been held with neighborhood leaders, residents, and elected officials on several occasions in order to inform the local community and stakeholders of plans for the project, to obtain feedback, and to revise project plans so as to ensure compatibility with the goals, standards, and interests of impacted communities. These meetings will continue as the project moves forward to ensure the needs of all stakeholders are managed and balanced.

2. Whose voice did you listen to? Whose voice did you possibly leave out?

Input was sought and received from area residents, the East Athens Development Corp., the administration of Gaines Elementary, Envision Athens, ACC county commissioners, the ACC Planning Department, the UGA College of Family & Consumer Sciences, and current Habitat homeowners in Georgia. We are endeavoring to expand the input received from Gaines Elementary families and residents in the area surrounding the project site, not all of whom are yet a*w*are of the project or have been able to attend the meetings held thus far.

3. Did barriers and/or opportunities to engagement exist and were they explored?

While opportunities to engage in the planning process were made available to potentially affected families and residents, there are many barriers to participation for a large segment of these families and individuals, such as limited time, limited transportation or mobility, conflicts with other responsibilities, and access to information about existing opportunities for engagement. While it is not possible to surmount all of these barriers, by providing continued opportunities during each stage of project planning and implementation, it is possible to achieve input from a representative sample of community residents and leadership.

Impact:

1. What populations are impacted by the decisions made if this proposal is chosen?

- Families with children attending Gaines Elementary
- Residents living in the areas surrounding the parcel at 437 Little Oak Street and adjacent to the infill lots
- Workers in the local music industry living below the poverty line
- Families and individuals around the state and beyond who could potentially benefit from a similar project enabled by the UGA longitudinal study of the impact of Micah's Creek

2. Who is burdened by this proposal? Who will benefit?

The proposal directly benefits those families and workers who qualify to purchase a home and receive zero-interest loans as part of the Micah's Creek project, and further benefits a currently unknown population who may have their lives improved by future

projects informed by the longitudinal study of the impact of Micah's Creek, as well as future local homeowners who are able to obtain a Habitat home and mortgage funded by Micah's Creek mortgage payments. The county and state will benefit from reduced need for public assistance by Habitat homeowners, and additional revenue from property taxes.

The project will place certain burdens upon residents on and around Little Oak Street which will need to accommodate increased traffic flow, and upon developers with other plans for the parcel who will be unable to acquire it if Micah's Creek is constructed.

3. What does this proposal have the ability to impact (community and equity indicators, ex: housing, food access, youth development, education, economic development)?

Micah's Creek has the potential to impact the availability of cost-manageable housing within census tract 302, and in other areas of the city as future projects are funded by Micah's Creek mortgage payments; educational, financial, and health and well-being outcomes for families in the Gaines Elementary School attendance zone; youth development in East Athens; and economic development in Athens-Clarke County; as well as in any area potentially impacted by future projects made possible by the UGA longitudinal study on Micah's Creek.

Analysis and Strategies:

1. Are there strategies in this proposal for advancing opportunity and/or minimizing negative or unintended outcomes?

The entire purpose of Micah's Creek is to advance opportunity. Project design is based upon documented outcomes of a 2017 study by GA Tech and Kennesaw State which found that typical Habitat homeowners in Georgia:

- Feel more secure financially and report having more money since the purchase;
- Are better able to save money and to pay bills on time;
- Feel more safe and secure in their homes;
- Are confident they'll be able to send their kids to college;
- Get along much better as a family;
- Reduce or eliminate their need for public assistance.

Potential negative outcomes are minimized by utilizing an experienced family selection

committee to identify home buyers most likely to succeed as homeowners and by partnering with Athens Land Trust to educate new home buyers on the requirements of home ownership prior to their taking on the responsibilities of owning a home.

2. What impacts are aligned with desired community outcomes?

- Ensure that local families are served by the program, thus acting as a barrier against encroachment of student housing and gentrification which tend to erode community cohesion and housing affordability
- Provide additional housing through owner-occupied homes which engender an attitude of personal responsibility toward the property in ways that rental housing and public housing do not
- Ensure that families who own their homes also own the underlying parcels
- Provide for a right of first refusal for the non-profit builder and a requirement to offer any resold homes to other qualifying families, so that homes may not be purchased through the project then "flipped" onto the private market before the mortgage is paid off
- Keep new structures in proportion with existing neighborhood homes
- Use sustainable building practices
- Help area families build generational wealth, especially those who have been historically denied the opportunity to do so
- Ensure access to public transportation and walkable/rideable paths in order to lessen the impact of vehicular traffic

3. What have you learned from data and stakeholder involvement that is reflected in this proposal?

- The impact of homeownership is wide-ranging, encompassing positive outcomes for economic success, civic engagement, health, and education, and spanning multiple generations.
- A history of "loopholes" in affordable housing policy and implementation which have allowed planned increases in the availability of cost-manageable housing for *w*orkers and families to "backslide" into gentrification and the encroachment of student housing has created a necessity for tangible, long-term measures to ensure that a project such as Micah's Creek provides benefits to the targeted community over the long haul.
- Projects aimed at increasing the supply of cost-manageable housing for an existing local population which are developer-driven and do not directly seek and respond to community input and involvement have a high risk of failure and may end up exacerbating the very problems they sought to reduce.

- Even successful projects severely lessen their potential positive impact if they do not take steps at the earliest stages to produce reliable, quantitative data to measure their impact on the community and serve as a basis for project replication.

Implementation: 1. What is the plan for implementation of this proposal?

This proposal is already being implemented. If the grant is awarded then the stakeholders will be notified and a plans review process with ACC will be officially initiated. Partners like EADC and UGA will meet to determine the next stages of implementation. RFP for infrastructure and DBE participation will be drafted and set out to bid. Projects will be awarded and when the roads are built, lots will be matched with applicants and home construction will begin.

2. Are you adequately funded, staffed, resourced to implement this proposal?

We are adequately staffed and funded to carry out this project. While existing AAHFH funds are committed to projects currently underway, and a recent state grant is entirely restricted to the concurrent Lydia's Second Homeplace project in partnership with Lydia's Place to provide housing for otherwise homeless students, pending federal funding will provide for essential infrastructure for the Micah's Creek project which will allow us to employ the funding applied for herein to begin construction in the second quarter of 2024 of affordable housing on the infill lots mentioned in the Scope of Work.

3. What resources an*d*/or actions are still needed for effective implementation?

If this grant is awarded, we will have everything we need to start the process of implementation.

Data:

1. What data exists to support your proposal? How did you use it?

Data from "The Impact of Habitat for Humanity in Georgia" (2017) was used to determine the potential financial, health, educational, and social impacts of the Micah's Creek project on new homeowners. Data from "Beyond the House: How Habitat's investments ripple across the local economy *(*An economic impact analysis)" (2020) was used to estimate the broader economic impact of the project. Data from "Georgia's COVID-19 Public Health Response Must Include Support for Stable, Quality Housing" (GBPI 2020) was used to understand the link between housing and health outcomes. Public demographic data and, where applicable, home ownership and poverty rate data for the Gaines Elementary School attendance zone, Athens-Clarke County, and the state of Georgia were used to determine the target population and geographic area for the project. Aggregate client data from Nuci's Space were used to determine the suitability of Nuçi's Space as project partner.

2. Are there gaps in the data?

Data on the impact of increased home-ownership is limited by practical considerations of time-frames, Ideally, impacts on economics, health, education, etc. would be tracked for decades, but budgetary considerations and family mobility make such longitudinal time frames impracticable. Data could be made more reliable by demanding full documentation for all outcomes, but in the real world most families do not retain such extended and detailed records related to finances, health, etc. Currently we do not know of any studies measuring impacts of large-scale home ownership projects within a single school attendance zone, upon which we could make predictive projections for Micah's Creek. It is our hope to provide such data to others.

3. How has the data been broken out: geographic areas, demographics, neighborhoods, populations, existing programs, etc.?

As far as we know, Micah's Creek is the first project of its kind to attempt to provide longitudinal data on the impact of transitioning a significant percentage of families within a single school zone from renting to home ownership. Data from section 1 above include:

- State and county level home ownership rates
- State and county level poverty rates
- Student demographics and free/reduced lunch rates for the Gaines Elementary School attendance zone
- Demographics for Athens-Clarke County, GA
- Demographic and socio-economic data for the Nuci's Space client universe

- Economic impact data for Habitat for Humanity projects in the United States
- Statewide data on correlations between housing quality/stability and physical health Statewide demographic data for Habitat homeowners together with data on public assistance usage, personal finance, and measures of health and wellbeing

Accountability and Evaluation: 1. How will you ensure accountability, communicate, and evaluate results of this funding?

Accountability as it relates to this funding will be measured by cost savings throughout the initial phases of the project. Internal fiscal checks and balances are used to ensure financial responsibility. Internal policies relating to board and staff governance and procurement policies have been in use and all staff have experience operating within these guidelines. Fiscal evaluation will be conducted by a third party auditor and results will be communicated to *A*CC.

2. How will the impact of this funding on the community be documented and evaluated?

Partnerships with UGA, internal studies and statistical analysis reporting to Habitat for Humanity International will be the primary way the immediate impact of this funding on the community will be documented and evaluated.

3. How will you continue to communicate, partner, and sustain relationships in the community around this proposal's impact?

We have been working in this area for over two decades and have established deep sustainable relationships within the neighborhood. As the originator and the servicer of the mortgages in this development and with a front loaded selection process, our relationships within this community will be long term. We currently rent 27 units in the neighborhood and service mortgages for a handful of infill homes in this area as well. We are known in the neighborhood and currently work in the neighborhood on a weekly basis.

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: Sanford Stadium Sanitary Sewer Interceptor Improvements Project Phase 1 - Award of Contract

DATE: February 28, 2024

EXECUTIVE SUMMARY:

The Sanford Stadium Project will replace and upsize a segment of the existing sanitary sewer running adjacent to Oconee Hills Cemetery to the east of Sanford Stadium. The new alignment will require Georgia Environmental Protection Division's (EPD) concurrence and Army Corps of Engineers approval. The new route will further expand capacity in the sewer system and eliminate a bottleneck over state waters by providing a new aerial crossing.

BUDGET INFORMATION:

CAPITAL REVENUE:	$48,322,653	Rehabilitate & Replace Sewer Lines
CAPITAL EXPENSES:	$17,853,700	Sewer Line Designated Projects
	$23,150,695	Expenditures & Encumbrances
	$7,318,258	Available for Sanford Stadium Project

FUNDING SOURCE: Water & Sewer Enterprise Fund

COMMISSION ACTION REQUESTED ON: April 2, 2024

PURPOSE:

To request Mayor & Commission:

a. Authorize an appropriation of $7,318,258 for the Sanford Stadium Sanitary Sewer Interceptor Improvements Project Phase 1;

b. Award a unit price construction contract to the apparent low bidder, Site Engineering, in the amount of $6,247,985;

c. Award a project management/resident inspection Task Order in the amount of $445,475 to the Public Utilities Department's On-call Consultant, Jacobs Engineering, for the provision of professional services during construction;

d. Authorize staff to approve project change orders that do not collectively exceed the overall appropriation of $7,318,258; and

e. Authorize the Mayor and appropriate staff to execute all related contract documents.

HISTORY:

1. On November 3, 2015, the Mayor & Commission (M&C) approved the Infrastructure Element and Capital Improvements Element of the 2015 Service Delivery Plan (SDP) Update. This sewer segment was included in the SDP.
2. On March 31, 2020, the Public Utilities Department (PUD) issued a Notice to Proceed (NTP) to CH2M HILL to produce a Preliminary Design Report detailing the scope of work required for the Sanford Stadium Sanitary Sewer Interceptor Improvements project (Sanford Stadium project).
3. On August 4, 2020, the M&C approved the Updated 2020 Service Delivery Plan Infrastructure and Capital Improvements Element.
4. On March 9, 2022, PUD staff met with a representative of the Oconee Hill Cemetery Board to show current sewer line and anticipated sewer line replacement areas that could affect the cemetery.
5. On June 7, 2022, the M&C approved a Task Order to Jacobs Engineering, Inc. (Jacobs) to design the Sewer Line Improvements for this segment of sanitary sewer.
6. On July 8, 2022, PUD issued a Notice to Proceed (NTP) to Jacobs to design improvements to this sewer segment.
7. On March 28, 2023, New South Associates, Inc. (New South) performed a Ground Penetrating Radar (GPR) survey near the proposed project area to search for any potential historic burial sites in the Oconee Hill Cemetery. All anomalous GPR readings within the project area were determined by New South to have a low probability of being burial sites. New South's mortuary archaeologists subsequently investigated the anomalous readings in-field to verify. The investigation found no historic burial sites located within the project area.
8. On June 12, 2023, a meeting was held with representatives of the Oconee Hill Cemetery Board. The meeting gained Board approval of the new design and easements for the sanitary sewer improvements that will affect cemetery property.
9. On August 1, 2023, the M&C approved the preliminary construction plans and authorized staff to solicit bids for construction.
10. On February 1, 2024, bids were received from Site Engineering and Cleary Construction for the Sanford Stadium Phase 1 project.

FACTS & ISSUES:

1. This project is included in the 2020 SDP as Project #3-313, "Sanford Stadium Sanitary Sewer Interceptor Improvements Phase 1."
2. Phase 1 of this project will replace approximately 700 linear feet of existing sanitary sewer main running adjacent to Oconee Hill Cemetery to the east of Sanford Stadium. This segment collects sewer from an area encompassing over 1,300 acres, including downtown and much of UGA's campus. (**Attachment #1**)

3. PUD determined that replacement and upsizing of this line is necessary to alleviate capacity constraints, which were confirmed by hydraulic modeling.
4. Staff worked with design engineer Jacobs to evaluate replacement options. Replacement of the pipe in the same trench was determined to be a poor option due to the river bank erosion that has encroached on the existing alignment. PUD and Jacobs determined that the new interceptor should therefore be located farther inland, parallel to the existing interceptor, in order to better insulate the new line from the effects of bank erosion.
5. Additionally, staff identified an opportunity in this project to eliminate a bottleneck in the sanitary sewer system by separating the Sanford Stadium and Trail Creek interceptors. These two interceptors currently connect at a junction box on the Oconee Hill Cemetery property before jointly crossing the North Oconee River. By providing a new, separate aerial crossing for the Sanford Stadium project, these two lines will feed into the larger North Oconee Interceptor independently. This will further expand capacity in the sewer system and eliminate a bottleneck over state waters which would simultaneously impact two large sewer lines. (**Attachment #2**)
6. GPR testing conducted by New South found no historic burial sites located within the project area for the proposed new alignment.
7. Individual permanent easements and temporary construction easements are required to accommodate the realigned project construction. The new alignment is also anticipated to encroach into the EPD 25-foot state water buffer, requiring Georgia EPD concurrence and Army Corps of Engineering approval.
8. Construction Plans for the subject project are available for review in the PUD Administration Office located at 124 E. Hancock Avenue.
9. Unit price bids for this project were received from Site Engineering and Cleary Construction. A tabulation of the bids received is as follows:

Site Engineering	$6,247,985
Cleary Construction	$6,330,595

10. Site Engineering is the apparent low bidder.
11. The project budget is $6,872,783. This includes a 10% contingency amount of $624,798.
12. The construction cost estimate for the interceptor improvement project was $5.6 million. While the base bids were within 1.3% of each other, the apparent low bid was 10% higher than what was estimated. After speaking with both bidders, both stated their bids included the elevated risk associated with working within the North Oconee River and installing the river crossing via barge. They also stated there are elevated costs associated with the Oconee Hills Cemetery's tight access constraints.
13. Staff will work with the design engineers to develop opportunities to reduce those risks and potentially reduce construction costs.
14. Anticipated Project Schedule:

M&C Approval of Preliminary Plan	August 2023

Completion of Final Design	September 2023
Easement Acquisition Completion	November 2023
Permitting Completion	December 2023
Bid Phase Completion	February 2024
Project Start	April 2024
Project Completion	April 2025

15. This recommendation supports the following ACCGov Strategic Plan Goal & Strategy:

- Built and Natural Infrastructure Goal, Strategy C: *Provide adequate funding for maintenance of existing and newly constructed infrastructure*.

OPTIONS:

1. Mayor & Commission:
   a. Authorize an appropriation of $7,318,258 for the Sanford Stadium Sanitary Sewer Interceptor Improvements Project Phase 1;
   b. Award a unit price construction contract to the apparent low bidder, Site Engineering, in the amount of 6,247,985;
   c. Award a project management/resident inspection Task Order in the amount of $445,475 to the Public Utilities Department's On-call Consultant, Jacobs Engineering, for the provision of professional services during construction;
   d. Authorize staff to approve project change orders that do not collectively exceed the overall appropriation of $ $7,318,258; and
   e. Authorize the Mayor and appropriate staff to execute all related contract documents.
2. Mayor & Commission deny the request.
3. Mayor & Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option 1 a, b, c, d and e

DEPARTMENT: Public Utilities
Prepared by: Hollis Terry IV

Hollis Terry IV — February 28, 2024

Hollis Terry IV — Date:

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option 1 a, b, c, d and e



Manager

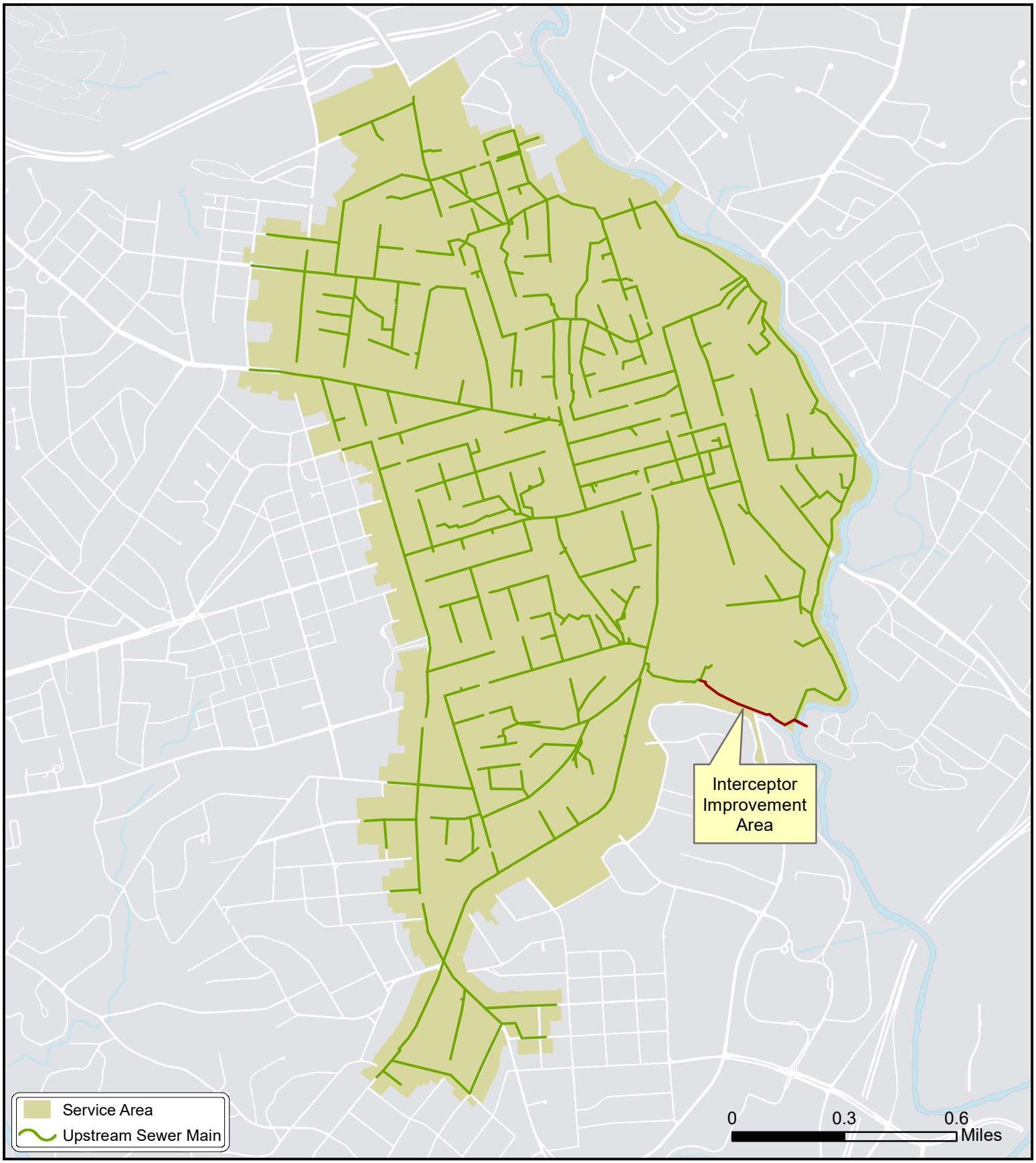
March 14, 2024
Date:

ATTACHMENTS:

Attachment #1 - Service Area
Attachment #2 - Preliminary Plans

Sanford Stadium Interceptor Service Area

Attachment #1

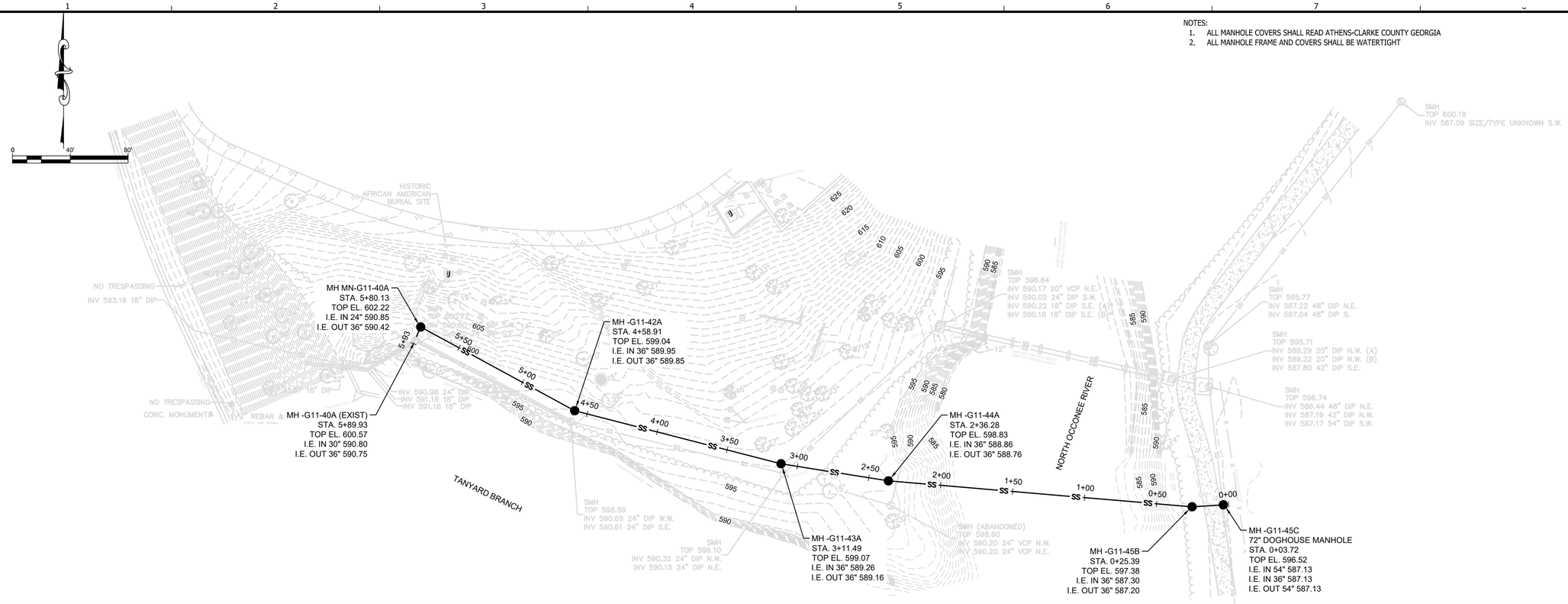


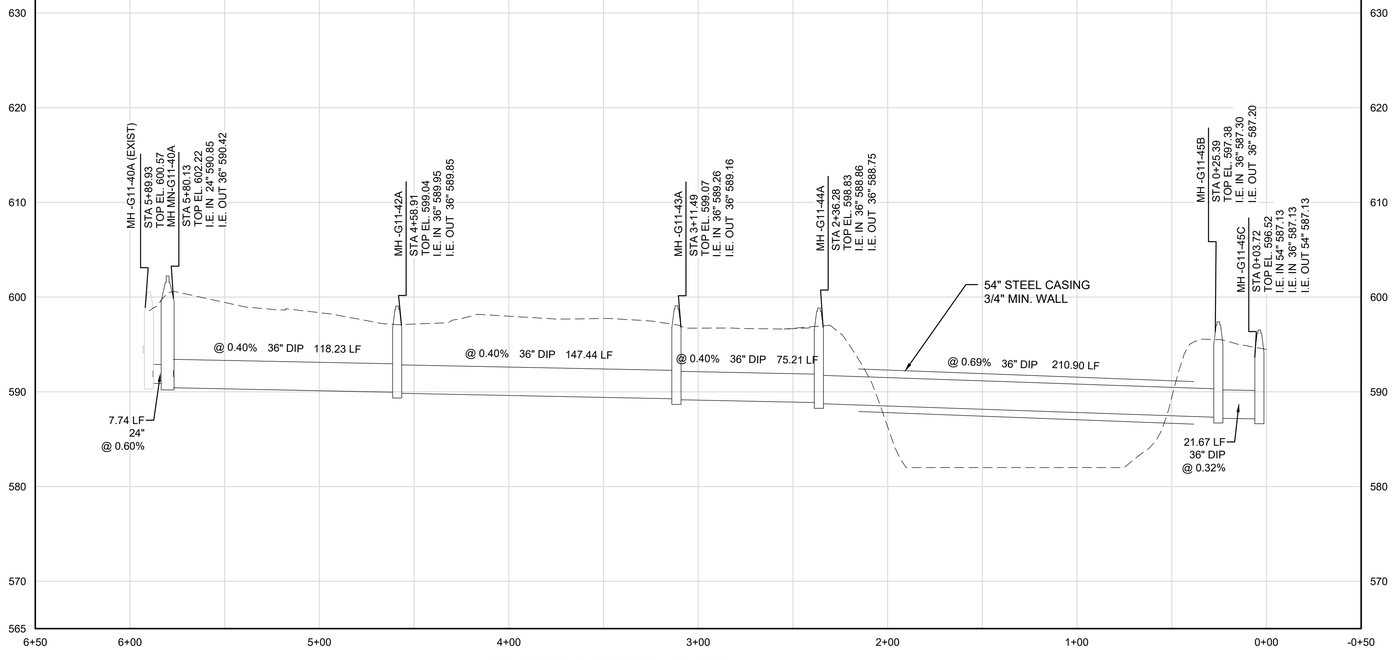
The Unified Government of Athens-Clarke County
Department of Public Utilities
124 E Hancock Ave. Athens Ga, 30601

Friday, June 23, 2023

Attachment #2

NOTES:
1. ALL MANHOLE COVERS SHALL READ ATHENS-CLARKE COUNTY GEORGIA
2. ALL MANHOLE FRAME AND COVERS SHALL BE WATERTIGHT





SANITARY SEWER LINE A

SCALE - HORZ. 1'=50'
VERT. 1" = 5'

Jacobs
GA LIC # PEF000350
(EXP 6/30/2020)
10 10th St NE, Suite 1400
Atlanta, GA 30309
Ph. 404-978-7600 Fax. 404-978-7660

#

SANFORD STADIUM SANITARY SEWER
INTERCEPTOR IMPROVEMENTS

ATHENS-CLARKE COUNTY
PUBLIC UTILITIES

124 E. HANCOCK AVE
ATHENS, GA, 30601

REV	DATE	REVISION DESCRIPTION
#	#	#
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THIS LINE IS ONE INCH LONG WHEN PLOTTED FULL SCALE

THIS DRAWING MUST BE USED IN CONJUNCTION WITH THE APPLICABLE OR GOVERNING TECHNICAL SPECIFICATIONS AND OTHER CONTRACT DOCUMENTS.

PROJECT NO: EEXJ0025

DATE: JUNE 2023

DISC. LEAD:	DESIGNER:	CHECKER:
JCH	JRM	CDJ

SHEET TITLE

CIVIL

PLAN AND PROFILE

SHEET

CU-101

CREATED: 6/12/2023 LAST SAVED: 6/12/2023 BY: MILLERJ8 PLOT DATE: 6/13/2023

Government Operations Committee
Commission Report

SUBJECT: GOC Report: Business Inclusion Policy

DATE: February 23, 2024

EXECUTIVE SUMMARY:

The GOC, with the assistance of staff, thoroughly reviewed the ACCGov Business Inclusion policy, to incorporate recommendations and address issues identified in the Disparity Study. The GOC recommends advancing efforts in alignment with the recommendations from the Disparity Study.

PURPOSE:

This report provides the Mayor and Commission (M&C) with recommendations from the Government Operations Committee (GOC) related to advancing efforts pursuant to recommendations from the Disparity Study.

HISTORY:

1. On February 4, 2020, Mayor Kelly Girtz assigned the GOC to conduct a "Review and make recommendations regarding contracting and procurement activities related to minority, local and underserved businesses, to create a favorable business environment and enhance local wealth creation. This should include outreach efforts and measurable goals and tracking."

2. From February 20, 2020, to July 23, 2020, the GOC collaborated with the Finance Department, the Office of Inclusion, and the Attorney's Office. The purpose was to assess and provide recommendations on contracting and procurement activities concerning minority, local, and underserved businesses, with the goal of augmenting local wealth creation. This comprehensive review revealed both a proactive race-neutral approach and a parallel pursuit of a race-specific approach.

3. In April 2020, the Attorney's Office determined the necessity for a disparity study to establish "narrowly tailored" race and gender goals.

4. On August 18, 2020 the GOC recommended moving forward with developing both a proactive race neutral approach and a race specific approach (after the completion of a disparity study) to contracting and procurement activities related to minority, local and underserved businesses to enhance local wealth creation.

5. In June 15, 2021, the Mayor and Commission approved the FY22 budget, including $400,000 specifically allocated for a Disparity Study.

6. On June 16, 2021, Finance began researching firms providing disparity study consultation. MGT Consulting, a large firm with decades of disparity study experience, was determined to have a statewide contract with the State of Georgia.

7. On September 14, 2021, MGT Consulting presented their disparity study approach and services at the M&C Work Session.

8. On October 5, 2021, Mayor & Commission approved MGT Consulting to conduct a disparity study to assess the existence, extent, and impact of discrimination against MBE/WBE firms working on contracting opportunities for Athens-Clarke County.

9. In January 2022, the Disparity Study was initiated. The work plan consisted of legal and policy reviews; public engagement meetings; determination of ACCGov geographic and product markets and subsequent market and utilization analysis; determination of available qualified M/WBE firms in the relevant geographic market; analysis of contractor/subcontractor utilization for disparity; analysis of private sector or B2B disparities; business owner surveys; anecdotal information collection and analysis and final report presentation.

10. In August 2023, The Disparity Study Report was presented to Mayor and Commission. The study found that the ACCGov Purchasing Policy provided ample guidance to suppliers and did not contain any inherent or built-in barriers that intentionally constrain suppliers from participating in procurement opportunities. Even so, the study found that ACCGov spending utilized M/WBE vendors below the estimated availability of these vendor groups in the relevant geographical area. Further, the study found that in the private sector market place (B2B) M/WBE firms earned significantly less than self-employed nonminority males, holding all other variables constant. The final report can be found at Athens-Clarke-County-Disparity-Study-2023-Final-Report (accgov.com).

11. On November 7, 2023, Mayor Girtz reassigned Advance efforts pursuant to recommendations from the Disparity Study to GOC.

12. On January 22, 2024 ACCGov Finance Director David Boyd presented a draft Business Inclusion Policy. The full presentation included discussion on the historical MBE Program; disparity study objectives; disparity study recommendations; and the proposed Business Inclusion Policy (BIP). The proposed BIP is a 'Narrowly Tailored M/WBE Program' adapted from a similar program adopted by the City of Asheville, NC. This policy focuses on adopting the Disparity Study 'aspirational goals' for the Construction and Architectural and Engineering industries which accounted for 35% of ACCGov spend in the Disparity Study. The policy also assigns responsibility for various policy provisions and includes vendor training and workshop education sessions.

13. On February 19, 2024 the Finance Director discussed feedback related to the draft policy with GOC. Discussion was held among the GOC members and questions were fielded by the Finance Director. As part of the draft policy discussion, the Finance Director provided information to the GOC regarding proposed software that would widen opportunities for M/WBE registration and participation. Implementation costs and the FY25, FY26 and FY27 program subscription costs (estimated at $225,000) were recommended for ARPA funding as part of the Business Inclusion Policy implementation. Further software information would be provided in a separate agenda item.

RECOMMENDATIONS:

The Government Operations Committee recommends that the Mayor and Commission:

a. Approve the proposed business inclusion policy, with future consideration of additional aspirational goals;
b. Approve acquiring software to facilitate the implementation of the business inclusion policy and,
c. Authorize the Mayor and appropriate staff to execute all necessary documents.

ADDITIONAL INFORMATION/COMMENTS:



Patrick Davenport, Chair
Government Operations Committee

March 15, 2024
Date:

ATTACHMENTS:

Attachment 1 – Business Inclusion Policy

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY BUSINESS INCLUSION POLICY

Finance Department
375 Satula Avenue
Athens, GA 30601

Adopted: To Be Determined
Effective: January 1, 2025

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PART A: BACKGROUND, OBJECTIVES, AND SUNSET

I. BACKGROUND

In February 2020, the Unified Government of Athens-Clarke County (ACCGov) Mayor assigned the Government Operations Committee (GOC) to conduct a "[r]eview and make recommendations regarding contracting and procurement activities related to minority, local and underserved businesses to create a favorable business environment and enhance local wealth creation".

In April 2020, the Attorney's Office presented research to the GOC regarding Minority Business Enterprise (MBE) programs. Their research concluded that legal precedence required a Disparity Study in order to include a race specific approach in contracting and procurement.

In July 2020, the GOC completed their review of contracting and procurement activities related to minority, local and underserved businesses to enhance local wealth creation.

In August 2020, the GOC presented their findings to the Mayor and Commission in an Agenda Setting Meeting.

On June 15, 2021, the Mayor and Commission adopted the FY 2022 annual budget. In the budget, Mayor and Commission approved the funding of a Disparity Study allocating $400,000.

On December 22, 2021 the ACCGov Mayor and Commission contracted with MGT Consulting in order to conduct a Disparity Study evaluating the Government's procurement practices.

On August 8, 2023, the study was presented to the Mayor and Commission. Statistical disparity was identified in ACCGov's utilization of MBE (Minority Business Enterprise) and WBE (Women Business Enterprise) firms compared to the availability of firms in the relevant 31-county geographic marketplace during the FY17 to FY21 study period. The Disparity Study establishes a strong basis in evidence that supports the use of narrowly tailored race and gender conscious procedures to more adequately address the ongoing effects of (private) marketplace discrimination in ACCGov contracts.

II. DECLARATION OF POLICY

It is the policy of ACCGov to provide equal opportunity to participate in all aspects of government contracting and purchasing programs, and prohibiting discrimination against any person or business in pursuit of these opportunities on the basis of race, color, sex, religion, disability, national origin or any other unlawful discrimination; and conducting its contracting and purchasing programs so as to prevent any discrimination.

ACCGov will actively seek to identify Minority and Women Business Enterprises and offer them an opportunity to participate as providers of goods and services to the Government. It is the intent of this Policy to widen opportunities for participation, increase competition, and ensure the proper and diligent use of public funds.

By creating a race and gender conscious policy implemented through a Minority and Women Business Enterprise program, the ACCGov Business Inclusion Policy will provide annual aspirational goals, subcontracting goals, and Good Faith Efforts for construction and architecture and engineering (A&E) contracts that will further foster the Government's commitment to equity

and inclusion. Per the Disparity Study Table 8-1, construction and A&E spending accounted for approximately 35% of ACCGov's spending FY17 – FY21.

This Policy is not intended in any manner to require that contracts be awarded by any means other than those provided by Georgia and federal laws, such as the lowest responsive responsible bidder standard of award. This Policy shall be followed in conjunction with ACCGov purchasing policies.

III. AUTHORITY

The Manager is hereby authorized to take all usual and legal administrative actions necessary to implement the ACCGov Business Inclusion Policy. Notwithstanding any specific assignment contained in the Policy, the ultimate responsibility for its administration is assigned to the Manager.

This Policy shall apply to all construction and A&E contracts administered by ACCGov. The provisions of this Policy take precedence over all departmental plans or procedures in conflict herewith, except for specific requirements mandated by state law or the terms of agreements enforced between ACCGov and the Federal Government or the State of Georgia that require different procedures than those described in this Policy.

This Policy, however, shall not apply in emergency situations when a contract is awarded pursuant to non-competitive solicitation. The appropriate Department Director shall, as soon as practical after the emergency non-competitive award, notify the Community Business Procurement Coordinator (CBPC).

The CBPC shall calculate the percentage of government contracts awarded under this emergency exception to the Policy and include the same in the Annual Report hereinafter referenced.

IV. POLICY OBJECTIVES

The ACCGov Business Inclusion Policy seeks to remediate the ongoing effects of (private) marketplace discrimination that the Disparity Study found to adversely affect the participation of Minority and Women Business Enterprises in government construction and A&E contracts. The ACCGov Business Inclusion Policy further seeks to enhance competition in government contracting and promote economic growth and development in the Disparity Study geographical area by:

1. Increasing awareness of available minority and women vendors and the available product lines and services they provide through the development of a Minority Business Enterprise and Women Business Enterprise Vendor Availability Database;

2. Increasing Minority and Women Business Enterprise utilization in construction and A&E contracting;

3. Monitoring, evaluating and reporting on Minority and Women Business Enterprises (here after "M/WBE") participation and contract compliance with the provisions of the ACCGov Business Inclusion Policy.

V. ANTI-DISCRIMINATION

ACCGov's policy is to provide equal opportunity in government contracting. Every contracting-

related decision the Government makes shall be on the basis of merit, without regard to an individual's race, color, creed, religion, national origin, age, disability, or gender, except when being a member of a particular group is deemed to be a bona fide occupational qualification. Moreover, in accordance with federal law, the Government will not deny opportunity in contracting to any person or business because of marriage to, or association with, individuals of a particular race, religion, national origin, disability, or gender. The Government also prohibits discrimination based on an individual's participation in schools or places of worship associated with a particular racial, ethnic, or religious group.

VI. SCOPE

The ACCGov Business Inclusion Policy shall apply to all contracts for the purchase of construction-related services and architecture and engineering services, awarded by the Government; provided, however, that the following categories of contracts shall be excluded from the scope and application of this Policy:

- Contracts that are subject to the U.S. Department of Transportation Disadvantaged Business Enterprise Program as set forth in *49 C.F.R. Part 26* or subsequent legislation;
- Contracts or purchase orders that are entered into without a competitive process or entered into based on a competitive process administered by an entity other than ACCGov;
- Contracts for the acquisition or lease of real estate;
- Contracts for legal services, unless otherwise indicated by the ACCGov Attorney;
- Emergency and exigency contracts for goods or supplies that the Manager or designee determines are necessary for the preservation of public health or safety and whose immediacy of need is so great that it is impractical for the Government to apply the terms of this Policy to the contract;
- Contracts for the Government's lease or purchase of real property where the Government is lessee or purchaser.

The aforementioned contracts shall be Exempt Contracts under this Policy.

VII. POLICY REVIEW AND SUNSET

At least every five years, ACCGov shall conduct a study on the availability and utilization of Minority and Women Business Enterprises businesses and examine relevant evidence of the effects of (private) marketplace race-based or gender-based discrimination upon the utilization of such businesses in ACCGov contracts. Should the study show a strong basis in evidence of ongoing effects of past or present (private) marketplace discrimination that prevents or limits Minority and Women Business Enterprises from participating in government contracts at a level which would have existed absent such discrimination, such evidence shall constitute a basis for the Government's continued compelling interest in remedying such (private) marketplace race and gender discrimination in governmental contracting.

Under such circumstances the Government shall adopt a policy, a rule, contract provisions, and a specific program to remedy such (private) marketplace discrimination. This Policy, to the extent

reasonably practical, should address selected barriers identified in such a study that adversely affects contract participation by disadvantaged Minority and Women Business Enterprises. Absent an extension, as evidenced by a valid Disparity Study authorized by the ACCGov Mayor and Commission, the race and gender conscious measures of the ACCGov Business Inclusion Policy, including the establishment of M/WBE Goals, will expire on xxxxxx.

VIII. SEVERABILITY

If any provision of the ACCGov Business Inclusion Policy (here after "ACCBI Policy") or any application thereof is held invalid or unenforceable, such invalidity or unenforceability shall not affect other provisions or applications of the ACCBI Policy which can be given effect without the invalid provisions or applications and the remaining provisions are to be severable and shall remain in full force and effect.

PART B: DEFINITIONS

ACCBI Policy: the ACCGov Business Inclusion Policy

Affiliate: Two entities are affiliates of one another when: (a) one controls or has the power to control the other, (b) a third party controls or has the power to control both, or (c) there is a significant relationship between the two entities based on common ownership, management or employees; shared equipment, assets, or facilities; physical proximity; percentage of revenue derived from the other entity; or loans, leases, contributions, and contracts.

Architecture & Engineering (A&E): professional services within the scope of the practice of architecture, professional engineering, land surveying, landscape architecture and interior design pertaining to construction, as defined by the laws of the state.

Aspirational Goal: benchmark percentage of spending by an agency with a particular group over a period of time. The aspirational goal is typically an annual goal. ACCGov will establish aspirational goals for the construction and A&E industries identified by the Disparity Study. This Annual Aspirational Goal is based upon the availability in the Relevant Market as determined by the Disparity Study. Annual Aspirational Goals are not to be routinely applied to individual contracts but are intended to serve as a benchmark against which to measure the overall effectiveness of the ACCGov Business Inclusion Policy on an annual basis, and to gauge the need for future adjustments to Policy administration and implementation.

ACCGov Regional Area: the relevant 31-county geographic market area defined by the Disparity Study.

ACCRA: ACCGov Regional Area

Bidder: a Business Enterprise that submits a bid or proposal for a contract.

The Government: the Unified Government of Athens-Clarke County, GA.

Commercially Useful Function: a function performed by a Business Enterprise when it is responsible for supplying goods or executing a distinct element of the work of a contract and carrying out its responsibilities by actually performing, managing and supervising the work involved. The Purchasing Division will determine whether an M/WBE is performing a Commercially Useful Function, in their discretion, based on the amount of work subcontracted, industry practices, whether the amount the M/WBE firm is to be paid under the contract is commensurate with the work it is actually performing, and other relevant factors. Commercially Useful Function is measured for purposes of determining participation on a contract, not for determination of Certification eligibility.

Community Business Procurement Coordinator: a position established to manage and implement the ACCBI Policy and serve as a resource for the M/WBEs and contracting personnel.

Construction Contract: Per an April 15, 2017 memorandum issued by the State of Georgia's Assistant Attorney General, David Carson, a construction contract (also referred to as "public works construction contract") is a subcategory of "public works" contracts that includes the following: "the building, altering, repairing, improving, or demolishing of any public structure or building or other public improvements of any kind to any public real property… Such term does not include the routine operation, repair, or maintenance of existing structures, buildings, or real

property[.]"

Contractor: a Business Enterprise that enters into a contract, including, but not limited to, construction contractors, architects, and engineers.

Day(s): calendar days, unless it is specifically indicated to be Business Days.

Department Director: Head and Director of a department.

Emergency Situation: a situation that poses a serious and immediate threat to the health and safety of the people or their property within the geographical domain of ACCGov as declared by the governing body.

Exempt Contracts: contracts for which no M/WBE goal is set pursuant to the exemptions listed in Part A section VI of this Policy.

First-tier Subcontractor: a contractor that provides goods or services directly to the Prime Contractor.

Good Faith Efforts: the requirements that Bidders must meet to show that they actively and aggressively sought to achieve the applicable MBE or WBE Goal. Good Faith Efforts requirements may vary based on the type of contract and are defined in Part D of this Policy.

Good Faith Negotiation: the requirements that Bidders must meet to show that they negotiated in good faith with M/WBEs. Good Faith Negotiation requirements may vary based on the type of contract and are defined in Part D of this Policy.

Joint Venture: an association of two (2) or more Business Enterprises to constitute a single Business Enterprise for which purpose they combine their property, capital, efforts, skills, and knowledge. Each participant in the Joint Venture must be responsible for a clearly defined portion of work, must perform a Commercially Useful Function, and must share in the ownership, control, management responsibilities, risks, and profits of the Joint Venture.

MBE: Minority Business Enterprise

MBE Goal: a goal established by the Government for MBE utilization on a contract. Calculated as a percentage, the MBE Goal represents the total dollars spent with MBEs as a portion of the total Bid or Proposal amount, including any contingency.

Minority: means only those racial or ethnicity classifications, identified by a study conducted in accordance with this Policy, that have been subjected to (private) marketplace discrimination in the relevant marketplace and that have been adversely affected in their ability to obtain contracts with ACCGov.

Minority Business Enterprise: a Business Enterprise that: (a) is certified with the Government as a minority-owned business; (b) is registered with the Government as a vendor or is certified by State of Georgia or a Federal Agency; (c) is at least fifty-one percent (51%) owned by one or more persons who are members of one of the below groups:

- *African American or Black,* that is, a person having origins in any of the black racial

groups of Africa;

- *Hispanic*, that is, a person of Spanish or Portuguese culture having origins in Mexico, South or Central America, or other Caribbean Islands, regardless of race;

- *Asian*, that is, a person having origins in any other Far East, Southeast Asia and Asia, Indian subcontinent, or Pacific Islands

- *Native American or American Indian*, that is, a person having origins in any of the original indigenous people of North America

Minority-Owned Business: a business owned by a minority person.

M/WBE: used to refer collectively to MBEs and WBEs. In some contexts, it means all MBEs and WBEs, and in other contexts it means one or more categories of MBEs or WBEs.

M/WBE Annual Goal: annual aspirational goals, which are non-mandatory goals set for government contracting.

M/WBE Goal: depends on the context. If a contract has separate subcontracting goals for MBEs and WBEs, the term M/WBE Goal is a shorthand way to refer collectively to both the MBE and WBE goals. In some instances, the Government may set one combined goal for MBEs and WBEs on a contract, in which event the term M/WBE Goal refers to that one, combined goal. In the latter instance, calculated as a percentage, the M/WBE Goal represents the total dollars spent with M/WBEs as a portion of the total Bid or Proposal amount, including any contingency.

M/WBE Registration: the process by which an MBE or WBE is registered with the Government as outlined in Part H of this Policy.

Originating Department: the Government department or authorized representative of the Government which issues a solicitation, or for which a solicitation is issued on behalf of, for department or Government needs.

Prime Contract: a contract between the Government and a Business Enterprise.

Prime Contractor: the vendor or contractor to whom a purchase order or contract is issued by ACCGov for purposes of providing goods or services for the Government.

Policy Elements: any process or processes defined in this Policy that may be required in order for a contractor to be awarded a Government contract.

Qualified M/WBE: an M/WBE that has the financial ability, skill, experience; access to the necessary staff, facilities and equipment needed to complete a particular contract or subcontract; and otherwise meets the criteria for being a "responsible bidder". The Community Business Procurement Coordinator, with advice from the Government Attorney, may develop methods and criteria for assessment of whether a particular M/WBE is Qualified for a particular contract or subcontract for the purposes of the ACCBI Policy. Nothing contained herein shall in any respect supersede or invalidate rules and regulations that a Department Director may promulgate with respect to pre-qualification of Government Contractors. The Government makes no representations as to the qualification of any M/WBE or any other Business Enterprise.

Regular Dealer: a vendor that owns, operates, or maintains a store, warehouse, or other establishment in which the materials or supplies required for the performance of a contract are bought, kept in stock, and regularly sold to the public in the usual course of business.

Responsive Bidder: bid documents conform to bid specifications and meet all applicable legal and policy requirements.

Second-tier subcontractor: a contractor that is hired by a first-tier subcontractor within the same contract or purchase order to provide a portion of the good and / or services the first-tier subcontractor is obligated to provide under its subcontract to the Prime Contractor.

Subcontractor: a Business Enterprise that directly contracts with a contractor, subcontractor, or sub-consultant to provide goods or services or perform work in connection with a contract. Subcontractor also includes any person who has contracted to furnish labor or materials to or who has performed labor for a contractor or another subcontractor in connection with a public construction contract. A subcontractor may be either a first, second, or third-tier subcontractor. The term "Subcontractor" also includes "Sub-consultants" and "Suppliers".

Third-tier Subcontractor: a contractor that is hired by the second-tier subcontractor within the same contract or purchase order to provide a portion of the goods and / or services it is obligated to provide under its subcontract with the first-tier subcontractor.

Vendor: a supplier of goods and services. A vendor sells products or services to another company or individual.

Vendor Availability Database: the database that tracks all vendors registered with ACCGov that participate in Government contracting. This also includes vendors registered with state and federal databases.

WBE: Woman Business Enterprise

WBE Goal: a goal established by the Government for WBE utilization on a contract. Calculated as a percentage, the WBE Goal represents the total dollars spent with WBEs as a portion of the total Bid or Proposal amount, including any contingency.

Woman Business Enterprise: a Business Enterprise that: (a) is certified by the Georgia Procurement Registry or federal agency; (b) is registered with the Government as a woman-owned business; (c) is at least fifty-one percent (51%) owned by one or more persons who are female.

Woman-Owned Business: non-Hispanic white woman-owned businesses

PART C: POLICY ADMINISTRATION

I. GOVERNMENT PERSONNEL ROLES AND RESPONSIBILITIES

In addition to any responsibilities specifically identified in this Policy, Government personnel shall have the following roles and responsibilities in administering and enforcing the ACCBI Policy:

- **The ACCGov Manager** is primarily responsible for implementing the ACCBI Policy. The Manager shall:
    - Determine the organizational structure and appropriate staffing for the ACCBI Policy implementation, throughout government departments;
    - Establish lines of authority and reporting for successful Policy implementation;
    - Recommend funding for staffing, operations, training, and outreach to further ACCBI Policy administration and compliance;
    - Assure the integration of the ACCBI Policy components into the practices and processes of all departments;
    - Request revisions to the ACCBI Policy as needed to facilitate administration and fulfill Policy objectives;
    - Approve standards for Good Faith Efforts for staff with respect to Aspirational Goals;
- **The Community Business Procurement Coordinator** is responsible for:
    - Daily administration of all components of the ACCBI Policy administration (and, if determined applicable at a future date, supervision of the ACCBI support staff);
    - Developing such rules and guidelines as may be necessary to effectuate the purposes of the ACCBI Policy;
    - Advising the Manager and Purchasing Administrator on ACCBI Policy administration and implementation issues;
    - Consulting with Department Directors and their staffs on ACCBI Policy implementation;
    - Monitoring and reporting Government-wide Minority and Women Business Enterprise participation;
    - Being the ombudsman for MBE and WBE business concerns associated with the ACCBI Policy administration and implementation;
    - Making revisions to the ACCBI Policy administration procedures as needed to facilitate implementation and fulfill Policy objectives;

- Managing the Vendor Availability Database of M/WBE firms.

- **Department Directors** are responsible for:
  - Ensuring ACCBI Policy compliance within their respective departments;
  - Promoting the ACCBI Policy implementation and M/WBE participation in the contracting and procurement activities of their department;
  - Holding key contracting staff accountable for adhering to the ACCBI Policy.

- **The ACCGov Attorney's Office** is responsible for:
  - Reviewing the ACCBI Policy, rules and standards to ensure their compliance with federal, state and local laws;
  - Reviewing recommendations to reject a Bid for non-compliance with ACCBI Policy requirements and provisions; and
  - Advising the Mayor and Commission, Manager, Department Directors, and the Community Business Procurement Coordinator on legal issues related to the ACCBI Policy administration and implementation.

II. ASPIRATIONAL GOALS

A. Aspirational Goals

For compliance with ACCBI Policy, the Government shall review its budget and establish a combined aspirational (not mandatory) goal in the form of a percentage, for the overall participation in contracts by MBEs and WBEs, collectively referred to as "M/WBE Goals". The aspirational goal for MBEs and WBEs shall be established consistent with federal methodology and shall not be applied rigidly on specific contracts or projects. Aspirational goals shall apply to construction and A&E contracts except in exempt cases noted in Part A Section VI *Scope*.

Aspirational Goals for M/WBEs:
Per Section 8.4.2 of the Disparity Study Report dated August 4, 2023, "any new M/WBE Program implemented to specifically address the identified disparity in accordance with guidance from case law regarding race-based procurement programs. Developments in court cases involving federal disadvantaged business enterprise (DBE) programs provide important insight into the design of local M/WBE programs. Federal courts have consistently found DBE regulations in 49 CFR 26 to be narrowly tailored. The federal DBE program has the features in **Table 8-7** that contribute to this characterization as a narrowly tailored remedial procurement preference program. Athens-Clarke County should adopt these features in any new M/WBE program."

Table 8-7
Narrowly Tailored M/WBE Program Features

Narrowly Tailored Goal-Setting Features	**DBE REGULATIONS**
Athens-Clarke County should not use M/WBE quotas.	49 CFR 26(43)(a)
Athens-Clarke County should use race or gender	49 CFR 26(43)(b)

conscious set-asides only in extreme cases	
Athens-Clarke County should meet the maximum amount of M/WBE Goals through race-neutral means.	49 CFR 26(51)(a)

Aspirational Goals Methodology: Per Section 8.3 of the Disparity Study Report dated August 4, 2023, "Estimates of MBE availability in the Athens-Clarke County's market area provide the starting point for government-wide annual aspirational goals for contracting across all industry categories. As Athens-Clarke County continues to review its achievement toward the annual aspirational goals *it should assess whether race and gender-based remedies are necessary for all industry categories*. The proposed M/WBE aspirational goal reflected in **Table 8-6** for Construction is 13 percent, Architecture and Engineering is 12 percent, Professional Services is 9 percent, Other Services is 10 percent, and Goods is 2 percent. The overall aspirational goals are recommended at 9 percent for M/WBE firms. The proposed goals are based on a weighted average of utilization and availability. Aspirational goals are based on an accumulation of all spending within Athens-Clarke County **[**note–to clarify, this means spending within the five industries for FY17 – FY21 and within the 31-county relevant area**]** and should not be applied rigidly to every individual procurement. Future adjustments to the agency's aspirational goals should be based on relative availability and adjusted as needed." [Note–to clarify, adjusted based on a new Disparity Study as defined in Section VII *Policy Review and Sunset]*.

Table 8-6
M/WBE ASPIRATIONAL GOALS

Industry Category	**Aspirational Goal**
Construction	13%
Architecture & Engineering	12%
Professional Services	9%
Other Services	10%
Goods	2%
Overall	**9%**

Data Tracking for M/WBEs: The Community Business Procurement Coordinator will issue reports on an annual basis regarding the utilization of M/WBEs in various categories of prime contracts for Construction and Architecture and Engineering contracts.

Accountability: The Manager shall ensure that Department Directors contribute appropriately to the achievement of Government-wide M/WBE Goals. The Manager will further ensure that Department Directors work with the Community Business Procurement Coordinator in developing appropriate measures to remediate ongoing (private) marketplace discrimination against MBEs or WBEs that has impacted their ability to participate in government contracts.

B. Contract-by-Contract Subcontracting Goal Setting

All contract-by-contract subcontracting goals will be set pursuant to the ACCBI Policy. It is intended that such goal setting will be based upon the Disparity Study Relevant Area analysis of the availability of Commercially Useful subcontracting opportunities within a given industry and the relative availability of M/WBE firms to perform required tasks on such subcontract opportunities. Such contract-by-contract goal setting shall be based upon reasonably reliable

Respondent and Subcontractor availability data. Compliance with contract-specific subcontracting goals shall also require compliance with Good Faith Efforts and waiver procedures as established below in Part D of this Policy.

- **Goal Setting Methodology.** The Community Business Procurement Coordinator shall follow the methodology for setting M/WBE Goals, as defined by the Government, on Government contracts through rules and guidelines for the implementation of the ACCBI Policy. Such methodology shall take into account contract size, reasonably known availability of subcontracting opportunities that M/WBEs can perform on each contract, whether M/WBE Goals for the project are legally warranted to remedy the effects of past (private) marketplace discrimination, and other factors as the CBPC deems appropriate. M/WBE Goals shall be set only for Construction and A&E contracts as described in this Policy and the Disparity Study.

- **Construction Contracts of $300,000 or More.** The Government shall establish one or more subcontracting goals on construction contracts unless the contract is determined to be an exempt contract. M/WBE Goals shall be established based on the Disparity Study recommendations.

- **Architecture and Engineering Contracts of $50,000 or More.** The Government shall establish M/WBE Goals for Architecture and Engineering contracts unless the contract is determined to be an exempt contract. M/WBE Goals shall be established based on the Disparity Study recommendations.

- **State and Federally Funded Contracts.** Notwithstanding anything contained herein to the contrary, the Government will not set subcontracting goals on any state or federally funded contract that is subject to state or federal requirements for Minority and Women Business Enterprise utilization, including without limitation contracts subject to the U.S. Department of Transportation's Disadvantaged Business Enterprise Program.

III. TRAINING AND WORKSHOPS

The intent of staff training is to create a culture of inclusion with respect to administration of Government contracts and expenditures. The CBPC, with the assistance of the appropriate Government departments, shall conduct seminars and workshops to acquaint small businesses with Government contracting activities and opportunities. Topics shall include, but not be limited to, the process used by the Government in soliciting bids and quotes. Additional classes may be provided with the assistance of the appropriate department on a project-by-project basis through structured seminars, classes, and individual assistance provided to Minority and Women Businesses Enterprises requesting this type of support.

IV. OTHER MEASURES FOR POLICY IMPLEMENTATION

To show its commitment to the ACCBI, the Government ***may***, where consistent with federal, state and local laws:

- Evaluate bonding for contracts less than $100,000 in value; (O.C.G.A 36-91-90 requires payment bonds for public works construction contracts estimated greater than $100,000. O.C.G.A 36-91-70 requires performance bonds for public works construction contracts estimated greater than $100,000.)

- Provide for alternative bids by considering dividing formal (large) projects/purchases into smaller contracts so long as compliance with statutory thresholds remains intact;

- Provide department flow charts with explanations of the major steps in the contracting and procurement process;

- Require departments to provide project information on Internet websites;

- Provide and make networking opportunities available to Prime Contractors with M/WBE subcontractors;

The Government ***may***, where consistent with federal, state, and local laws:

- Develop internal procedures to support the Policy;

- Allocate funding for subsequent Disparity Studies, conducted every 5 years, to ensure that the Government is adequately addressing race and gender disparities within Government contracting.

PART D: GOOD FAITH EFFORTS AND POLICY WAIVERS

I. GOOD FAITH EFFORTS: M/WBE GOALS OVER ZERO

Adequate Good Faith Efforts mean that the Bidder took all necessary and reasonable steps to achieve the subcontracting goal which, by their scope, intensity, and appropriateness, could reasonably be expected to obtain sufficient M/WBE participation. Adequate Good Faith Efforts also mean that the Bidder actively and aggressively sought M/WBE participation. Mere *pro forma* efforts are not considered Good Faith Efforts. If adequate Good Faith Efforts have not been documented, the Government reserves the right to deem the Bidder unresponsive.

A. Good Faith Efforts

For each subcontracting goal that a Bidder has not fully met for the established contract, it must document that it has made Good Faith Efforts for each unmet goal. The Government will consider the quality, quantity, and intensity of the different kinds of efforts a Bidder has made.
*Listed below are **examples of the types of actions** a Bidder will take in making a good faith effort to meet the goals, which are not intended to be exclusive or exhaustive, nor are they intended to be a mandatory checklist.*

- **Contacting M/WBEs**. Bidder must contact M/WBEs in a reasonable manner to reach each subcontracting goal on a specific contract. Factors include, but are not limited to:
    - The number of M/WBEs contacted;
    - Contacting M/WBEs that reasonably could have been expected to submit a quote and that were known to the Bidder or available on the Government's maintained list;
    - Soliciting through all reasonable and available means (e.g. attendance at pre-bid meetings or in pre-bid conferences, advertising, written notices, use of verifiable electronic means through the use of the Government's list of available M/WBE firms) the interest of certified M/WBEs who have the capability to perform the work of the contract;
    - The Bidder solicits this interest at least ten (10) days prior to bid opening to allow the M/WBEs to respond to the solicitation;
    - Whether contacts were made and were documented in a verifiable way;
    - Whether the Bidder responded promptly and adequately to inquiries from M/WBEs; and
    - Whether the Bidder made follow-up contact with M/WBEs that did not respond to the Bidder's initial contact
- **Working with Community Business Procurement Coordinator and other related groups.** Bidder documents that it worked the CBPC, available minority community organizations, minority contractors' group, local minority business assistance offices and / or other local organizations that provide assistance in the recruitment and placement of minorities and women to solicit bids for the contract for which the bid was sought.

- **Breaking down work**. Selecting portions of the work to be performed by M/WBEs in order to increase the likelihood that the M/WBE Goals will be achieved.

    - Where appropriate, breaking out contract work items into economically feasible units to facilitate M/WBE participation, even when the Prime Contractor might otherwise prefer to perform these work items with its own forces.

- **Making Plans Available.** Providing prospective M/WBEs with adequate information about the plans, specifications, and requirements of the contract in a timely manner or within 10 days before the bid proposals are due to assist them in responding to a solicitation.

- **Negotiating in Good Faith.** Negotiating in good faith with interested M/WBEs and not rejecting M/WBEs as being unqualified without sound reasons based on a thorough investigation of their capabilities. The M/WBE's standing within its industry, membership in specific groups, organizations, or associates and political or social affiliations (for example, union vs. non-union employee status) are not legitimate causes for the rejection or non-solicitation of bids in the Bidder's efforts to meet the project goal. The Bidder shall document in writing the reasons for any rejection of an M/WBE based on lack of qualifications.

- **Bonding or Insurance Assistance on Construction Contracts.** Providing assistance to interested M/WBEs in obtaining bonding, lines of credit, or insurance as required by the recipient or Bidder or providing alternatives to bonding or insurance for subcontractors;

- **Financial Assistance.** Providing assistance to otherwise qualified M/WBEs in need of obtaining necessary equipment, supplies, materials, loan capital, lines of credit, joint pay agreements to secure loans, supplies or letters of credit (including waiving credit that is ordinarily required), or related assistance or services. No credit for Good Faith Effort will be given to an Affiliate of a Bidder as it pertains to financial assistance.

- **Joint Ventures.** Negotiating joint venture and partnership arrangements with M/WBEs in order to increase opportunities for M/WBE participation on public construction and repair contracts. No Good Faith Effort credit will be given to an Affiliate of the Bidder as it pertains to Joint Ventures.

- **Quick Pay Commitment.** Providing quick pay agreements and policies to enable M/WBE contractors and suppliers to meet cash-flow demands. Bidder will not receive credit for Good Faith Effort if the Quick Pay Commitment has a statement indicating that the Bidder *will consider* entering into a Quick Pay Commitment OR the Bidder verbally communicated the Quick Pay Commitment to the subcontractor.

In addition, the Government may take into account (a) whether the Bidder's documentation reflects a clear and realistic plan for achieving the MBE and WBE goals; (b) the Bidder's past performance in meeting the M/WBE Goals; (c) the performance of other Bidders in meeting the M/WBE Goals. For example, when the apparent successful Bidder fails to meet the goals, but others meet it, staff may reasonably raise the question of whether, with additional reasonable efforts, the apparent successful Bidder could have met the goals.

If the apparent successful Bidder fails to meet the M/WBE Goals but meets or exceeds the average MBE and WBE participation obtained by other Bidders, the Government may view this, in conjunction with other factors, as evidence of the apparent successful Bidder having made a Good Faith Effort.

B. Negotiating in Good Faith with Interested M/WBEs

The Bidder must comply with the Good Faith Negotiation. All Bidders that fail to meet a Subcontracting Goal must negotiate in good faith with each certified M/WBE that responds to the Bidder's solicitation or contacts the Bidder of its own accord with respect to the unmet goal(s). If the Bidder does not receive a response from the solicited subcontractors, the Bidder must notify the CBPC that no response was received.

- It is the Bidder's responsibility to make a portion of subcontracted work available to M/WBE subcontractors and suppliers to bid on and to select those portions of the work or material needs consistent with the available M/WBE subcontractors and suppliers, so as to facilitate M/WBE participation. Evidence of such negotiation includes the names, addresses, and telephone numbers of MBEs and WBEs that were considered; a description of the information provided regarding the plans and specifications for the work selected for subcontracting; and evidence as to why additional agreements could not be reached for M/WBEs to perform the work.

- A Bidder using good business judgment would consider a number of factors in negotiating with subcontractors, including M/WBE subcontractors, and would take a firm's price and capabilities as well as contract goals into consideration. However, the fact that there may be some additional costs involved in finding and using M/WBEs is not in itself sufficient reason for a Bidder's failure to meet the contract MBE and WBE Goals, as long as such costs are reasonable. Also, the ability or desire of a Prime Contractor to perform the work of a contract within its own organization does not relieve the Bidder of the responsibility to make Good Faith Efforts. Bidders are not, however, required to accept higher quotes from M/WBEs if the price difference is excessive or unreasonable.

II. POLICY WAIVERS

Prior to the public release of solicitations, a Government Originating Department may request the Manager to waive or modify the application of Policy element requirements for M/WBE participation by submitting its reasons in writing. The Originating Department must fully and accurately document the necessity for the waiver. The CBPC shall evaluate the request to determine that the requirements for a waiver have been satisfied and make a recommendation to the Manager.

1. The Manager may grant such a waiver or modification upon determination that:

- The extraordinary and necessary requirements of the contract render application of the Policy elements infeasible or impractical; or

- The nature of the goods or services being procured are excluded from the scope of this Policy; or

- Sufficient qualified M/WBEs providing the goods or services required by the contract are unavailable in the relevant geographical area of the project despite every reasonable attempt to locate them.

Otherwise, such solicitations shall be forwarded to the CBPC for review and possible application of Policy elements. Any further requests from a Government Originating Department for modification of set goals or other Policy elements as established by the ACCBI Policy shall be presented to the Manager, whose decisions on such requests shall be final.

2. The CBPC may waive the application of Policy elements to enhance M/WBE utilization for a specific contract under the following circumstances:

- The non-compliance is minor in nature; or

- Waiving the non-compliance would not put Bidders that complied with the ACCBI Policy at a competitive disadvantage; or

- The non-compliance does not reflect a lack of diligence on the Bidder's part in complying with the Policy. For example, a repeated violation of the same Policy provisions on two or more bids might be deemed a lack of diligence in complying with the ACCBI Policy; or

- Whenever the needed goods or services are available only from a sole source and the prospective contractor is not currently disqualified from doing business with the Government, or the procurement is necessary to preserve or protect the health and safety of the Government's residents; or

- The Originating Department certifies to the CBPC and Manager:

    - That an emergency exists which requires goods or supplies to be provided with such immediacy that it is unable to comply with the requirements of this Policy; and

    - That the prospective contractor is an M/WBE or, if not, that the prospective contractor will make a good faith effort to utilize M/WBEs.

Nothing in this Policy shall require the CBPC to grant a waiver in any situation or give rise to a suggestion that the CBPC might be inclined to grant a waiver in a certain situation. Likewise, the Government shall not be bound by any oral representation made by any Government employee, official, agent or representative that a waiver will be granted for a particular instance or for a category of instances. Any waivers authorized for this Policy shall be issued in writing.

PART E: CONSTRUCTION CONTRACTS

I. SCOPE

ACCGov shall provide equal opportunity for M/WBEs to compete for construction projects. Those actions shall include those matters hereinafter set out. This Policy shall be referenced in the specifications and guidelines for any such project, and non-compliance by any Bidder shall be grounds for declaring the bid or proposal non-responsive. This Policy shall be followed in conjunction with the Government's Purchasing and Contracting Policy along with all applicable federal, state, and local laws.

II. GENERAL REQUIREMENTS

A. Subcontracting Goal Setting

All Subcontracting Goals will be set by the Community Business Procurement Coordinator, in conformity with the ACCBI Policy, and provided to the Bidder with the Government solicitation documents. **When the Government sets a subcontracting goal for construction contracts, each Bidder must either: (a) meet each subcontracting goal established; or (b) comply with the Good Faith Negotiation and Good Faith Efforts requirements set forth in Part D for each unmet subcontracting goal.**

The Government solicitation documents will contain certain forms that Bidders must complete to document having met these requirements. Failure to comply constitutes grounds for deeming the bid or proposal unresponsive. *This shall only apply to projects with M/WBE Goals.*

B. Responsibilities

1. Government Responsibilities

- The Community Business Procurement Coordinator shall provide a list of registered qualified M/WBEs for the particular bidding industry, using information obtained from the Government's Vendor Availability Database. This will include the Georgia Procurement Registry. The list shall describe the capabilities of registered MBEs and WBEs depending upon the scope of the project involved.

- Simultaneously with each bid posting of construction contracts for which an M/WBE Goal has been set, the Government will send a "Project Notice" to all M/WBEs in the applicable categories that have registered with the Government as performing the type of work being bid. Project Notice may be sent via email or mail. The Project Notice will include:

    - A description of the work for which the bid is being solicited;

    - The date, time and location where bids are to be submitted;

    - The name of the individual at the Government who will be available to answer questions about the solicitation;

    - Where the Government bid documents may be reviewed; and

- Any special requirements that may exist.

- For each construction contract of $300,000 or more, the Government will also:

  - Make available (by email, posting on the Government's website or other means) a list of Bidders that have attended the scheduled pre-bid conference, if a pre-bid conference has been held; and

  - Utilize other media, as appropriate, likely to inform potential M/WBEs, as applicable, of the bids being sought.

- Formal Bidding

  - For formal construction contracts put out for bids that include a mandatory pre-bid meeting or conference, the Originating Department shall orient contractors and subcontractors on the steps for M/WBE participation and Good Faith Efforts as specified in this Policy as well as bid procedures and regulations.

  - A period of at least thirty (30) days shall lapse between the date on which the advertisement appears and the date of the opening of formal bids (for construction contracts $300,000 or more in accordance with Georgia law.) Exceptions may be made in cases of special emergency involving the health and safety of the people or their property.

2. Bidder Responsibilities

- Self-performance

  - **Self-performance on Construction Contract with M/WBE Goal.** Bidders that intend to perform 100% of the work on a construction contract with an established M/WBE Goal may submit an affidavit stating that the Bidder does not customarily subcontract elements of this type of project; and normally performs, has the capability to perform, and will perform all elements of work on this contract with its own current workforces. The affidavit shall be in a form provided by the Government as part of the Government Solicitation Documents, and shall affirm (1) it is a normal business practice of the Bidder to perform all elements of the contract with its own workforce without the use of subcontractors and (2) the Bidder in fact has demonstrated its capabilities to perform all elements of the contract with its own workforce without the use of subcontracts. In such an event, the Bidder shall not be required to comply with Good Faith Efforts in Part D or III of this section.

    - If the Bidder is not licensed to perform each and every type of work included in the contract, or if the Government has cause to believe based on past practice or other grounds that the Bidder will not be performing all work under the contract with its own current workforce, then the Government may reject the Bidder's bid or proposal for non-compliance with the ACCBI Policy.

- For any contract put out for bid, the Bidder shall:

- Notify those registered MBEs or WBEs appearing on the list provided by the CBPC, for the portion of the project which will be subcontracted by the single Prime Contractor or separate specification contractor and solicit bids from those M/WBEs.

- Submit a listing of the MBE or WBE participation that will be utilized on the appropriate form (depending on project, will provide the forms for completion) with the Bid in order for the Bid to be considered responsive. Blank forms will not be deemed to represent zero participation.

- Bidders must indicate the total dollar value of M/WBE participation for the contract at the time of the bid opening. Blank forms will not be deemed to represent zero participation.

- Bidders must submit all additional verification of the Good Faith Efforts made to increase M/WBE participation with their bid, for any bid with an M/WBE Goal.

- The successful Bidder shall:

    - Maintain subcontractor payment information, which includes date(s) and amount(s) of payment(s) and submit the same at the time of each pay application to the Government.

    - Submit to the CBPC any M/WBE subcontractor changes during projects.

C. Meeting Subcontracting Goals

- **Counting M/WBEs.** The Government will give Bidders credit toward meeting the subcontracting goals at bid opening only for those M/WBEs that:

    - Are certified with the Government available vendor database as M/WBEs as of the bid due date; and

    - With respect to M/WBEs, are listed in the Government's Vendor Availability Database as being at least 51% owned by individuals in one of the M/WBE categories included in the MBE or WBE Goal set for that project; and

    - Will actually perform a Commercially Useful Function as defined in Part B (which means, among other things, an M/WBE acting solely as a conduit will not be counted)

- **Decertified M/WBEs.** The Government will not give credit toward subcontracting goals for subcontracting to M/WBEs that are found to be Affiliates of the Bidder prior to bid opening. If an M/WBE is decertified between bid opening and contract award, the Government will not allow Good Faith Effort credit toward the subcontracting goal for the amounts committed to that M/WBE, but will allow the Bidder to replace the decertified M/WBE with a certified M/WBE, unless the certification was based on false or fraudulent information of which the Bidder had or should have had knowledge. However, the Government may refuse to allow the substitution and reject the bid if the M/WBE is

decertified for being an Affiliate, or is found to be an Affiliate of the Bidder (even if not decertified), if the Government determines in its sole discretion that the Bidder knew or should have known prior to bid opening that there was a significant risk that the Government would consider the M/WBE an Affiliate. Bidders shall be deemed to have knowledge of all ACCBI Policy provisions, including those relating to Affiliates.

- **M/WBE Prime.** A Prime M/WBE may count the work it intends to perform, with its own current workforces, towards the M/WBE Subcontracting Goals to the extent the requirements set forth in this Section are satisfied.

- **Using M/WBEs the Government Did Not List in Government Solicitation Documents.** Bidders shall receive credit for using M/WBEs that the Government did not list in the Government Solicitation Documents, as long as the requirements above are met.

- **Calculating M/WBE Participation Based on Type**. The Government shall count M/WBE participation on a construction contract as set forth below:

    - **Subcontractor**: If the Bidder utilizes an M/WBE as a subcontractor to perform services, the Government shall count 100% of the value of the Commercially Useful Function the M/WBE performs toward satisfaction of the subcontracting goals, except to the extent the M/WBE performs services as a regular dealer, hauler, broker or packager (in which event the amount counted will be determined by the applicable Section below).

    - **Second and Third Tier Subcontractor:** If the Bidder or subcontractor for a Bidder utilizes a M/WBE as a second or third tier subcontractor to perform services, the Government shall count 100% of the value of the Commercially Useful Function the M/WBE performs toward satisfaction of the subcontracting goals, except to the extent the M/WBE performs services as a regular dealer, hauler, broker or packager (in which event the amount counted will be determined by the applicable Section below).

    - **Manufacturer:** The Government shall count 100% of all expenditures for materials, supplies and equipment obtained from an M/WBE manufacturer toward the subcontracting goals.

    - **Regular Dealer:** The Government shall count 60% of all expenditures for materials, supplies and equipment obtained from an M/WBE regular dealer toward the Subcontracting Goals.

    - **Hauler, Broker or Packager:** The Government shall count fees or commissions charged by a M/WBE hauler, broker or packager for providing a Commercially Useful Function toward the subcontracting goals, provided that the Bidder determines that the fee or commission is reasonable and not excessive as compared with fees customarily charged for similar services. A hauler may or may not take title to the materials or supplies it delivers. Either way, the cost of such materials and supplies shall not count as part of the hauler's fees or commissions for purposes of this Section.

For construction projects not requiring formal bids in accordance with state law, the Government

shall, in addition to its normal procedures, include on its bid list for direct solicitation the M/WBEs listed for the type of construction needed. The non-availability or limited availability of certified businesses in a specific type of construction does not limit the maximum number of M/WBEs which may be solicited. Contracts for building construction are further governed by State Law and may be precluded from complying with requirements of this Policy.

The Government will meet its payment obligations in accordance with established Government policy and State Law. Nevertheless, payments for construction contracts will be made no later than thirty (30) days after receipt of an approved invoice, provided the construction work has been accepted by the Government.

III. GOOD FAITH EFFORTS AND NEGOTIATIONS

If a Bidder has not fully met each subcontracting goal established for a contract, then it must document that it has made Good Faith Efforts with respect to each unmet goal. The Government's process for establishing subcontracting goals is set forth in Part C of this Policy.

Adequate Good Faith Efforts means that the Bidder took all necessary and reasonable steps to achieve the goal which, by their scope, intensity, and appropriateness, could reasonably be expected to obtain sufficient M/WBE participation. Adequate Good Faith Efforts also means that the Bidder actively and aggressively sought M/WBE participation. Mere *pro forma* efforts are not considered Good Faith Efforts. If adequate Good Faith Efforts have not been documented, the Government reserves the right to deem the Bidder non-responsive.

A. M/WBE Solicitation

Using the directory of certified M/WBE firms maintained by the CBPC, the Bidder shall be required to solicit subcontractor bids and material quotes from individual certified M/WBEs. The Bidder shall solicit bids and quotes from M/WBEs to perform subcontracts for a Commercially Useful Function on behalf of the Bidder. Such subcontractor solicitations shall occur in advance of bid submittal, and shall, at a minimum, furnish the following information:

- Bidder's name, address, telephone number, and email address;
- Project location name, bid solicitation number, and description;
- Description of areas of work to be subcontracted or materials to be supplied;
- Location and availability of project plans, specifications, or blueprints;
- The identity and contact information of the Bidder's contracting representative;
- Location, date, and time when subcontractor bids or quotes must be received by Bidder; and
- The proposed project timeline.

The Government may only give Bidders credit toward the subcontracting goals for M/WBE participation that is listed on the Utilization and Good Faith Efforts Affidavit, and the applicable form from the CBPC submitted with the Bid.

Utilization and Good Faith Efforts Affidavit. The Government Solicitation Documents for each construction contract will include a form affidavit that: (a) captures information regarding the M/WBEs and other subcontractors and suppliers that the Bidder intends to use on the contract and (b) lists the Good Faith Efforts undertaken by the Bidder to meet the subcontracting goals (the "Utilization and Good Faith Efforts Affidavit"). Failure to properly complete and submit the Utilization and Good Faith Efforts Affidavit with the bid constitutes grounds for rejection of the bid.

B. Good Faith Efforts Categories

For each subcontracting goal that a Bidder has not fully met for the established contract, it must document that it has made Good Faith Efforts for each unmet goal. For each unmet subcontracting goal, **a minimum of five (5) categories below must be checked in order to have demonstrated "Good Faith Efforts"**. For building construction projects, each Bidder must earn fifty (50) points to demonstrate "Good Faith Efforts." Each category below shall be assigned a minimum of ten (10) points. The Government will consider the quality, quantity, and intensity of the different kinds of efforts a Bidder has made. Unless otherwise stated, the categories listed below are as defined in Part D, and are listed here:

- ❑ **Contacting M/WBEs**. Bidder must contact M/WBEs in a reasonable manner to reach each subcontracting goal on a specific contract at least 10 days prior to submittal deadline/bid opening.

- ❑ **Followed up with M/WBEs.** Followed up with contacted M/WBEs subsequent to the initial contact and at least 72 hours prior to submittal deadline/bid opening either by phone, writing or in person.

- ❑ **Attendance at Pre-Bid Meeting.** To receive credit, the Bidder must attend pre-bid meetings scheduled by the Government for the contract in question.

- ❑ **Breaking Down Work**. Selecting portions of the work to be performed by M/WBEs in order to increase the likelihood that the M/WBE Goals will be achieved.

- ❑ **Working with CBPC Office or M/WBE Assistance Programs.** The Bidder must document that it worked with the available minority community organizations, minority contractors' group, local minority business assistance offices and/or other local organizations that provide assistance in the recruitment and placement of Minority or Women Business Enterprises to solicit bids for the contract for which the bid was sought.

- ❑ **Making Plans Available.** Providing prospective M/WBEs with adequate information about the plans, specifications, and requirements of the contract in a timely manner or within 10 days before the bid proposals are due to assist them in responding to a solicitation.

- ❑ **Negotiating in Good Faith.** Negotiating in good faith with interested M/WBEs and not rejecting M/WBEs as being unqualified without sound reasons based on a thorough investigation of their capabilities.

- ❑ **Bonding or Insurance Assistance on Construction Contracts.** Providing assistance to interested M/WBEs in obtaining bonding, lines of credit, or insurance as required by the

recipient or bidder; or providing alternatives to bonding or insurance for subcontractors;

- ❑ **Financial Assistance.** Providing assistance to otherwise qualified M/WBEs in need of obtaining necessary equipment, supplies, materials, loan capital, lines of credit, joint pay agreements to secure loans, supplies or letters of credit (including waiving credit that is ordinarily required), or related assistance or services. No Good Faith Effort credit will be given to an Affiliate of a Bidder as it pertains to financial assistance.

- ❑ **Joint Ventures.** Negotiating joint venture and partnership arrangements with M/WBEs in order to increase opportunities for M/WBE participation on public construction contracts. No Good Faith Effort credit will be given to an Affiliate of the Bidder as it pertains to Joint Ventures.

- ❑ **Quick Pay Commitment.** Providing quick pay agreements and policies to enable M/WBE contractors and suppliers to meet cash-flow demands. Bidder will not receive credit if Quick Pay Commitment has a statement indicating that the Bidder *will consider* entering into a Quick Pay Commitment OR the Bidder verbally communicated the Quick Pay Commitment to the subcontractor.

In addition, the Government may take into account (a) whether the Bidder's documentation reflects a clear and realistic plan for achieving the M/WBE Goals; (b) the Bidders' past performance in meeting the M/WBE Goals; and (c) the performance of other bidders in meeting the M/WBE Goals. To receive credit for some categories of "Good Faith Efforts" additional documentation may be required.

C. Good Faith Negotiations

All Bidders that fail to meet a subcontracting goal must negotiate in good faith with each certified M/WBE that responds to the Bidder's solicitation or contacts the Bidder of its own accord with respect to the unmet goal(s). If the Bidder does not receive a response from the solicited subcontractors, the Bidder must notify the CBPC that no response was received.

A Bidder shall consider all subcontractor bids or quotes received from M/WBEs and will not reject such bids without sound and documented reasons based upon a thorough understanding of the prospective subcontractor's capabilities. If a subcontract is not awarded to a certified M/WBE subcontractor that has provided a bid or quote to the Bidder, the Bidder must state in writing the reasons for the denial of subcontract award. This requirement applies to the Bidder regardless of the tier of subcontracting involved.

The Government may find that a Bidder did not meet its Good Faith Negotiation obligation if in the Government's judgment, the Bidder rejects an interested M/WBE's bid for reasons other than:

- The M/WBE's bid was higher than what was proposed by the subcontractor or supplier the Bidder decided to use

- The M/WBE was not "Qualified" as defined in Part B; or

- The Business Enterprise that will be performing in place of the interested M/WBE is more qualified than the interested M/WBE, to the extent that such difference in qualification would materially impact the Bidder's bid, or

- There was a material deficiency with the interested M/WBE's bid (such as it being submitted late, containing inaccurate information, etc.).

To document Good Faith Negotiation, Bidders must complete a form that will be included in the Government Solicitation Documents. The Government may also request, on a case-by-case basis, documentation sufficient in the Government's judgment to prove that the Bidder's reasons for rejecting an interested M/WBE are valid. Bidders must provide such forms and information within the time period specified by the Government.

Failure to comply with the requirements set forth in this Section (the "Good Faith Negotiation Requirements") shall constitute grounds for rejecting a bid.

IV. EXTENSIONS, FALSE STATEMENTS, AND EXPECTATIONS FOR M/WBEs

A. Extensions

The CBPC may grant a written extension of any deadline, not to include bid submittal requirements, set forth in this Section. No extension shall be valid unless documented in writing by the Government.

B. False Statements or Certifications

It shall be a violation of the ACCBI Policy and grounds for rejection of a bid and other sanctions for any Bidder to make a false or materially misleading statement or certification regarding any matter relevant to the ACCBI Policy.

C. Expectations of M/WBEs

M/WBEs are responsible for promoting themselves and taking the initiative to obtain work on Government contracts. Specifically, M/WBEs shall:

- Monitor the Government's website for posting of contracting opportunities;
- Make every effort to establish contacts and relationships with prospective Bidders for potential future business, including attending pre-bid conferences;
- Respond promptly to solicitation requests; and
- Attend seminars, classes and workshops designed to facilitate networking and/or enhance business skills.

PART F: ARCHITECT & ENGINEERING (A&E) SERVICE CONTRACTS

I. SCOPE

The Unified Government of Athens-Clarke County shall provide equal opportunity for M/WBEs to compete for Architect & Engineering (A&E) Contracts for architectural and engineering services. The methodology for which the Government sets subcontracting goals is described in Part C of this Policy. This Policy shall be followed in conjunction with the Government's Purchasing and Contracting Policy along with all applicable state, federal, and local laws.

II. PROFESSIONAL SERVICES

A&E Contracts include contracts for architectural and engineering services only. A Bidder may submit documentation prior to proposal selection or after a successful proposal has been selected indicating M/WBE outreach. The documentation shall not be considered in the selection of a proposal but will be used for Government documentation of availability and utilization of M/WBEs.

Documentation may be submitted in the following forms:

(1) **Statement of Commitment and Utilization Affidavit.** The Bidder may submit with its proposal or after proposal selection (a) a commitment to meet subcontracting goals; and (b) an affidavit listing the M/WBEs it intends to use on the contract.

(2) **Participation Plan.** The Bidder may provide a participation plan on how the Bidder plans to utilize M/WBE participation on the contract.

(3) **Goods Faith Efforts Documentation.** As defined in Part D of this Policy.

(4) **Other documentation of M/WBE outreach.** Any other evidence that the Bidder chooses to submit which shows that the Bidder has participated in M/WBE outreach.

Any documentation provided by a Bidder indicating M/WBE outreach or utilization will not be considered in whether a proposal is responsive nor whether the proposal is best qualified.

A. Submission Requirements for Consideration

The Government may request that Bidders submit M/WBE outreach documentation with their proposals, or at any time specified by the Government. The Government may consider the Bidder's M/WBE outreach documentation as a factor in the evaluation process, and may exclude a proposal from further consideration if the Government determines that the Bidder has not provided required documentation, has not made adequate Good Faith Efforts (if applicable), has not met the Good Faith Negotiation Requirements (if applicable) or has failed to provide a reasonable Participation Plan (if applicable). Such determination may occur before or after the proposal is sent to the Government evaluation committee.

B. Self-Performance

Bidders that intend to perform 100% of the work with an established M/WBE Goal may submit an affidavit stating that the Bidder will not subcontract elements of the project; and has the capability to perform and will perform all elements of work on this contract with its own current workforces.

Bidders that elect to fully self-perform an A&E contract where the Government has set a subcontracting goal must comply with each of the following provisions. Failure to do so will be considered as a factor in the proposal evaluation process and may result in a Proposal being excluded from consideration:

(1) The affidavit shall be in a form provided by the Government as part of the Government Solicitation Documents, and shall affirm:

a) It is a normal business practice of the Bidder to perform all elements of the contract with its own workforce without the use of subcontractors; and

b) The Bidder in fact has demonstrated its capabilities to perform all elements of the contract with its own workforce without the use of subcontractors.

c) If the Bidder is not licensed to perform each and every type of work included in the contract, or if the Government has cause to believe based on past practice or other grounds that the Bidder will not be performing all work under the contract with its own current workforce, then the Government may reject the Bidder's proposal as non-responsive for non-compliance with the ACCBI Policy and may be subject to sanctions as described in this Section of this Policy.

If the Bidder provides the above requested documentation the Bidder shall not be required to comply with Good Faith Efforts in Part D or IV of this section.

C. Meeting Subcontracting Goals

1. **The Government will give Bidders credit toward meeting the Subcontracting Goals** at bid only for those M/WBEs that:

- Are certified with the Government as M/WBEs as of the proposal due date;
- With respect to M/WBEs, are listed in the Government's Vendor Availability Database as being at least 51% owned by individuals in one of the M/WBE categories included in the MBE or WBE Goal set for that project (for instance, if a MBE Goal has been set for African American, Native American and Hispanic MBEs, subcontracts awarded to Asian MBEs will not count toward the MBE Goal);
- Will actually perform a Commercially Useful Function as defined in Part B (which means, among other things, an MWSBE acting solely as a conduit will not be counted); and
- Will perform within the area(s) for which they are certified

2. **Affiliates of the Bidder**. The Government will not give Good Faith Effort credit toward subcontracting goals for subcontracting to M/WBEs that are found to be Affiliates of the Bidder prior to the proposal due date.

3. **M/WBE Decertification**. If an M/WBE is decertified between proposal due date and contract award, the Government will not allow credit toward the subcontracting goal for amounts

committed to that M/WBE, but will allow the Bidder to replace the decertified M/WBE with a certified M/WBE, unless the certification was based on false or fraudulent information of which the Bidder had or should have had knowledge. However, the Government may refuse to allow the substitution and reject the proposal if the M/WBE is decertified for being an Affiliate or is found to be an Affiliate of the Bidder (even if not decertified). Bidders shall be deemed to have knowledge of all ACCBI Policy provisions, including those relating to Affiliates.

An M/WBE may count the work it intends to perform with its own current workforces towards the M/WBE Subcontracting Goals to the extent the requirements set forth in this section are satisfied.

4. **Using M/WSBEs the Government Did Not List in Government Solicitation Documents.** Bidders shall receive credit for using M/WSBEs that the Government did not list in the Government Solicitation Documents, as long as the requirements set forth above are met.

III. GOOD FAITH EFFORTS AND NEGOTIATIONS

A. Good Faith Efforts

When the Government requires a Good Faith Efforts Affidavit, the Good Faith Efforts undertaken by the Bidder will be considered as a factor in the evaluation process. Failure to undertake Good Faith Efforts or submit the Good Faith Efforts Affidavit where required, may result in the Bidder's proposal being rejected. The focus will be on the likely effectiveness of steps taken. Mere *pro forma* efforts will not be sufficient. Unless otherwise stated the factors below are defined further in Part D of this Policy. Factors that may be considered include, but are not limited to:

(l) **Contacting M/WBEs**. Did the Bidder contact M/WBEs in a reasonable manner to reach each subcontracting goal on a specific contract? Factors include, but are not limited to:

(a) The number of M/WBEs contacted;

(b) Contacting M/WBEs that could reasonably have been expected to submit a quote and that were known to the Bidder or available on the Government's maintained list;

(c) Soliciting through all reasonable and available means the interest of certified M/WBEs who have the capability to perform the scope of work sufficient to meet the goals;

(d) The Bidder solicits this interest at least ten (10) days prior to the Proposal due date to allow the M/WBEs to respond to the solicitation;

(e) Solicitation provides the opportunity to M/WBEs within the 31-county area identified by the Disparity Study, where the project is located;

(f) Whether contacts were made and were documented in a verifiable way;

(g) Whether the Bidder responded promptly and adequately to inquiries from M/WBEs; and

(h) Whether the Bidder made follow-up contact with M/WBEs that did not respond to the Bidder's initial contact.

(2) **Attendance at Pre-Proposal.** Did the Bidder attend pre-proposal meetings scheduled by the Government for the contract in question?

(3) **Breaking Down Work**. Did the Bidder break down or combine portions of the work to be performed by M/WBEs in an economically feasible way in order to increase M/WBE participation?

(4) **Working with M/WBE Assistance Programs.** Did the Bidder document that it worked with a M/WBE assistance organization, as applicable, to provide assistance in recruiting M/WBEs for the Contract?

(5) **Negotiating in Good Faith.** Did the Bidder document having engaged in at least some back-and-forth negotiation between itself and interested M/WBEs?

(6) **Bonding or Insurance Assistance on Construction Contract.** Did the Bidder provide significant and meaningful assistance to an M/WBE in getting required bonding or insurance coverage for the contract at issue or provide alternatives to bonding or insurance for M/WBEs? No Good Faith Effort credit will be given for assistance to an Affiliate of the Bidder as it pertains to bonding or insurance assistance

(7) **Financial Assistance.** Did the Bidder provide significant and meaningful assistance to an M/WBE of the following nature in connection with the contract: (a) assistance in obtaining equipment, a loan, capital, lines of credit; (b) joint pay agreements or guaranties to secure loans, the purchase of supplies, or letters of credit, including waiving credit that is ordinarily required; or (c) assistance in obtaining the same unit pricing with the Bidder's suppliers as the M/WBE? No Good Faith Effort credit will be given for assistance provided to an Affiliate of the Bidder as it pertains to financial assistance.

(8) **Joint Ventures.** To receive credit for this Good Faith Effort, the Bidder must demonstrate that it negotiated a Joint Venture or partnership arrangement with one or more M/WBEs as applicable on the contract, by submitting the applicable form from the ACC Purchasing Division.

(9) **Quick Pay Commitment.** To receive credit for this Good Faith Effort, the Bidder must provide the Government with (a) a copy of the Bidder's Quick Pay Commitment related to the specific project; (b) documentation indicating that all M/WBEs covered under the contract have received a written copy of the Quick Payment Commitment contract prior to the proposal due date;

(10) **Other Evidence of Good Faith Efforts.** Any other evidence that the Bidder submits which shows that the bidder has made reasonable Good Faith Efforts to meet the M/WBE Goals.

In addition to the above, the Government may also take into account (1) the Bidder's past performance in meeting M/WBE Goals; and (2) the performance of other Bidders in meeting the established subcontracting goals on the contract up for award. For example, when a Bidder fails to meet a subcontracting goal but other Bidders met it, the Government may reasonably raise the

question of whether, with additional reasonable efforts, the Bidder in question could have met the goal.

B. Good Faith Negotiations

When one or more subcontracting goals are set for a contract, Bidders that fail to fully meet such goals must negotiate in good faith with each M/WBE that responds to the Bidder's solicitations or contacts the Bidder of its own accord. The Government may also require that a Bidder comply with this Section in the absence of subcontracting goals.

The Government may find that a Bidder did not meet its Good Faith Negotiation obligation if, in the Government's judgment, the Bidder rejects an interested M/WBE's proposal for reasons other than:

(1) The M/WBE's proposal was higher than what was proposed by the subcontractor or supplier the Bidder decided to use;

(2) The M/WBE was not "Qualified" as defined in Part B; or

(3) The Business Enterprise that will be performing in place of the interested M/WBE is more qualified than the interested M/WBE, to the extent that such difference in qualification would materially impact the Bidder's proposal, or

(4) There was a material deficiency with the interested M/WBE's proposal (such as it being submitted late, containing inaccurate information, etc.).

To document Good Faith Negotiation, the Government may require Bidders to complete a form that will be included in the Government Solicitation Documents. The Government may also request on a case-by-case basis documentation sufficient in the Government's judgment to prove that the Bidder's reasons for rejecting an interested M/WBE are valid. Bidders must provide such forms and information within the time period specified by the Government.

Failure to comply with the requirements set forth in this Section (the "Good Faith Negotiation") shall constitute grounds for rejecting a proposal.

IV. EXTENSIONS, FALSE STATEMENTS, AND EXPECTATIONS OF MWSBEs

A. Extensions

The CBPC may grant a written extension of any deadline set forth in this section. No extensions shall be valid unless documented in writing by the Government.

B. False Statements or Certifications

It shall be a violation of the ACCBI Policy and grounds for rejection of a proposal and other sanctions for any Bidder to make false statements or materially misleading statements, or certification regarding any matter relevant to the ACCBI Policy.

C. Expectations of M/WBEs

M/WBEs are responsible for promoting themselves and taking the initiative to obtain work on Government Contracts. Specifically, M/WBEs are encouraged to:

- Monitor the Government's website for posting of contracting opportunities;
- Make every effort to establish contacts and relationships with prospective Bidders for potential future business, including attending pre-bid conferences;
- Respond promptly to solicitation requests; and
- Attend seminars, classes and workshops designed to facilitate networking and / or enhance business skills.

PART G: RESPONSIBILITY OF M/WBEs

I. CERTIFICATION AND REGISTRATION

A. Certification by ACCGov for M/WBEs

To be certified with the Government as an M/WBE and comply with the ACCBI Policy, a business enterprise must meet the following requirements:

1. **Ownership.** The business enterprise must be owned by an "Eligible Owner" (a) to receive WBE certification, the business enterprise must be at least fifty-one percent (51%) owned by one or more persons who are female; and (b) to receive MBE certification, the business enterprise must be at least fifty-one percent (51%) owned by one or more persons who are members of one of the groups set forth below:

MBE Category	Owned or Controlled by a Person or Persons
African American or Black	Having origins in any of the black racial groups of Africa
Hispanic	Of Spanish or Portuguese culture having origins in Mexico, South or Central America, or the Caribbean islands, regardless of race
Asian	Having origins in any of the original peoples of the Far East, Southeast Asia, Asia, Indian continent, or Pacific islands
Native American or American Indian	Having origins in any of the indigenous peoples of North America

2. **Licensed and For-Profit.** Non-profit organizations cannot become certified as MBEs or WBEs. To obtain MBE or WBE certification, the applicant business enterprise must: (a) be a legal entity authorized to do business in the State of Georgia; and (b) demonstrate that the applicant business enterprise, its employees, or eligible owners hold each business or professional license required for the operation of each scope of business for which the applicant business enterprise seeks MBE or WBE certification;

3. **Management and Control.** The daily business operations of the applicant business enterprise shall be managed and controlled by one or more eligible owners. The eligible owner(s) shall be deemed to manage and control the daily business operations only if:

    a. Their management and control is specifically demonstrated to be real, substantial, and continuing; and goes beyond the *pro forma* ownership of the applicant business as reflected in its ownership documents;

    b. They possess the power to and actually direct the management and policies of the applicant business;

c. They make both routine and major decisions on matters of management, policy, and operations; AND

d. They are not subject to formal or informal restrictions that are inconsistent with the customary discretion of majority owners.

B. Proof of Certification by another certifying entity for M/WBEs

Proof of certification by the following certifying entities may be accepted:

- The State of Georgia and its entities (for example, Georgia Department of Transportation)
- Other US states or territories
- The Federal Government

C. Verification of Certification

The CBPC shall establish reasonable procedures and methods for the registration of applicant business enterprises as M/WBEs. The CBPC shall be responsible for developing, issuing, and reviewing all certification forms and applications in a manner that is consistent with the standards, definitions, and intent established by this Policy.

The CBPC shall also maintain an automated and up-to-date Vendor Availability Database of all certified M/WBE firms that is readily available to the general public, as well as Government personnel. Verification of certification of all M/WBE firms shall be the responsibility of the Project Manager for the Operating Department initiating the solicitation.

The CBPC may interview all persons upon whom eligibility for certification is based and is empowered to interview such other persons and conduct such onsite visits and investigations as may be appropriate in its sole discretion to verify eligibility for certification.

A Business Enterprise wishing to become or remain Certified as a M/WBE shall cooperate with the CBPC in supplying additional information that may be requested in order to make a determination.

If an M/WBE fails to respond to the CBPC's request for information within (a) either the time period specified in the notice requesting information or (b) if no time is specified in the notice, within 15 days subsequent to the date of the notice, the Government may immediately suspend eligibility and/or terminate M/WBE Certification.

Unless otherwise revised by the Government, an M/WBE certification shall be valid for as long as the M/WBE is certified as such by the State of Georgia or by the Federal Government.

D. Appeal of M/WBE Designation

If a business enterprise feels that it has been unfairly denied M/WBE status or that its M/WBE status has been wrongfully terminated by the Government, the business enterprise shall submit its concerns in writing to the CBPC, within 30 days after the aggrieved incident. The CBPC shall

issue a decision within ten (10) days of receiving a complaint. If the aggrieved party is dissatisfied with the CBPC decision, the aggrieved party may appeal the decision within ten (10) days by sending written notice to the Manager to review the decision. The Notices of Appeal submitted to the Manager shall identify: (1) the decision being appealed, and (2) each reason why the aggrieved party takes issue with the decision. The Manager shall review the appeal and issue a decision within a reasonable time. All decisions made by the Manager shall be final. This paragraph shall not be construed to create a right of standing that does not otherwise exist under Georgia law.

II. CERTIFICATION AND EXPIRATION OF M/WBE FIRMS

A. Expiration of M/WBE Certification

An M/WBE's certification shall expire under the following circumstances:

1. M/WBE certification shall be valid for four (4) years from the date of business enterprise designation granted by ACCGov, unless there is a change in the business ownership, management, or control of daily business operations that affects M/WBE certification status, at which time the business enterprise will need to reapply with the CBPC for recertification. While not required for ACCGov certification, an M/WBE certified with the State of Georgia, another US state or territory, or the Federal Government shall also be certified with ACCGov so long as the certification is valid, subject to the constraints outlined in Part G, Section I.C. above.

2. A business enterprise's certification shall expire when it no longer meets the eligibility for certification that has been set out above for M/WBEs. If a business enterprise's certification expires under these circumstances it shall follow the reapplication process as set out below for recertification.

III. SUSPENSION, REVOCATION, OR MODIFICATION

A. Suspension and Revocation

The CBPC shall have the power to suspend or revoke any M/WBE certification issued under this Policy and may suspend an M/WBE's participation from counting toward an M/WBE Goal if:

- The M/WBE has by false or fraudulent representations obtained M/WBE Certification;
- The CBPC at any time determines that the M/WBE is not eligible for registration due to Affiliate status or other reasons;
- The M/WBE is found to have committed any act which constitutes improper, fraudulent or dishonest dealing;
- The M/WBE acts as a conduit or fails to perform a Commercially Useful Function on a Government project;
- The M/WBE fails to comply with the provisions of the ACCBI Policy, fails to submit information requested by the Government, or fails to cooperate in investigations; or

- The M/WBE fails to actively participate in Government contracting (such as by responding to solicitations) for an extended time, determined solely by ACCGov, without justification deemed adequate by the CBPC.

The CBPC shall make all decisions regarding the suspension or revocation of a M/WBE's certification, and the duration of such suspension or revocation. The CBPC may consider a M/WBE's history of performance on Government projects when determining whether to suspend or revoke M/WBE certification status.

B. Modification

The CBPC may further modify the list of areas for which an M/WBE is certified if the M/WBE regularly fails to submit bids or proposals for work in a particular area, or if it becomes apparent that the M/WBE is not qualified to perform work in a particular area. However, nothing in this ACCBI Policy or in any action or inaction by the CBPC shall be deemed a representation or certification that a particular M/WBE is qualified to perform work in a particular area.

PART H: POST CONTRACT AWARD REQUIREMENTS

I. SCOPE

This document governs compliance with the ACCBI Policy after contract award. It applies to and is incorporated into all Government contracts for which a subcontracting goal has been established or negotiated (which includes all construction contracts over $300,000 and A&E Contracts over $50,000).

II. COMMITMENT TO SUBCONTRACTING GOALS

Contractors shall have an affirmative, ongoing obligation to meet or exceed the Committed Subcontracting Goals for the duration of the Contract. Unless exempted by another Section of this Policy, the Government may deem a Contractor to be in violation of the ACCBI Policy. The Government may evaluate the Contractor's future participation in Government contracting, if at any time the Government determines that:

- The Contractor will not meet a committed subcontracting goal; and
- The reasons for the Contractor's failure are, in the Government's judgment solely, within the Contractor's control.

For example, if a Contractor does not meet the committed subcontracting goal because the Contractor terminated the M/WBE without cause, or if the Contractor caused the M/WBE to withdraw from the project without justification, then the Government could find the Contractor to be in violation and consider them a non-responsible bidder on future Government projects.

Exceptions. A Contractor shall not be deemed in violation of this Policy for failure to meet the committed subcontracting goal to the extent such failure is directly attributable to:

- **The Government reducing the scope of a Contract** so as to eliminate or reduce work that was going to be performed by M/WBEs (whether through a change order, contract amendment, force account or otherwise);
- **A M/WBE's voluntary withdrawal** from the project if the Contractor demonstrates that such withdrawal was beyond the Contractor's reasonable control, so long as the Contractor complied with the Good Faith Efforts to replace the M/WBE with another M/WBE; or
- **Termination or reduction in the work of an M/WBE**, if the Contractor demonstrates that such termination was consistent with the terms of this Policy, and that the Contractor complied with the Good Faith Efforts to replace the M/WBE with another M/WBE. Refer to the good cause termination standard in Section IV below.

For purposes of meeting the committed subcontracting goals, Contractors shall only receive Good Faith Effort credit for the amount of M/WBE participation that constitutes a Commercially Useful Function.

III. CHANGE ORDERS

After an award, if the change order involves items of work already included in a M/WBE's subcontract, or the work is materially the same as the work included in the M/WBE's subcontract, the M/WBE is to have the opportunity to perform the work unless it is documented that the M/WBE is unable or unwilling to perform the work.

If a change order involves work that is not already included in a M/WBE's subcontract, or the work is not materially the same as the work included in the M/WBE's subcontract, and/or the work is not already included in the scope of the project being performed by the Contractor or other non-M/WBE subcontractors, the Contractor shall make Good Faith Efforts to obtain M/WBE participation equal to the existing percentage contract goal.

Under certain circumstances, a post-award waiver of Good Faith Efforts may be granted by the CBPC and the waiver must be documented in writing.

IV. TERMINATIONS

After an award, a Contractor is required to notify the Government of any changes in their M/WBE utilization and/or M/WBE subcontracting plan. The Government will evaluate (a) whether there was good cause to terminate the M/WBE and (b) whether the Contractor participated in subsequent M/WBE outreach to reach the committed subcontracting goals. The Government's evaluation of the Contractor's efforts may provide for future sanctions as indicated in Part J.

Good cause does not exist if the Contractor seeks to terminate an M/WBE represented in the Contractor's M/WBE commitment so the Contractor can self-perform or transfer to another subcontractor work originally committed to the M/WBE.

Good cause includes, but is not limited to the following circumstances:

- The M/WBE subcontractor fails or refuses to execute a written contract;
- The M/WBE subcontractor fails or refuses to perform the work of its subcontract in a manner consistent with normal industry standards. Provided, however, that good cause does not exist if the failure or refusal of the M/WBE subcontractor to perform its work in the subcontract results from the bad faith or discriminatory action of the Contractor;
- The M/WBE subcontractor voluntarily withdraws from the project and provides to the Contractor written notice of its withdrawal;
- The M/WBE is ineligible to receive M/WBE credit for the type of work required;
- An M/WBE owner dies or becomes disabled with the result that the M/WBE subcontractor is unable to complete its work on the contract; or
- Other documented good cause that the Government determines compels the termination of the M/WBE subcontract.

Any substitutions or terminations of M/WBE firms, included in the committed subcontracting goals, shall be submitted in writing to the CBPC. The submission shall include the following

information:

- The date the contractor determined the M/WBE to be unwilling, unable or ineligible to perform;

- A brief statement of facts describing the situation and citing specific actions or inaction by the M/WBE firm giving rise to the Contractor's assertion that the M/WBE firm is unwilling, unable, or ineligible to perform;
- A brief statement of the subsequent Good Faith Efforts undertaken by the contractor to enable the M/WBE firm to perform or a brief statement as to why Good Faith Efforts were not undertaken by the Contractor to meet the committed M/WBE Goal;

- The total dollar amount currently paid for work performed by the M/WBE firm;

- The total dollar amount remaining to be paid to the M/WBE firm for work completed, but for which the M/WBE firm has not received payment, and over which the Contractor and the M/WBE firm have no dispute; and

- The M/WBE's response to the notice of intent to terminate.

If there is no response from the M/WBE within the time allowed in the notice of intent to terminate, the Contractor shall state that no response was received. The CBPC will consider both the Contractor's submission and the M/WBE's response in reviewing future participation within Government contracts when applying the ACCBI Policy for both the Contractor and the M/WBE.

PART I: DETERMINATION OF POLICY COMPLIANCE

I. SCOPE

The CBPC shall review all contracts for compliance with the ACCBI Policy. This review shall include, but not be limited to, whether the committed subcontracting goals (in both dollar amounts and percentages) are maintained over the duration of the contract, whether the Contractor improperly terminated, replaced, or reduced the work of an M/WBE, whether the Contractor complied with this Policy regarding any contract amendments, renewals or additions to scope, whether M/WBEs on the contract performed a Commercially Useful Function, etc. The CBPC, may conduct such review on its own, or may hire consultants to assist in such a process.

II. CONTRACTOR AND SUBCONTRACTOR NON-COMPLIANCE

Contracting staff of each Government Originating Department, with assistance from the CBPC when necessary, shall monitor compliance with these Policy element requirements during the term of the contract. If it is determined that there is cause to believe that a Contractor or Subcontractor has failed to comply with any of the requirements of this Policy or with the contract provisions pertaining to M/WBE utilization, the CBPC shall notify the Originating Department and the Contractor. The Government may require such reports, information and documentation from Contractors, Respondents, and the Director of any Government Department, division, or office as are reasonably necessary to determine compliance with the Policy requirements within fifteen (15) calendar days after the notice of noncompliance. If the requested materials are not received within fifteen (15) calendar days, then a finding of noncompliance is determined, and appropriate penalties and sanctions as indicated in Part J will apply.

When the CBPC determines that a Contractor has violated the ACCBI Policy, the CBPC shall make a recommendation to the Originating Department Director regarding appropriate remedies for the Government to exercise in that situation and the Department Director is responsible for the affected procurement process or contract shall make the decision as to what remedies will be exercised.

PART J: SANCTION AND APPEAL PROCEDURES

I. PENALTIES AND SANCTION PROCEDURE

Upon determination and recommendation of sanctions by the Manager regarding the failure of a Contractor, Vendor, Respondent or other business representative to comply with any portion of this Policy, the non-complying party shall be subject to the following penalties:

- Determination as non-responsible or non-responsive bid which may be considered in the award of future contracts to the Bidder; and

- Refusal to award contracts to the Bidder on the basis of being a non-responsible bidder for a period not to exceed one year from the date of notice.

It is a violation of the ACCBI Policy to:

- Fraudulently obtain, retain or attempt to obtain, retain or aid another in fraudulently obtaining, retaining, or attempting to obtain or retain certification and registration as an MBE, or WBE under this Policy;

- Willfully falsify, conceal or cover up by a trick, scheme or device, a material fact or make any false, fictitious or fraudulent statements or representations; or make use of any false writing or document; knowing the same to contain any false, fictitious or fraudulent statement or entry pursuant to the terms of this Policy;

- Willfully obstruct, impede or attempt to obstruct or impede any authorized official or employee who is investigating the qualifications of a business entity which has requested registration as an M/WBE;

- Fraudulently obtain, attempt to obtain or aid another person fraudulently obtaining or attempting to obtain public monies to which the person is not entitled under the terms of this Policy; or

- Make false statements to any entity that any other entity is or is not certified as an M/WBE for purposes of this Policy.

Any person who violates the provisions of this section shall be subject to these sanctions, as well as any other remedies available under law up to the maximum penalty provided by law.

II. APPEAL PROCEDURE

Any person or entity who is the subject of and is directly and adversely affected by a determination of the CBPC may present such an appeal to the CBPC within ten (10) days of being notified of bid results and/or the Government's intent to award.

The CBPC will review the grievance and supporting evidence and make a written response to the appellant within ten (10) business days of receipt of appeal.

In the event the appellant is not satisfied, said appellant may immediately appeal the grievance by

filing a written description thereof and supporting evidence with the Manager's Office. The Manager's Office or designee shall hear the grievance within thirty (30) business days of the initial grievance documentation and shall make a decision thereon.
The responsible Originating Department involved shall also submit a written response and supporting documentation to the Manager's Office for review at least three (3) days prior to the appeal being heard.
Throughout the appeal procedure and until such time as the appellant's appeal is resolved or pending the final decision of the Manager, no awards shall be made.

Notwithstanding the foregoing, a person or entity seeking review of a decision relating to a bid process must notify the CBPC in writing of the request for review within three (3) business days after the person or entity first learned of the decision for which review is sought. For instance, if a Bidder learns at 10:00 a.m. on Wednesday, April 2 that the Government is rejecting its bid due to non-compliance with this Policy, and the bid award is set for the following Wednesday, April 9, the Bidder must request a review in writing from the CBPC by 10:00 a.m. Friday, April 4.

This paragraph shall not be construed to create a right of standing that does not otherwise exist under Georgia law.

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: SPLOST 2020 Project 03, Classic Center Arena – Art location change for Site #2

DATE: February 14, 2024

EXECUTIVE SUMMARY:

In keeping with the requirements of Ordinance Chapter 1-25, this agenda item requests Mayor and Commission (M&C) approval of a change in location for Site #2, for one of the pieces of Public Art for the Classic Center Arena. There is no change in the previously approved cost or scheduled delivery of the proposed Public Art, only a location change.

BUDGET INFORMATION:

REVENUE:

$	33,320,000	SPLOST 2020 Project 03 Funding
$	49,425,110	Revenue Bond #1
$	32,000,000	Revenue Bond #2
$	25,807,380	Revenue Bond #3
$	10,926,994	Other Revenue (Classic Center)
$	151,479,484	Total Revenue Available

EXPENSES:

CAPITAL:

$	133,676,436	Expensed or Encumbered
$	573,000	Designated Remaining Testing, PM & Misc. Fees
$	3,397,366	Designated Project Contingency
$	1,500,000	Approved for Kitchen Equipment
$	3,250,000	Budgeted for Bridge & Stairs
$	750,000	Budgeted for Foundry Street Plaza Repair
$	500,000	Budgeted for Perkins+Will Additional Services
$	1,676,836	Budgeted for Data/IT Systems/Phones
$	2,085,000	Budgeted for FF&E
$	250,000	Budgeted for Building Signage
$	700,000	Budgeted for South Club Level Build Out
$	200,000	Budgeted for Concession and Flex Room Build Out
$	375,000	Budgeted for Auxiliary Locker Room Building
$	725,000	Budgeted for Sound and Acoustical Treatments
$	1,500,000	Budgeted for Telescoping Seating
$	320,846	Total Designated for Public Art

FUNDING SOURCE: SPLOST 2020 Project 03, Revenue Bond Financing, Proposed additional financing, and Private Funding

COMMISSION ACTION REQUESTED ON: April 2, 2024

PURPOSE:

To request that the Mayor and Commission:

a. Approve the recommendation of the Athens Cultural Affairs Commission for the change of art location for Site #2, as generally shown in **Attachment #1**, for the Classic Center Arena as part of the SPLOST 2020 Project 03; and,

b. Authorize the Mayor and appropriate staff to execute all related documents.

HISTORY:

1. On December 7, 2010, the Mayor & Commission (M&C) adopted Ordinance Chapter 1-25 creating the Athens Cultural Affairs Commission (ACAC) to advise on cultural affairs and aesthetic development of the built environment and to identify funding for public art.

2. On November 5, 2019, Athens-Clarke County voters approved the SPLOST 2020 Program Referendum. This Referendum included the Classic Center Arena (Project 03). The Referendum also included the approval of the issuance of general obligation debt to help fund the Classic Center Arena (Project 03) and to facilitate the construction of the Project within the first few years of the SPLOST 2020 Program.

3. On May 10, 2021, the ACAC approved a recommendation to the M&C in accordance with Athens-Clarke County Code Ordinance, Section 1, Title I, Chapter 1-25-6, additional Funding for Public Art, that SPLOST 2020 Project 03 - Classic Center Arena is appropriate for public art**.**

4. On June 1, 2021, the M&C unanimously approved the Project Concept, updated budget, and the recommendation of the ACAC that the Project was appropriate for Public Art with an intended total budget of $320,846.

5. On May 3, 2022, the M&C approved the three locations (F&I #1) and types for public art proposed by ACAC for the Classic Center Arena Project. The M&C also approved ACAC's recommended total budget of $320,846 for public art.

6. On November 1, 2022, the M&C approved the Hickory Street Parking Deck Project Concept, Option A for the access from the Arena Plaza Level to Hickory Street, and a Not to Exceed Change Order #2 to the Project Designer, P&W/Smallwood, for the additional work associated with the Parking Deck.

7. On December 13, 2022, the M&C approved the Hickory Street Parking Deck Schematic Design and associated bridge and stairs. The location of the proposed stairs was a definitive factor in confirming the proposed Site #2 of the public art would still be available.

8. On February 17, 2023, the RFQ/P documents for all three proposed sites for public art were published.

9. On April 7, 2023, the artists' qualification packages were received for the three proposed sites for public art. There were a total of 109 responses for Site #1, 97 responses for Site #2, and 122 responses for Site #3.

10. On April 19, 2023, a public art selection committee (Paul Cramer, Danny Bryant, Didi Dunphy, Esra Santesso, Jan Bush, Dee Aurandt, Ryan Lewis, Sally Kimel-Sheppard, Mark Mobley, Michael Lachowski, Marissa Chastain, Alyssa DeHayes, Katie Geha) met to select the finalist artists for Site #1. The selection committee reviewed the submitted qualifications and ultimately decided to select four finalists for Site #1.

11. On April 19, 2023, a public art selection committee (Paul Cramer, Danny Bryant, Didi Dunphy, Esra Santesso, Jan Bush, Dee Aurandt, Ryan Lewis, Sally Kimel-Sheppard, Mark Mobley, Michael Lachowski, Alyssa DeHayes, Victoria Prevatt, Tim Denson) also reviewed the submitted qualifications and ultimately decided to select four finalists for Site #2.

12. On April 21, 2023, a public art selection committee (Paul Cramer, Danny Bryant, Jan Bush, Didi Dunphy, Esra Santesso, Jan Bush, Dee Aurandt, Ryan Lewis, Sally Kimel-Sheppard, Mark Mobley, Michael Lachowski, Jack Crowley, Kat Stein, Alyssa DeHayes, Katie Geha) met to select the finalist artists for Site #3. The selection committee reviewed the submitted qualifications and ultimately decided to select three finalists for Site #3.

13. On May 22, 2023, the public art proposals were received from all of the finalist artists for each of the three public art sites.

14. On May 24, 2023, a public art selection committee (Jan Bush, Mark Mobley, Michael Lachowski, Sally Kimel-Sheppard, Linda Ford, Jack Crowley, Marissa Chastain, Ryan Lewis, Paul Cramer, Danny Bryant, Tim Denson) met with the intention of selecting the final artists for each of the three public art sites. The committee reached a consensus on Steven Teller as the final artist for Site #3, but was unable to reach a consensus on the final artist for Site #1 or Site #2. As a result, it was determined that a new committee would reconvene at a later date to select the final artists for Site #1 and #2.

15. On July 12, 2023, a public art selection committee (Marian Courie, Jasmine Trinh, Sabrina Cuadra, Ellen Walker, Ellie Swensson, Beth Bryant, Katie Williams, Kylie Hudson, Barbara Bauer, Didi Dunphy) met to select the final artists for Site #1 and Site #2 and reached a consensus to select Christopher Weed for Site #1 and Kate Lewis for Site #2 as the final artists.

16. On August 8, 2023, the recommended final artists selections for each of the three sites to provide the public art for the Classic Center Arena project were presented to M&C in a work session.

17. On September 5, 2023, M&C approved ACAC recommended final artists selection for each of the three sites (F&I #4) and approved to award a lump sum contract to Christopher Weed Sculpture Inc., in the amount of $200,000 to provide the public art for the Classic Center Arena project for Site #1.

18. On February 8, 2024, after learning that the first site was unsuitable, staff (ACCGov & and Classic Center) met to discuss alternative new locations for Site #2. After thorough deliberation, the exterior wall of the East Broad Street parking deck facing the Arena was chosen as the suitable new location for Site #2, as generally shown in **Attachment #1**. (F&I 5 & 6).

19. On February 9, 2024, Site #2 artist reviewed documentation for the proposed site change and confirmed with staff that the exterior wall of the East Broad Street parking deck facing the Arena was acceptable.

20. On February 12, 2024, ACAC unanimously agreed to recommend M&C, the change of art location for Site #2.

21. On March 1, 2024, the User Group approved the proposed change of art location for Site #2.

FACTS & ISSUES:

1. M&C approved three recommended sites & types for the public art (History #5), as shown in **Attachment #1**:
   - Site #1: Three-dimensional gateway art at the plaza off the Foundry Street
   - Site #2: Wall mounted art on the upper & lower exterior walls at the southeast corner of the new arena
   - Site #3: Wall mounted art on the interior wall at the main entrance of the arena

2. The goals for Public Art on the Classic Center Arena project are as follows:
   - Create a sense of place for the Classic Center Arena/Downtown Athens, GA.
   - Celebrate music, performing arts, sports, local history, etc.
   - Enhance the visitor experience by creating unique, dynamic landmarks.
   - Take views into consideration for the context of the art.
   - Encourage interaction; for example, creating tactile opportunities or allowing the public to be “in” or “on” the artwork.
   - Originality, durability, visibility, accessibility and safety.

3. For all the three M&C approved sites, ACAC advertised a call as Request for Qualifications (RFQ). In the RFQ process, artists were to submit resumes, references, and examples of previous work. The selection panel reviewed and scored the artist’s previous work and made a final selection. (History #10-12)

4. M&C approved recommended art styles & artists for each of three sites (History #17)

- Site #1: Plaza off the Foundry Street - Sculpture titled Red Bass by 'Christopher Weed'
- Site #2: Upper & lower exterior walls at the southeast corner of the Classic Center Arena - Wall mounted mural titled "Architecture of Imagination" by Kate Lewis
- Site #3: Interior wall at the main entrance of the arena - Wall mounted mural titled "A Blossoming Ode to Georgia Music History" by Steven Teller

5. For Site #2, the artist (Kate Lewis) proposed painting a mural on the contractor-installed wall-mounted metal panels for the new Arena. However, upon consultation with the Arena design team, that painting directly on the panels would void the finish warranty for the metal panels. Alternative ideas, such as wrapping the panels and mounting separately painted art panels to the metal panels were explored, but all of these options would also void some portion of the manufacturer's warranty; hence, alternative locations, that would accommodate the art without compromising its visibility, were explored.

6. New options for the Site #2 mural, such as foundry building wall, parking deck wall facing the arena, and recessed section of the concrete slab on the roof of the arena were explored. The proposed new location for Site #2 was chosen by Classic Center Authority as their preferred choice for visibility, access, and appropriateness with the surrounding structures. This proposed location was reviewed and met the approval of the Site #2 Artist, User Group, and the ACAC.

7. The new Site #2 will provide a comparable square footage of mural and will not impact the cost or schedule for delivery of the public art.

8. This recommendation supports the following ACCGov Strategic Plan Goal & Strategy:
   - Good Neighbors Goal, Strategy D: Drive community transformation with a focus on creating spaces that are respectful and welcoming - Develop a culture of place-making through applicable projects.

9. Below is a brief overview of the original proposed project schedule, actual where completed, and proposed current revisions with no acceleration:
   - Construction Substantial Completion — July 2024
   - Artworks Installation – Site #2 & #3 — Summer 2024 (During final const. phase)
   - Artwork Installation – Site #1 — Fall 2024

OPTIONS:

1. Mayor and Commission:

   a. Approve the recommendation of the Athens Cultural Affairs Commission for the change of art location for Site #2, as generally shown in **Attachment #1**, for the Classic Center Arena as part of the SPLOST 2020 Project 03; and

   b. Authorize the Mayor and appropriate staff to execute all related documents.

2. Mayor and Commission deny the recommendation of the Athens Cultural Affairs Commission for the change of art location for Site #2.

3. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option #1 a & b

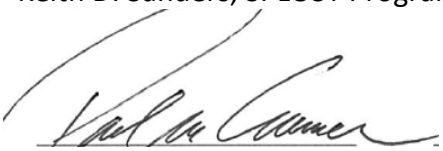
DEPARTMENT: Office of the Manager – SPLOST Program Management
Prepared by: Madhuri Angadi/Diana Jackson, SPLOST Project Administrator, for



Kent Kilpatrick, Leisure Services Department Director — March 12, 2024 — Date



Keith D. Sanders, SPLOST Program Administrator — March 6, 2024 — Date:



Paul Cramer, Classic Center President & CEO — March 6, 2024 — Date:

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1 a & b



Manager — March 14, 2024 — Date:

Attachments:

Attachment #1 - Public Art Locations - Site Map

Attachment #1



Previously Approved Site #2

Site #3

Site #1



Proposed Site #2

Proposed Site #2 location is on the exterior wall of the East Broad Street parking deck facing the Arena.

THE CLASSIC CENTER ARENA

Public Art Locations

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: SPLOST 2020 Project 16, Memorial Park Improvements – Professional Design Services Contract

DATE: February 28, 2024

EXECUTIVE SUMMARY:

This agenda report is requesting the approval of Professional Design Services contract, in accordance with the ACCGov Purchasing Ordinance. The proposed firm is an ACCGov-approved on-call design services engineering firms.

BUDGET INFORMATION:

REVENUES:

$	5,794,740	SPLOST 2020 Project 16 Funding – All Tiers

EXPENSES:

CAPITAL:

$	123,701	Expensed & Encumbered
$	224,163	Designated Fixtures, Furniture and Equipment
$	297,165	Designated Misc., Testing, PM Fees, & Permitting
$	35,700	Designated Public Art
$	3,569,486	Designated for Construction
$	1,175,870	Designated for Contingency
$	368,655	Available for Design Services

FUNDING SOURCE: SPLOST 2020 Project 16

COMMISSION ACTION REQUESTED ON: April 2, 2024

PURPOSE:

To request that the Mayor and Commission:

a. Approve an hourly rate, not-to-exceed amount of $368,655, Design Services Contract, using the on-call design engineers, Alfred Benesch & Company, Inc., to provide Final Design and Bid Phase Services in accordance with the approved Schematic Design **(Attachment #1)** and funding availability for the SPLOST 2020 Project 16, Memorial Park Improvements Project; and,

b. Authorize the Mayor and appropriate staff to execute all related documents.

HISTORY:

1. In 1945, 54 acres of land was purchased through donations from individuals that later formed the board of directors for Athens Memorial Park.
2. On May 19, 1946, the park was dedicated and opened to the public.

3. In 1949, further park improvements were made including planting of 400 dogwood trees, hard surfacing of the park road, and construction of picnic areas. At that time the park hosted swimming programs, summer camps, holiday celebrations, and club activities.

4. On February 27, 1950, title of the property was signed and given to the Mayor and City Council of Athens for $200.

5. In the mid-1950s, donations resulted in the creation of the zoo, and almost all staffing was volunteer based. The animals from the zoo came from the private backyard collections of individuals.

6. In 1955, a ten-acre pen was built in the park to serve as a natural exhibit and base for raising deer for release into the area. This was known as the Deer Game Reserve Project.

7. In April 1958, $3,500 of the Recreation Departments Budget was matched by the Mayor and Council to fund renovations to the former hospital building resulted in the creation of the "Memorial Park Teen Canteen." The Junior League of Athens and local businesses also contributed to the project.

8. In 1972, a bond referendum funded renovations to the buildings and park property. In addition to the building renovations, the dirt road leading to the lake area was paved. Roadside curbing was added to prevent erosion and an arched bridge was erected by the student branch of the American Society of Agricultural Engineers. Materials for the bridge were donated by the Athens Kiwanis Club. Two smaller bridges, split rail fences, and a playhouse/slide were constructed. The Birchmore Property was opened up for a trail that circled the ravine on the property.

9. In 1974, $54,000 was allotted to construct a maintenance centre at Memorial Park and purchase maintenance equipment.

10. In the 1980s, the zoo became known as the Bear Hollow Wildlife Trail. The zoo was rebuilt with support from the public. $20,000 in funding was obtained from a Land and Water Conservation Grant. The grant funds were matched locally. The mission of the zoo also changed at this time. Emphasis was placed on wildlife education, and only non-releasable native species could be housed at Bear Hollow Zoo.

11. On April 22, 1999, the Fred Birchmore Nature Trail was dedicated. Dr. Walter Cook and volunteers constructed the new trail.

12. In 2001, the dog park was constructed on the hill above the lake opposite of the main park area.

13. In 2003, the Bear Hollow Animal Healthcare Facility was constructed with SPLOST 2000 funding.

14. In 2004, SPLOST 2000 funds renovated the former hospital building and added a black box theatre to the structure in order to house Athens Creative Theatre.

15. In February 2014, SPLOST 2011 funds were used to dredge and reconstruct the forebay and spillway that feed the lake. The work was completed through a partnership between Leisure Services and Transportation and Public Works (TPW).

16. On June 13, 2017, Park Planning Staff conducted an internal department staff kick-off session for the Memorial Park Vision project.

17. In June 2017, visioning meetings were held for the public. There was an opportunity for online input. There were 41 meeting attendees and 294 comments collected.

18. In August 2017, on-call design professional WR Toole Engineers, Inc. compiled a hydrology summary, for Memorial Park, that outlined the inadequate size of the forebay and made recommendations for improving it.

19. In October 2017, Park Planning Staff conducted public input sessions on three draft vision concepts. Staff also conducted pop up input sessions in the park. An online input opportunity was provided from October 9-24, 2017. There were 44 meeting attendees, and 91 comments received both online and in person.

20. In January 2018, Park Planning staff conducted a final public review session of the full master plan document. An online input opportunity was provided from January 25 - February 15, 2018. There were 28 meeting attendees, and 20 surveys were completed.

21. On the weekend of March 17, 2018, the forebay dam failed. Transportation & Public Works staff made emergency repairs the following week.

22. On May 1, 2018, M&C approved the Memorial Park Master Plan. The approved Master Plan can be found at https://www.accgov.com/DocumentCenter/View/47726/Memorial-Park-Master-Plan

23. On November 16, 2018, staff submitted the Memorial Park Phase 1 Park Improvements (https://www.accgov.com/8920/16-Memorial-Park-Improvements-Project) for consideration by the SPLOST 2020 Advisory Committee. The initial submission requested $7,881,000 for critical repairs to the park's stormwater facilities, redevelopment of vehicular and pedestrian circulation, improvements to the dog park area, replacement of the

playground, picnic shelter upgrades, replacement of plumbing fixtures, and renovation of restrooms.

24. On February 18, 2019, at the request of the SPLOST 2020 Advisory Committee, staff submitted an alternate project budget amount of $6,629,000 with a reduced project scope (https://www.accgov.com/8920/16-Memorial-Park-Improvements-Project) to include the primary focus of Memorial Park's Phase 1 Park Improvements to replace failed structures that have come to hinder the Park's ability to function as well as improving stormwater infrastructure's ability to serve the surrounding 150 acre watershed.

25. On July 10, 2019, the M&C held a Special Called Work Session to review the proposed SPLOST 2020 Initial Project Statements and finalize project costs ahead of the vote on Final Projects for the referendum. The M&C did not vote, but consensus was reached through a Commission-generated spreadsheet, that many project budgets should be reduced to provide available funding to add additional projects to the list. Among those cut, the previously approved budget of $7,884,000 for the Memorial Park's Phase 1 Park Improvements was cut 25% to $5,913,000, with no specific reduction in scope.

26. On November 5, 2019, ACC voters approved the SPLOST 2020 Program Referendum. This Referendum included the Memorial Park Improvements (SPLOST 2020 Project 16).

27. On May 12, 2021, the ACAC recommended that SPLOST 2020 Project 16, Memorial Park Improvements be designated as appropriate for public art with a budget amount of 1% of the proposed construction budget.

28. On June 1, 2021, the M&C approved the Master Implementation Plan and Funding Schedule for the SPLOST 2020 Program. The SPLOST 2020 Project 16, Memorial Park Improvements, included funding programmed for Tiers #2, #3, & #4.

29. On December 21, 2021, ACCGov Manager Williams established a User Group for the project, consisting of Cary Ritzler, Dana Skelton, Kevin Barnes, John McKinney, Alex Bond, and Rani Katreeb.

30. On June 7, 2022, the User Group approved the potential projects list that was released for additional public input.

31. On June 13, 2022, ACCGov hosted Online Public Input Survey for prioritization of potential projects list.

32. Between June 13, 2022 and July 10, 2022, staff hosted three community engagement events to encourage participation in the public input survey. Flyers were also distributed to Summer Campers, and postcards were mailed to residents within 0.5 miles of Memorial Park.

33. On July 10, 2022, the Online Public Input Survey was closed. In total, 115 responses were received with 450 written comments; these responses were used by the User Group to develop the proposed project prioritization list.

34. On September 20, 2022, the User Group recommended to proceed with moving the Proposed Project Concept in priority order for consideration by the SPLOST 2020 Citizen Oversight Committee and M&C during the November/December voting cycle.

35. On October 19, 2022, the SPLOST 2020 Citizen Oversight Committee (COC) met and reviewed the Proposed Project Concept/Priority Project recommendations as compared with the Initial Project Statement for SPLOST 2020, Project 16 – Memorial Park Improvements Project. The COC, by unanimous vote, confirmed that that the proposed concept/priority project recommendation is consistent with the Initial Project Statement for Project #16 of SPLOST 2020.

36. On November 10, 2022, staff presented the Proposed Project Concept to the M&C at the November work session. Some commissioners requested that staff and the User Group investigate feasibility of converting the existing Pondside Loop Drive into a two-way drive with a turn-around and eliminating a portion of the where erosion issues are occurring.

37. From November 2022 through February 2023, the User Group and design professionals looked at several options to determine the feasibility of the option requested by M&C at the work session (History #36)

38. On February 28, 2023, the User Group recommended to proceed with moving the revised Proposed Project Concept in priority order forward M&C consideration during the March/April voting cycle.

39. On March 14, 2023, staff presented the Proposed Project Concept to the M&C at the March work session.

40. On April 4, 2023, M&C approved the Proposed Project Concept, authorize staff to advance the “Must Have” project items to the schematic design phase, based on funding availability, and approved the ACAC designation for public art with a budget amount of $35,700.

41. Between April and July 2023, multiple User Group meetings were held to review iterations of the Schematic Designs.

42. On August 2, 2023, ACCGov hosted Online Public Input Survey to receive feedback on Project Schematic Designs.

43. Between August 2, 2023 and September 3, 2023, staff hosted one in-person and one passive community engagement events to encourage participation in the public input survey. Postcards were mailed to residents within 0.5 miles of Memorial Park.

44. On September 3, 2023, the Online Public Input Survey was closed. In total, 209 responses were received with 136 written comments; these responses were used by the User Group to develop the Proposed Schematic Design.
45. On September 19, 2023, the User Group recommended to proceed with the one-way design configuration for the Pondside Drive.

46. On October 10, 2023, staff presented the Proposed Schematic Design to the M&C at the October work session.

47. On November 7, 2023, M&C approved the Proposed Project Schematic Design for SPLOST 2020 Project 16, Memorial Park Improvements Project, as provided on **Attachment #1**, and authorized staff to complete the Final Design and advance the project to the Bid & Award Phase in accordance with the approved Schematic Design, based on funding availability.

FACTS & ISSUES:

1. The Initial Project Statement of SPLOST 2020 Project 16 reads as follows:

   Memorial Park Improvements*, project will provide funding for the redevelopment/renovation of areas within Memorial Park. Depending upon costs and funding availability, these areas may include, but not be limited to, the dog park area, playground, picnic shelter(s), trails, renovation of restrooms to comply with ADA standards, other park elements as may be needed, and general infrastructure, such as improvements to stormwater facilities which may include design and construction of items such as dredging and enlarging the lake's forebay, increasing the capacity of the forebay's spillway, draining and dredging the lake, removing the island, restoration of the lake's edge habitat, dam repairs, reconstruction of the dam's emergency spillway, and replacement of ancillary stormwater infrastructure including, but not limited to, drainage swales, culverts, catch basins, retaining walls, curb and gutter, or any other required elements as specified by engineers. Additionally, to the extent allowed by law, funds may be used as matching funds for leveraging grant opportunities.*

2. Memorial Park currently consists of 72 acres of undeveloped forested land and 18 acres of developed land. Park amenities include Memorial Pond, fishing in the pond, three picnic shelters, Bear Hollow Zoo, a swimming pool, a playground, a dog park, and the Fred Birchmore Trail. The recreation building includes administrative offices, a recreation hall, two outdoor basketball courts, and a black box theatre housing Athens Creative Theatre. There are currently 97 parking spaces available in Memorial Park.

3. M&C authorized staff to complete the Final Design and advance the project to the Bid & Award Phase in accordance with the approved Schematic Design, based on funding availability. Alfred Benesch & Company, Inc. (Benesch) is one of ACCGov's on-call design engineers and performed the design services to produce the previous hydrology reports and the M&C approved Project Schematic Design, as provided on **Attachment #1** (History #47).

4. In accordance with ACCGov Purchasing Policy and to expedite the project, because of their familiarity with the park, User Group, and project requirements, staff has worked with Benesch to obtain the scope and price proposal for the remainder of the project. To complete the Final Design Construction Documents, in accordance with the approved Schematic Design **Attachment #1** (History #47) including bidding & award support, Benesch would provide the following, but not limited to, major tasks:
   - Environmental Studies & Permitting including stream buffers and wetlands
   - Geotechnical Investigations
   - Plans, specifications, bid alternates
   - Cost estimates

5. Work would be performed by Benesch on an hourly basis with a not to exceed maximum amount of $368,655. Pricing was provided in accordance with their previously competitively priced proposal and in accordance with ACCGov Purchasing Policy.

6. Brief overview of the current proposed project schedule is as follows:
   - Final Design and Permitting – December 2024
   - Bidding and Award – January to April 2025
   - Construction Begins – May 2025

7. This recommendation supports the following ACCGov Strategic Plan Goal & Strategy:
   - Strategy 6A: Develop well-planned new infrastructure according to future land use values and framework.
   - Strategy 6C: Provide adequate funding for maintenance of existing and newly constructed infrastructure.
   - Strategy 6E: Address ecosystem health, infrastructure sustainability, and resilience.

OPTIONS:

1. Mayor and Commission:

   a. Approve an hourly rate, not-to-exceed amount of $368,655, Design Services Contract, using the on-call design engineers, Alfred Benesch & Company, Inc., to provide Final Design and Bid Phase Services in accordance with the approved Schematic Design **(Attachment #1)** and funding availability for the SPLOST 2020 Project 16, Memorial Park Improvements Project; and,

   b. Authorize the Mayor and appropriate staff to execute all related documents.

2. Mayor and Commission deny an hourly rate, not-to-exceed amount of $368,655, Design Services Contract, using the on-call design engineers, Alfred Benesch & Company, Inc., to provide Final Design and Bid Phase Services in accordance with the approved Schematic Design and funding availability for the SPLOST 2020 Project 16, Memorial Park Improvements Project.

3. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option #1 a & b

DEPARTMENT: Prepared by: Madhuri Angadi/Diana Jackson, SPLOST Project Administrator, for



Kent Kilpatrick, Leisure Services Department Director — March 7, 2024 Date



Keith D. Sanders, SPLOST Program Administrator — March 6, 2024 Date

ADMINISTRATIVE COMMENTS: Option #1 a & b

ADMINISTRATIVE RECOMMENDATION:



Manager — March 14, 2024 Date:

ATTACHMENTS:
Attachment #1 – Approved Schematic Design

Memorial Park Schematics

Pedestrian & Vehicular Improvements for One-Way Access Road

Existing Parking:
Upper Parking Area = 43 Spaces (Includes 2 ADA)
Loop Road Parking = 7 Spaces
Hillside Parking Area = 6 Spaces
Lower Parking Area = 25 Spaces (Includes 2 ADA)

Proposed Parking:
Upper Parking Area = 53 Spaces (Includes 6 ADA)
Loop Road Parking = 2 Spaces & 2 Bus Spaces
Hillside Parking Area = 6 Spaces (Includes 2 ADA)
Lower Parking Area = 34 Spaces (Includes 4 ADA) & 1 Bus Space

Marion Drive
Gran Ellen Drive
Gran Ellen Drive
Reconstruct and realign driveway with new monument signage
Add sidewalk along Gran Ellen Drive on park property
Add street trees
Reconstruct one-way access road with sidewalks and stormwater infrastructure
Office
Realigned 90 degree parking
New retaining walls
Add bus parking
Playground
Reconstruct hillside parking area
Expanded hardscape around existing pavillion
New retaining walls
Existing stairs /path
Basketball Courts
Reconstruct existing angled parking area with sidewalks, raised crosswalks, and stormwater infrastructure
Reconstruct uppper parking area for two-way traffic with sidewalks, raised crosswalks and stormwater infrastructure
New pedestrian plaza
Reconstruct one-way access road with sidewalks and stormwater infrastructure
Pool
New drop-off area and bus parking
Bear Hollow Zoo
Upper Pond
Maintain trail connections
Lower Pond

SCALE 40 0 40 IN FEET

Project Characteristics:

1) Realign entrance drive.
2) Maintain current loop access road to lower parking area.
3) Reconstruct upper parking area for two-way traffic.
4) Reconstruct lower parking area for improved one-way traffic.
5) Construct new sidewalks and crosswalks.
6) Construct stormwater infrastructure including and water quality elements.

Schematic Layout includes the following projects:

Project P3: Entrance Parking and Pedestrian Pathway Re-design
Project V1a: Pondside Loop Drive Improvements (One-Way)
Project V3: Pondside Parking Lot Renovation
Project V2: Entrance Parking Lot Renovation
Project V4: Picnic Shelter (Hillside) Parking Lot Renovation

Memorial Park Schematics

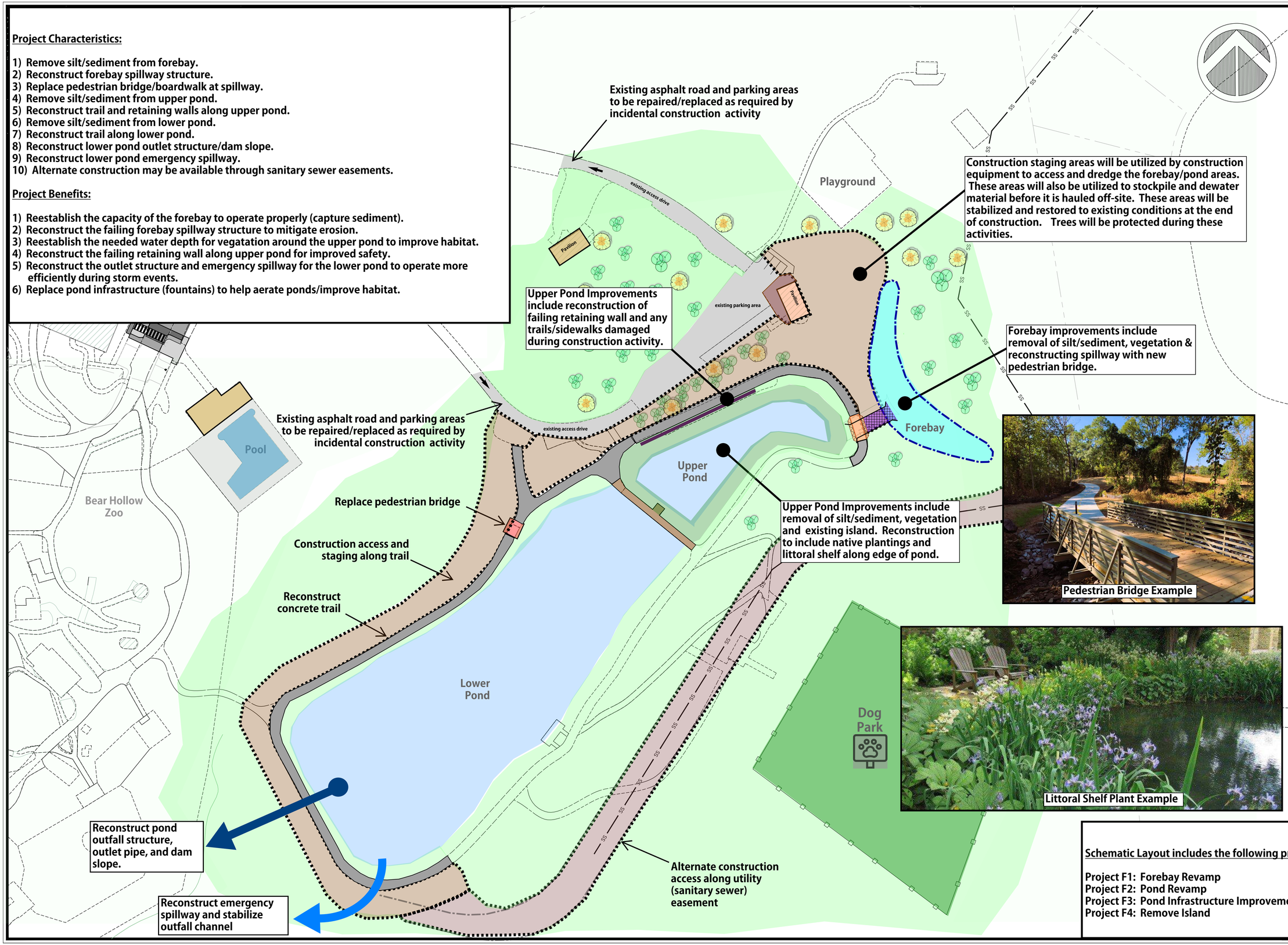
Pond Improvements

Project Characteristics:

1) Remove silt/sediment from forebay.
2) Reconstruct forebay spillway structure.
3) Replace pedestrian bridge/boardwalk at spillway.
4) Remove silt/sediment from upper pond.
5) Reconstruct trail and retaining walls along upper pond.
6) Remove silt/sediment from lower pond.
7) Reconstruct trail along lower pond.
8) Reconstruct lower pond outlet structure/dam slope.
9) Reconstruct lower pond emergency spillway.
10) Alternate construction may be available through sanitary sewer easements.

Project Benefits:

1) Reestablish the capacity of the forebay to operate properly (capture sediment).
2) Reconstruct the failing forebay spillway structure to mitigate erosion.
3) Reestablish the needed water depth for vegatation around the upper pond to improve habitat.
4) Reconstruct the failing retaining wall along upper pond for improved safety.
5) Reconstruct the outlet structure and emergency spillway for the lower pond to operate more efficiently during storm events.
6) Replace pond infrastructure (fountains) to help aerate ponds/improve habitat.



Pedestrian Bridge Example

Littoral Shelf Plant Example

50 0 50
SCALE IN FEET

Schematic Layout includes the following projects:

Project F1: Forebay Revamp
Project F2: Pond Revamp
Project F3: Pond Infrastructure Improvements
Project F4: Remove Island

Memorial Park Schematics

Typical ACC Leisure Services Park Amenities and Aesthetics

Retaining Wall Materials

Granite Block



Concrete Block (Redi-rock)



Concrete Segmental Block



Cast-in-Place Concrete



Forebay Spillway Materials

Concrete/Rock



Gabion Wall/Mattress



Park Benches



Park Signs & Bicycle Racks



Sheet 4 or 4

Memorial Park Schematics

Park Amenity Locations

Gran Ellen Drive

Office

Basketball Courts

Existing stairs /path

Pool

Playground

Upper Pond

Lower Pond

Dog Park

14 - Benches
28 - Picnic Tables
26 - Trash/Recycling Receptacles

LEGEND

- EXISTING BENCH
- EXISTING PICNIC TABLE
- EXISTING TRASH RECEPTACLE

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: TSPLOST 2023 Project 30, Traffic Safety Infrastructure Improvements, Proposed Project Concept

DATE: February 28, 2024

EXECUTIVE SUMMARY:

Transportation and Public Works staff recommend evaluation criteria to objectively score traffic signal conditions as the Proposed Project Concept, thereby providing staff with the ability to create a traffic signal replacement priority list generally utilizing quantitative data. In addition to creating the scoring matrix, this agenda report identifies the initial priority intersection list with the most need for traffic signal infrastructure replacement.

BUDGET INFORMATION:

REVENUES:	$	2,940,000	TSPLOST 2023 Project 30
	$	2,940,000	Total Revenue Available
EXPENSES:			
CAPITAL:	$	13,850	Expensed & Encumbered
	$	75,000	Designated for Land Acquisition
	$	2,201,150	Designated for Construction
	$	100,000	Designated Misc./PM Fees/ Testing Permitting
	$	100,000	Designated Furniture, Fixtures, & Equipment (FF&E)
	$	250,00	Designated Contingency
	$	200,000	Available for Design

OPERATIONAL: $25,000/yr

FUNDING SOURCE:
CAPITAL: TSPLOST 2023 Project 30
OPERATIONAL: General Fund

COMMISSION ACTION REQUESTED ON: April 2, 2024

PURPOSE:

To request that the Mayor and Commission:

a. Approve the Proposed Project Concept Traffic Signal Evaluation Criteria for the Traffic Safety Infrastrucuture Improvements (TSPLOST 2023 Project 30), as shown in **Attachment #1;**

b. Approve the Proposed Initial Priority Intersection list for the Traffic Safety Infrastructure Improvements (TSPLOST 2023 Project 30), as shown in **Attachment #2;**

c. Authorize staff to enter into the Preliminary Plan Phase for intersections identified on the Proposed Initial Priority Intersection list for the Traffic Safety Infrastrucutre Improvements (TSPLOST 2023 Project 30), as shown in **Attachment #2;** and,

d. Authorize the Mayor and appropriate staff to execute all related documents.

HISTORY:

1. On May 24, 2022, the voters of Athens-Clarke County approved a referendum for the TSPLOST 2023 Program, which included Project 30 - Traffic Safety Infrastructure Improvements.

2. On February 27, 2023, a Notice of Proposed Administrative Action (NOPAA) completed the current Tier Funding Schedule. The tiering schedule included funding for the Traffic Safety Infrastructure Improvements (TSPLOST 2023 Project 30) during Tiers 1-6 (FY23-FY28).

3. On October 20, 2023, a Notice to Proceed was issued to on-call engineering firm KCI Technologies to support the development of the Traffic Signal Evaluation Criteria.

4. On February 14, 2024, Transportation and Public Works Department, Traffic Engineering Division finalized the Traffic Signal Evaluation Criteria for the Traffic Safety Infrastrucutre Improvements (TSPLOST 2023 Project 30).

5. On March 12, 2024, the Proposed Project Concept Traffic Signal Evaluation Criteria and the Proposed Initial Priority Intersection list for the Traffic Safety Infrastrucutre Improvements (TSPLOST 2023 Project 30) were presented to the M&C in a regularly scheduled Work Session.

FACTS & ISSUES:

1. The Initial Project Statement of TSPLOST 2020 Project 30 reads as follows;

   Project 30 – Traffic Safety Infrastructure Improvements Program *- This program provides funding for capital improvements for traffic safety infrastructure improvements. Depending upon actual costs and funding availability, improvements may include, but are not limited to: rebuild/replace traffic signals and associated controls, increasing fiber optic capacity to control traffic signals, striping, guard rails and/or other recommendations made through the Corridor Safety Committee. To the extent allowed by law, budgeted project funds may be used as matching funds for leveraging grant opportunities. Additionally, to the extent allowed by law, other funding sources, including, but not limited to, grants, may be utilized to offset and/or reduce the project budget. Any unspent project funds that accrue as a result of the receipt of grants or other funding sources may be assigned to other approved TSPLOST projects.*

2. Traffic Engineering currently manages and maintains 177 Traffic Signals. This doesn't include other roadway safety striping and signage. Ownership of the Traffic Signals is as following:

- ACCGov 90 Signals
- CCSD 1 Signal
- GDOT 80 Signals
- UGA 6 Signals

3. The national average and the recommended lifespan of a traffic signals is 13 years. This lifespan is due to the fact that the equipment is susceptible to weather, UV and 24/7 operations. The current average age of the 91 traffic signals owned by ACCGOV is approximately 26 years. There are approximately 40 ACCGov signalized intersections in which the traffic signal equipment is 40 years old or older. Some of the current conditions of the older traffic signals include:
   - Signals do not meet current minimum height restrictions;
   - Signals are on "joint-use" utility poles which are not controlled/managed by ACCGov;
   - Old/brittle/defunct wiring;
   - Collapsed conduit under pavement; and,
   - Pole fatigue.

4. The hazards caused by the conditions of the current equipment, within the public right of way, are risks to all users of the roadway including motorists, pedestrians, bicyclists and the staff who service these intersections, to maintain operations.

5. The costs to maintain traffic signal equipment increases as the equipment ages beyond the recommended lifespan of 13 years. At current funding levels, it is expected that the average age of ACCGov's traffic signals will continue to grow beyond the current 26-year average. Based on the current funding levels, traffic signal replacements would occur on an average 90-year frequency. In addition to stretching operational resources, older signals increase the likelihood of malfunctions which threaten the public safety and the overall traffic signal system efficiency.

6. Traffic Engineering has historically relied on age and condition of existing signals to determine replacement strategy and priorities. This approach has generally served the needs of the community, to keep the systems operational. However, current funding opportunities, such as needs-based grants, and collaborative partners, such as the Georgia Department of Transportation, require a more objective data-driven approach in order to be competitive for the limited available resources.

7. To support a more objective data-driven approach to prioritizing signal rebuilds staff has developed the following Traffic Signal Evaluation Criteria and Criteria Descriptions to better collect data and evaluate signalized infrastructure needs at intersections (**Attachment #1)**:

   <u>Infrastructure (35% of Scoring)</u>

Overall Age (1-5 scale)
Pole Condition (1-5 scale)
Wiring Condition (1-5 scale)

Maintenance [previous 12 months] (18% of Scoring):
of Service Calls (1-5 scale)
of Signal Flash Events (1-5 scale)

Standards Met (32% of scoring):
Determine if current design standards are met Yes /No Fields
12" Heads (Y/N) Standard Dimension Traffic Head
Reflective Back Plates (Y/N) Contrasted background to improve visibility
FYA (Y/N) Flashing Yellow Arrow
332 Cabinet (Y/N) Standard GDOT Traffic Controller Equipment Cabinet
Fiber (Y/N) Connected to ACCGov Traffic Management System by fiber optic cable
Min. Head Heights (Y/N) Meets GDOT standard clearance guidelines
Pavement Markings (1-5 scale)
Pedestrian Accommodations (1-5 scale)

Traffic Volumes at Location (5% of scoring):
Document either the Mainline and Side Street or overall Average Daily Traffic (ADT)
Mainline ADT (1-5 scale) + **Side Street ADT (1-5 scale)**
(2. 5% or Scoring) + (2. 5% or Scoring)
OR
Overall ADT (1-5 scale) (5% of Scoring)

Safety (previous 5 years) (10% of Scoring):
Utilize GDOT's Numetric or other source, document crash history
of Crashes (1-5 scale)
of Fatalities (1-5 scale)
of Pedestrian Crashes (1-5 scale)

8. Based on data-driven scoring matrix, an intersection's traffic signal infrastructure can be rated, scored, and rank in an objective priority ranking system. Potential improvements at the intersections as part of this work could include, but not limited to, the following:
   - Traffic signal heads;
   - Signal poles;
   - Pedestrian activation buttons
   - Pedestrian heads/counters

- Camera detection systems for vehicles, bicycles, & pedestrians;
- ADA access

9. Upgrading or rebuilding traffic signal equipment with appropriate technology will bring the intersection to current standards that are capable of providing a higher level of service to all users within the roadway system by.:
   - Maintaining or improving air quality
   - Reducing vehicle miles traveled and traffic congestion with more efficient routes
   - Reduces time spent traveling in vehicles
   - Promotes health and safety

10. Current updated traffic signals can operate with adaptive technology and increased efficiency by serving a higher volume of roadway users. The increased service capability can promote project development and economic growth with improved access by vehicles, pedestrians and freight shipments/delivery.

11. As part of the TSPLOST 2023 Program project submission, Traffic Engineering identified the following intersections as part of a for prioritization list due to age and condition:

    - Broad St/First St/MLK Pkwy (1979)
    - College Ave/Ruth St/MLK Pkwy (1978)
    - Beaverdam Rd/Cherokee Rd/Buddy Christian Way (1978)
    - Athena Drive/Old Hull Rd (1978)
    - Carlton St/University Ct/Lumpkin St (1978)

12. Current pricing trends require an approximate budget of $500,000 per intersection to rebuild/replace all equipment at each location. It is anticipated that these four intersections would fully expend the available TSPLSOT 2023 budget for this project. Therefore, due to budget constraints, staff recommends moving the four highest scoring intersections on the Proposed Initial Priority Intersection List, **Attachment #2**, to the Preliminary Plan Phase of the Capital Project Development process. These intersections are:

Intersection ID	Main Street	Cross Street(s)	Intersection Score
28	Cherokee Road	Buddy Christian Way	4.310
45	College Avenue	Dr MLK Jr Pkwy (Ruth St)	4.205
70	Hawthorne Ave	Old Epps Bridge Rd	4.180
09	Baldwin Street	Jackson Street	4.165

13. Traffic Engineering's goal is to evaluate the remaining ACCGov owned traffic signals with the proposed criteria for each intersection as part of Traffic Engineering's preventative maintenance program over an estimated 18-month period. Upon completion of the signal evaluation, each intersection will be added to the Intersection Priority list for future use when additional funding or collaborative projects are identified.

14. This recommendation supports the following ACCGov Strategic Plan Goal & Strategy:
    - Safely Move Around Athens Goal, Strategy A: Improve, expand, and maintain sidewalks, shared-use paths, and bike facilities to provide greater opportunities for residents to use active transportation safely
    - Safely Move Around Athens Goal, Strategy E: Enhance safety for all modes of transportation

15. Next Steps/Schedule

• TSPLOST Oversite Committee	March 18, 2024
• Concept Design Approval for M&C Consideration	April 2, 2024
• Preliminary Design Approval for M&C Consideration	September 2024
• Final Design, Permitting & Land Acquisition	December 2024
• Bidding/Contractor Award	February 2024
• Start Project Construction Phase	Spring 2025
• Construction Completion	Winter 2026

16. The Proposed Project Concept is to be presented to the TSPLOST Oversight Committee (TSOC) on March 18, 2024 meeting. The TSOC will review the Proposed Project Concept to determine if the Proposed Project concept is consistent with the Initial Project Statement. The Agenda Report will be updated prior to the April 2, 2024 M&C voting meeting with the TSOC determination.

OPTIONS:

1. Mayor and Commission:

    a. Approve the proposed Project Concept Traffic Signal Evaluation Criteria for the Traffic Safety Infrastrucutre Improvements (TSPLOST 2023 Project 30), as shown in **Attachment #1**,

    b. Approve the proposed Initial Priority Intersection list for the Traffic Safety Infrastrucutre Improvements (TSPLOST 2023 Project 30), as shown in **Attachment #2,**

    c. Authorize staff to enter into the Preliminary Plan Phase for intersections identified on the proposed Initial Priority Intersection list for the Traffic Safety Infrastrucutre Improvements (TSPLOST 2023 Project 30), as shown in **Attachment #2,** and;

    d. Authorize the Mayor and appropriate staff to execute all related documents.

2. Mayor and Commission deny the proposed Project Concept Traffic Signal Evaluation Criteria

revised Site Selection Criteria for the Traffic Safety Infrastrucutre Improvements (TSPLOST 2023 Project 30), as shown in **Attachment #1**, as shown in **Attachment #1.**

3. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option #1 a, b, c, & d

DEPARTMENT: Department of the Manager – SPLOST Program Management
Prepared by: Derek Doster



Tim Griffeth , ACCGov Traffic Engineer — Date: 2/28/2004



Stephen Bailey, Transporation & Public Works Director — Date: 02/28/2024

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1 a, b, c, & d



Manager — Date: March 14, 2024

ATTACHMENTS:

Attachment #1: ACC Traffic Signal Prioritization Matrix
Attachment #2: ACC Traffic Signal Priority List

TRAFFIC SIGNAL EVALUATION MATRIX

Date: 2/14/24

LOCATION INFORMATION:

Intersection ID	89
Intersection Main Street	Hunter Ave
Intersection Cross Street	Tree Lane

Sample Evaluation

INFRASTRUCTURE:

			Raw Score	
15%	**Overall Age** (mm/yy)	9/14/00	5	
10%	**Pole Condition** (1-5)	**3**	3	**Pole ACC Owned:** of
10%	**Wiring Condition** (1-5)	**2**	2	

MAINTENANCE (PREVIOUS 12 MONTHS):

9%	**# of Service Calls**	24	5
9%	**# of Flash Events**	2	3

STANDARDS MET:

				Additional Notes:
2%	**12" Heads** (y/n)	no	5	we have signal heads
3%	**Reflective Back Plates** (y/n)	no	5	do we reflect
3%	**FYA** (y/n)	no	5	flash the yellow arrow
3%	**332 Cabinet** (y/n)	no	5	upgrade the cabinet
3%	**Fiber** (y/n)	no	5	we are connected
5%	**Minimum Head Heights** (y/n)	yes	1	heads get hit
3%	**Pavement Markings** (1-5)	3	3	missing something
10%	**Ped Accommodations** (1-5)	2	2	none of the above

TRAFFIC VOLUMES AT LOCATION:

Source: somewhere

2.5%	**Mainline (ADT)**	4500	*and*	3
2.5%	**Side street (ADT)**	2000		3
5.0%	**Overall (ADT)**	4800	*or*	2

SAFETY (PREVIOUS 5 YEARS):

Source: somewhere else

2%	**# of Crashes**	45	5
4%	**# of Fatalities**	0	1
4%	**# with Pedestrian**	8	4

INTERSECTION SCORE: 3.46

MIN SCORE: 1.00 / MAX SCORE: 5.00

OTHER NOTES TO CONSIDER: *(FUNDING, SIDEWALK CONNECTIVITY, JURISDICTION…)*

just checking to see that everything works as expected

DATE: 2/14/24
ID: 89

TRAFFIC SIGNAL EVALUATION MATRIX - DESCRIPTIONS

INFRASTRUCTURE

Pole Condition (1-5 scale)

1 Poles in good condition
2 Poles appear in good condition but need to be replaced to accommodate infrastructure updates
3 Poles appear in good condition but should be replaced due lifecycle expectations
4 1 Pole in need of replacement due to leaning/physical damage to pole
5 2+ Poles in need of replacement due to leaning/physical damage to pole

Wiring Condition (1-5 scale)

1 Conductors in good condition
2 Conductors appear in good condition but are spliced or additional are required to for signal updates
3 Conductors appear in good condition but do not meet current standards or should be replaced due to lifecycle expectations
4 Conductors show signs of stress/damage, outer jack it worn, signal cables are exposed, or conductors are twisted
5 Conductors show obvious damage, unwanted slices or signs of cracking exposing bare wire

MAINTENANCE (PREVIOUS 12 MONTHS): quantitative measure of the quality of the infrastructure

STANDARDS MET: determine if current design standards are met

Yes/No Fields:

Yes Standard is met for entire intersection
No Standard is not met for entire intersection
Blank Standard is unknown or to be excluded in evaluation

Pavement Markings (1-5 scale)

1 Pavement Markings in good condition
2 Markings faded on **less than 50%** of intersection, **no** layout changes required
3 Markings out of date, missing and/or faded on **less than 50%** of intersection, **layout changes required**
4 Markings faded on **more than 50%** of intersection, **no** layout changes required
5 Markings out of date, missing and/or faded on **more than 50%** of intersection, **layout changes required**

Pedestrian Accommodations (1-5 scale)

1 Ped infrastructure in good condition, present on all legs and **includes** audible peds
2 Ped infrastructure in good condition, present on all legs but does **not** include audible peds
3 Ped infrastructure exists at intersection but is missing/broken on one leg of intersection
4 Ped infrastructure missing/broken on multiple legs of intersection
5 No ped infrastructure exists at intersection **or** is non-functional

TRAFFIC VOLUMES AT LOCATION: Document either the Mainline and Side street or overall

SAFETY (PREVIOUS 5 YEARS): Utilize GDOT's Numetric or other source, document crash history

DATE: 2/14/24
ID: 89

TRAFFIC SIGNAL EVALUATION MATRIX - SCORING BREAKDOWN

INFRASTRUCTURE:	WEIGHT	1	2	3	4	5
Overall Age (mm/yy)	15%	< 5 years	6-7 years	8-9 years	10-12 years	> 13 years
Pole Condition (1-5)	10%	see Traffic Signal Evaluation Matrix - Descriptions				
Pole ACC Owned	n/a	not included in scoring				
Wiring Condition (1-5)	10%	see Traffic Signal Evaluation Matrix - Descriptions				

MAINTENANCE (PREVIOUS 12 MONTHS):		1	2	3	4	5
# of Service Calls	9%	0 - 2 calls	3 - 4 calls	5 - 6 calls	7 - 9 calls	> 9 calls
# of Flash Events	9%	0 events	1 event	2 events	3 events	> 3 events

STANDARDS MET (YES/NO):		1	5
12" Heads	2%	yes	no
Reflective Back Plates	3%	yes	no
FYA	3%	yes	no
332 Cabinet	3%	yes	no
Fiber	3%	yes	no
Minimum Head Heights	5%	yes	no

		1	2	3	4	5
Pavement Markings	3%	see Traffic Signal Evaluation Matrix - Descriptions				
Pedestrian Accommodations	10%	see Traffic Signal Evaluation Matrix - Descriptions				

TRAFFIC VOLUMES AT LOCATION:			1	2	3	4	5
and	Mainline (ADT)	2.5%	< 2000	2001-4000	4001-8000	8001-12,000	> 12,000
	Side street (ADT)	2.5%	< 500	501-1000	1001-2000	2001-5,000	> 5,000
or	Overall (ADT)	5%	< 2500	2501-5000	5001 - 10,000	10,001 - 17,000	> 17,000

SAFETY (PREVIOUS 5 YEARS):		1	2	3	4	5
# of Crashes	2%	0	1 - 10	11 - 20	21 - 30	> 30
# of Fatalities	4%	0	1	2	3	4+
# of Ped Crashes	4%	0	1	2 - 4	5 - 9	10+

OUTSIDE FUNDING SOURCE:	
	not included in scoring
Timing	not included in scoring

* Notes not included in scoring
** Field left blanks will given a score of 1

Minimum Possible Score	1.00
Maximum Possible Score	5.00

*password to unlock cells: ACCedit

Attachment #2

ACCGov Traffic Engineering
Traffic Engineering Evaluation Summary

Location Information				Scoring					
Intersection ID	Main Street	Cross Street	Date	Intersection Score	Infrastructure Score	Maintenance Score	Standards Score	Traffic Volumes Score	Safety Score
28	Cherokee	Buddy Christian/Beaverdam	2/26/2024	4.31	1.65	0.72	1.52	0.2	0.22
45	MLK Drive	College/Ruth	2/26/2024	4.205	1.75	0.54	1.6	0.175	0.14
70	Hawthorne	Old Epps Bridge	2/26/2024	4.18	1.75	0.54	1.42	0.25	0.22
9	Baldwin	Jackson	2/26/2024	4.165	1.75	0.72	1.3	0.175	0.22
71	Hawthorne	Old West Broad	2/26/2024	4.115	1.75	0.54	1.42	0.225	0.18
4	Athena	Old Hull	2/26/2024	4.1	1.45	0.63	1.52	0.2	0.3
31	MLK Drive	First	2/26/2024	4.085	1.75	0.54	1.5	0.175	0.12
36	Lumpkin	Cedar/University Ct	2/26/2024	3.945	1.75	0.72	1.1	0.175	0.2

Summary Table is sortable for each column.
Upon completion of additional intersection evaluations, information can be easily added and sorted with updated information.

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: (Revised) Office of Operational Analysis FY24 Audit Workplan

DATE: March 7, 2024

BUDGET INFORMATION:

REVENUES: N/A

EXPENSES: N/A

FUNDING SOURCE: N/A

COMMISSION ACTION REQUESTED ON: April 2, 2024

EXECUTIVE SUMMARY:

The Office of Operational Analysis FY24 Audit Workplan has been revised in an effort to properly balance commitments to both auditing and public safety civilian oversight (PSCOB) programs. It is proposed to remove the periodic audit of Housing & Community Development (HCD) to account for increasing coordination of PSCOB initiatives, the degree to which was unpredictable at the time of original FY24 Audit Workplan approval. Doing so will still ensure quality audits of both Economic Development and Human Resources, while HCD will be considered for inclusion in the FY25 plan.

PURPOSE:

To request that the Mayor and Commission:

a. Approve the (Revised) FY24 Audit Workplan as recommended by the Audit Committee **(Attachment A);** and,
b. Authorize the Mayor and appropriate staff to execute all necessary documents.

HISTORY:

1. On December 12, 2022, the Mayor and Commission (M&C) adopted an amendment to the ordinance (Sec. 1-3-1) entitled "Internal Auditor; Office of Operational Analysis" modifying both the general and specific duties and responsibilities.

2. On August 1, 2023, the M&C again approved an amendment to the ordinance (Sec. 1-3-1) entitled "Internal Auditor; Office of Operational Analysis" by updating the general and specific duties and responsibilities with respect to the provision of service to the Public Safety Civilian Oversight Board (PSCOB) in the capacity of Auditor/Monitor, whereby acting as an official liaison.

3. On August 1, 2023, the Mayor announced his appointments to the Audit Committee, which included two Commissioners (Fisher; Myers), and three members of the community (Dr. Xernona Thomas; Beth Higgins; Carl Blount) whose terms all began September 7, 2023, and will expire at varying dates based upon an initial two, three, and four-year term assignment.

4. On September 7, 2023, the Audit Committee convened to discuss an initial draft of the FY24 Audit Workplan as proposed by the Internal Auditor. Originally, it included a list of 12 potential topics for consideration as based upon a scoring matrix and accompanying description of any objective(s) and scope.

5. On October 5, 2023, the Audit Committee met in regular session to finalize the FY24 Audit Workplan, as amended by the Internal Auditor to address any comments or concerns brought forth by members; therefore, narrowing the list of potential topics and adjusting associated objective(s) and scope to an agreed upon and achievable assignment. The vote to recommend approval of the FY24 Audit Workplan was unanimous by the Audit Committee.

6. On October 25, 2023, PSCOB approved enactment of a complaint/compliment process and application.

7. On November 7, 2024, the M&C voted to approve the FY24 Audit Workplan as recommended by the Audit Committee.

8. On February 1, 2024, the Audit Committee expressed a desire to reconsider the overall schedule of the FY24 Audit Workplan, considering the audit(s) initiated, completed, and yet to begin, amongst other factors affecting the identified, subject departments, as well as increasing obligations toward PSCOB.

9. On February 8, 2024, the Manager announced the interim appointment for the role of Human Resources Director.

10. On March 7, 2024, the Audit Committee voted unanimously to recommend the M&C consider approval of a revised FY24 Audit Workplan.

FACTS & ISSUES:

1. Per ordinance Sec. 1-3-1 (b) – Specific duties and responsibilities. The duties and responsibilities of the Internal Auditor shall be as follows:

    3. *Works in consultation with the Mayor and Commissioners, Audit Committee, and Manager to develop objective and plan assignments.*

2. Development of the FY24 Audit Workplan was initiated by the Operational Analysis Office, whom first sought potential topics for consideration through a combination of M&C outreach; discussions with ACCGov staff; existing knowledge of operational and service

functions; and, a review of previous audits completed when compared to all departments/offices/courts within ACCGov.

3. Upon receiving suggestions, as well as incorporating other known topics, the Internal Auditor conducted a basic review of each to ensure appropriateness, applicability, and sufficient information. Those items that were too vague or outside the jurisdiction of the Internal Auditor's purview were either amended (if possible), or removed from further consideration.

4. In total, twelve topics were prepared for scoring using a modified risk assessment matrix which graded for the following factors:

   - Risk Occurrence (Possibility)
   - Risk Result (Severity)
   - Duplication
   - Public Perception
   - Community Impact
   - Strategic Plan Connection

   Furthermore, the preliminary results, as based upon the scale of scores, were then critiqued for both time and potential cost by the Internal Auditor, to complete the final list.

5. Upon review and discussion by the Audit Committee at both their September and October (2023) meetings, members agreed to move forward with a major audit of the highest scoring topic (Employee Recruitment, Hiring, and Orientation), acknowledging the preliminary workplan process put forth and methodology used.

6. A major, comprehensive performance audit constitutes an in-depth review of the stated objective and scope for each topic, usually occurring over a >6-month period of time. Specific details regarding the proposed analysis of Employee Recruitment, Hiring, and Orientation are included in the (Revised) FY24 Audit Workplan **(Attachment A).**

7. Additionally, the Audit Committee and Internal Auditor both agreed that it is important for all ACCGov departments/offices/courts to be reviewed on a more frequent basis, even if just to acknowledge regular, daily duties and responsibilities of the staff, resources, and services to be provided. Therefore, it was also originally recommended that three periodic audits (Housing & Community Development; Economic Development; Tax Assessor) be conducted, with a focus on standard issues applied more or less equally to each of the identified recipients.

8. A periodic departmental mission, operations, and internal control audit will likely entail a brief, focused review of predetermined factors surrounding the three main categories of auditing: financial, performance, and compliance. Utilizing a standard objective and prioritized scope, it will provide a basic update on a department's present position, usually

occurring over a 3-5 month period of time. Specific details regarding the proposed analysis that is to be applied to each selected department is included in the (Revised) FY24 Audit Workplan **(Attachment A)**.

9. The following indicates the status of each FY24 audit approved as part of the original annual workplan:

   Comprehensive Audit
   - Human Resources: Underway

   Periodic Audit(s)
   - Tax Assessor: Complete
   - Economic Development: Underway
   - Housing & Community Development: Pending

10. Staff recognizes there will always be a balance to be maintained amongst daily audit and PSCOB duties; thus, recognizing the efficiency and effectiveness to be gained by properly aligning audits from a scheduling standpoint.

11. Although staff are capable and possess the ability to conduct multiple audits concurrently (as evidenced thus far), the quality of each can actually be improved with selective concentration (one after another).

12. The PSCOB program is maturing, successfully; therefore mandating additional resources (staffing), as evidenced over the past 6-months.

13. The complaint/compliment process, community survey, and annual workplan are just a few of the PSCOB initiatives requiring a significant increase in time commitment.

14. The PSCOB program will consistently require, at the very least, minimum dedication for regular administrative tasks, regardless of complaints/compliments received, which are unpredictable in their monthly volume.

15. Therefore, both the Operational Analysis Office and Audit Committee are in agreement that the FY24 Audit Workplan be revised with respect to the schedule for existing audits of Economic Development and Human Resources, while removing Housing and Community Development, which may be considered as an assignment in FY25.

16. The full objectives and scope of each selected audit are outlined in the (Revised) FY24 Audit Workplan **(Attachment A)**, but subject to administrative modification as determined by the Audit Committee and/or Internal Auditor as circumstances may arise, provided the overall intent and contextual goals are maintained. The type of audit, topic, and primary department will remain as approved by the M&C.

17. The identification of both (1) major comprehensive performance audit; and, (2) periodic departmental mission, operations, and internal control audits within the (Revised) FY24 Audit Workplan will also be accompanied by the potential for minor projects, limited-scope audits, and investigations. At the Internal Auditor's discretion, and as overseen by the Audit Committee, such activity maybe conducted in an effort to address any further assignments achievable within the fiscal year, or, react to unforeseen events that warrant an immediate review by the Operational Analysis Office.

18. This recommendation supports the following ACCGov FY23-25 Strategic Plan Goals, Strategies, & Initiatives:
    - Goal Area #3, Strategies:
        A. Develop strategies to recruit, reward, and retain high performing employees, both internally and externally, including individuals coming out of the justice system.
            1. Meet current and future workforce needs.
            2. Become an employer of choice within the community.
            3. Encourage employee health and work life balance.
            4. Prepare employees for their next job through succession planning, developing a clear path for growth/development.

        B. Create a culture of high performance: increase interdepartmental collaboration, events, better cross-departmental workforce strategy.
            2. All ACCGov departments develop a departmental strategic plan with associated performance metrics.

        C. Improve programs, processes, policies and communication external and internal, assess how resources are allocated to meet existing and future needs for better service delivery and what we deliver.
            3. Provide the tools staff need to improve their daily work and deliver better service to residents.
            4. Build capacity for continuous organizational improvement.

OPTIONS:

1. Mayor and Commission:
    a. Approve the (Revised) FY24 Audit Workplan as recommended by the Audit Committee **(Attachment A)**; and,
    b. Authorize the Mayor and appropriate staff to execute all necessary documents.

2. Mayor and Commission do not approve the (Revised) FY24 Audit Workplan.

3. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option #1 a. & b.

DEPARTMENT: Prepared By: Gavin Hassemer



Gavin J. Hassemer
Internal Auditor

March 7, 2023
Date:



Dexter Fisher
Audit Committee Chair

March 7, 2023
Date:

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1 a & b



Manager

March 14, 2024
Date:

Attachment(s):

A: (Revised) FY24 Audit Workplan

Audit Committee Recommendation
(Revised) FY24 Audit Workplan

The (revised) FY24 Audit Workplan consists of the following audits to be conducted by the Operational Analysis Office, or through a designated consultant, as recommended by the Audit Committee.

Both major and periodic classified audits are subject to administrative changes in objective and scope as dictated by the Internal Auditor and overseen by the Audit Committee, provided the overall intent and contextual goals are maintained. The type of audit, topic, and primary department will remain as approved by the M&C.

Comprehensive Performance Audit (Major) = Constitutes an in-depth, comprehensive review of the stated objective and scope for each topic, usually occurring over a >6-month period of time.

Departmental Mission, Operations, & Internal Controls Audit (Periodic) = Constitutes a brief, focused review of predetermined factors surrounding the three main categories of auditing: financial, performance, & compliance; using a standard objective and prioritized scope that provide a basic update on a department's present position, usually occurring over a 3-5 month period of time.

Type	Audit Topic	Department(s)	Timeframe (Est.)
Comprehensive Performance Audit	Employee Recruitment, Hiring, & Orientation	Human Resources	7-8 months*

Objective:

- To evaluate practices related to employee recruitment, hiring, and orientation as compared to similar jurisdictions and industry standards, with consideration to the unique expectation of ACCGov. This audit will determine compliance with applicable laws, regulations, and policies; but, also effectiveness in achieving appropriate staffing levels. Focus will be on whether current approaches to employment are efficient, relevant, and impactful based upon present challenges to human resource functions.

Scope:

1. Map the process of recruitment, referral, interview, candidacy, and employment offer in comparison of average timeline.
2. Identify divisions/staff involved in employee recruitment, hiring, and orientation.
3. Review present approach to job marketing, advertisement, and outreach initiatives.
4. Evaluate the use of software (ex: NEOGOV) and application of any quality control measures.
5. Review policies, standard operating procedures, best practices, and regulations that govern the evaluation of applicants, including minimum qualifications, application screening, and referrals.
6. Determine potential impact(s) of benefits offered (ex: health insurance; pension) in relation to recruitment and prolonged retention of employees.
7. Review employee orientation practices, to include onboarding topics and materials, as well as probationary periods.

Type	Audit Topic	Department(s)	Timeframe (Est.)
Dept. Mission, Ops., & Internal Control Audit	Standard Review of Basic Performance, Financial, & Compliance Practices	Economic Development	3-5 months*

Objective:

- The purpose of this audit is to conduct a basic review and analysis of the Economic Development Department for established performance (operations) measures and sound financial management strategies to deliver exceptional service, while also ensuring compliance through internal controls.

Scope:

1. Financial Review & Analysis
    a. Review FY budget & YTD spending
    b. Determine budget oversight & confirm permissions
    c. Review purchase card (P-Card) authority; purchase order (PO) responsibility; journal entry (JE) accuracy; transfer of funds; cash handling & reimbursements
    d. Review adherence to fee collection methods and projected revenue
    e. Evaluate procurement, receipt of goods, & contract administration
    f. Timesheet accuracy & payroll processing
    g. Obtain a detailed accounting of all assets (real estate; equipment; material; resources) and review safeguards
2. Performance Review & Analysis
    a. Review service delivery based on mission statement and objectives
    b. Benchmark against self-stated performance measures
    c. Analyze organizational chart, divisions, staffing, & succession planning
    d. Identify levels of services and approach to customer service (ex: hours of operation)
    e. Review standard operating procedures (SOP) and systematic efficiency/effectiveness
    f. Highlight departmental accomplishments/awards
3. Compliance Review & Analysis
    a. Evaluate adherence to charter and ordinances
    b. Review professional accreditation or industry organization affiliation & status
    c. Review third-party internal/external audits, formal reviews, and/or accreditation reports
    d. Review inter/intra governmental/departmental agreements
    e. Review status of department strategic plan progress, as well as achievement toward M&C Strategic Goals, Commitments, & Initiatives
    f. Analyze & test adherence to existing policies/procedures/practices
    g. Review management of data, software, and degree of information technology usage
4. Apply aspects of the COSA or Green Book model of Internal Controls to the departmental functions being audited, generally, with respect to the tailored nature of this unique approach.
5. Provide other pertinent observations or points of interest made by the Internal Auditor that may warrant future examination (inefficiency, ineffectiveness; customer dissatisfaction; staff vacancies; missing records; misspending; fraud; abuse; negligence; etc.)

Type	Audit Topic	Department(s)	Timeframe (Est.)
Dept. Mission, Ops., & Internal Control Audit	Standard Review of Basic Performance, Financial, & Compliance Practices	Tax Assessor	3-5 months*

Objective:

- The purpose of this audit is to conduct a basic review and analysis of the Tax Assessor's Office for established performance (operations) measures and sound financial management strategies to deliver exceptional service, while also ensuring compliance through internal controls.

Scope:

1. Financial Review & Analysis
    a. Review FY budget & YTD spending
    b. Determine budget oversight & confirm permissions
    c. Review purchase card (P-Card) authority; purchase order (PO) responsibility; journal entry (JE) accuracy; transfer of funds; cash handling & reimbursements
    d. Review adherence to fee collection methods and projected revenue
    e. Evaluate procurement, receipt of goods, & contract administration
    f. Timesheet accuracy & payroll processing
    g. Obtain a detailed accounting of all assets (real estate; equipment; material; resources) and review safeguards
2. Performance Review & Analysis
    a. Review service delivery based on mission statement and objectives
    b. Benchmark against self-stated performance measures
    c. Analyze organizational chart, divisions, staffing, & succession planning
    d. Identify levels of services and approach to customer service (ex: hours of operation)
    e. Review standard operating procedures (SOP) and systematic efficiency/effectiveness
    f. Highlight departmental accomplishments/awards
3. Compliance Review & Analysis
    a. Evaluate adherence to charter and ordinances
    b. Review professional accreditation or industry organization affiliation & status
    c. Review third-party internal/external audits, formal reviews, and/or accreditation reports
    d. Review inter/intra governmental/departmental agreements
    e. Review status of department strategic plan progress, as well as achievement toward M&C Strategic Goals, Commitments, & Initiatives
    f. Analyze & test adherence to existing policies/procedures/practices
    g. Review management of data, software, and degree of information technology usage
4. Apply aspects of the COSA or Green Book model of Internal Controls to the departmental functions being audited, generally, with respect to the tailored nature of this unique approach.
5. Provide other pertinent observations or points of interest made by the Internal Auditor that may warrant future examination (inefficiency, ineffectiveness; customer dissatisfaction; staff vacancies; missing records; misspending; fraud; abuse; negligence; etc.)

Type	Audit Topic	Department(s)	Timeframe (Est.)
Minor Projects, Limited Scope Audits, & Investigations	T.B.D.	T.B.D.	T.B.D.

Objective:
To provide adequate flexibility for the Operational Analysis Office to initiate related projects that improve overall success; respond to unanticipated occurrences; and, allow continuous research into observed practices that may justify future analysis, per the Internal Auditor's discretion, as based on relevance, timeframe, and impact.

Scope:

1. Ongoing consideration of potential audit examination(s) in the future.
2. Development and implementation of associated initiatives to enhance the auditing function of the Operational Analysis Office and ACCGov. This may include, but not be limited to, policies, programs, and/or projects that strengthen the efficiency and effectiveness of ACCGov's auditing capacity and capability.
3. Allow for expedited review of unanticipated audits that warrant timely coordination/completion based on significance.

*Although it is the goal of the Operational Analysis Office to complete each audit listed within the estimated schedule (fiscal year), such deadlines maybe amended based on mitigating factors, as guided by the Audit Committee and Internal Auditor.

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA, WITH RESPECT TO **SPECIAL USE APPROVAL OF A FRATERNITY CHAPTER HOUSE IN THE C-D (RIV) (COMMERCIAL-DOWNTOWN, RIVER DESIGN AREA) DISTRICT FOR A PARCEL OF LAND AT 141 WILKERSON STREET COMPRISING APPROXIMATELY 0.54 ACRES**; AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. The current C-D (RIV) (Commercial-Downtown, River Design Area) District is hereby amended to provide for special use approval of a fraternity chapter house. The affected parcel of land comprises approximately 0.54 acres, is located at 141 Wilkerson Street, Athens, Georgia, and is known as tax parcel number 171B4 A006 on the Athens-Clarke County Tax Map, being on file and available for public inspection in the office of the Athens-Clarke County Planning Department, 120 West Dougherty Street, Athens, Georgia. The date of this amendment to the Official Zoning Map of Athens-Clarke County as shown by Attachment A hereto shall be noted on said Official Zoning Map in the office of the Clerk of Commission and duly noted in the minutes of the Commission meeting.

The subject parcel is further described in that certain document entitled "Existing Conditions," prepared by Michael Bret Thurmond, Georgia registered professional engineer, designated in the lower right-hand corner as sheet number C100, dated February 20, 2024, and being on file and available for public inspection in the office of the Athens-Clarke County Planning Department, 120 West Dougherty Street, Athens, Georgia.

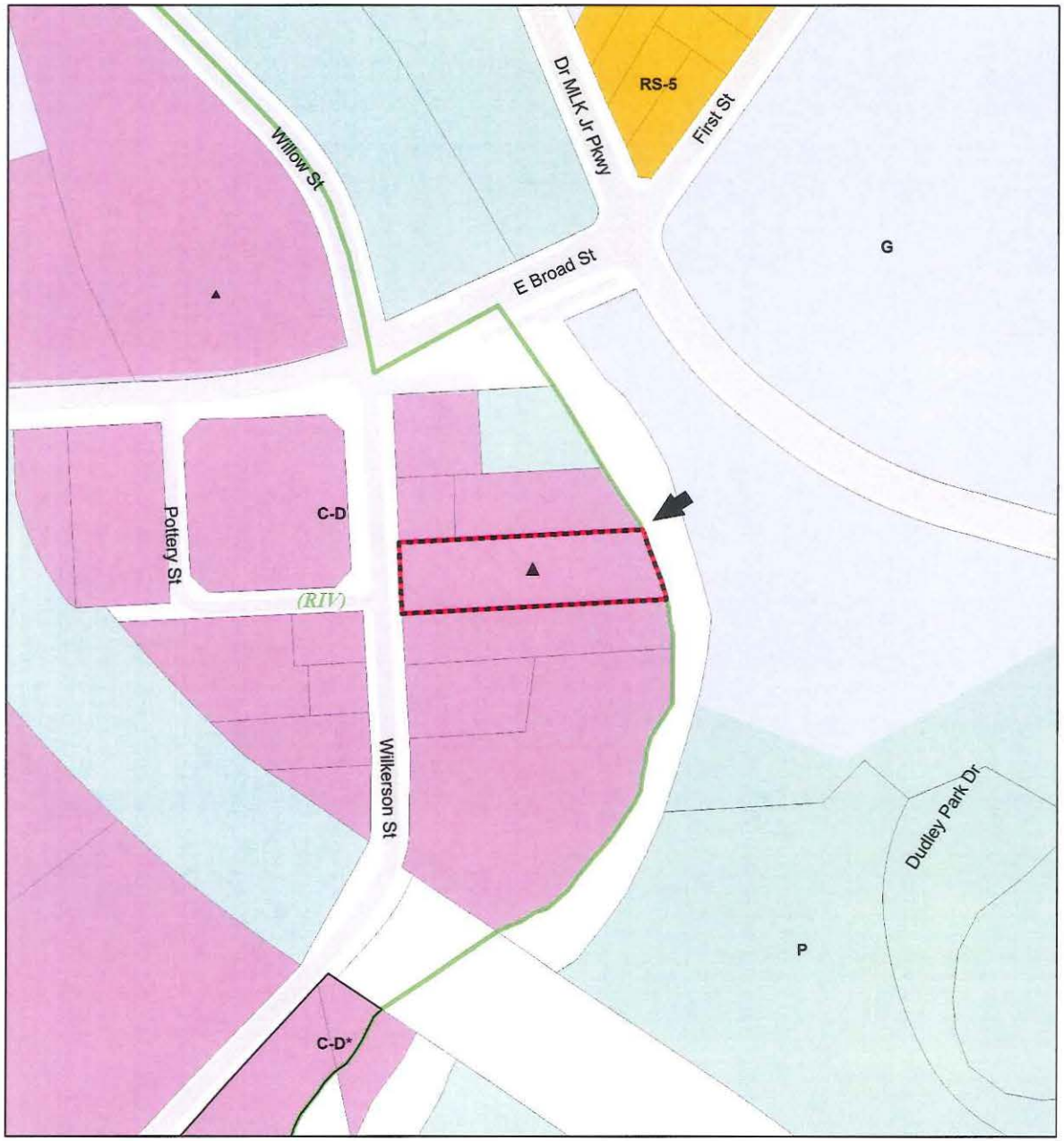
SECTION 2. The binding site plan associated with this ordinance and incorporated herein by reference consists of three pages in total, with each sheet being numbered and titled in the lower-right hand corner. The respective number, title, and date of each sheet is listed below.

Sheet No.:	Title:	Date:
C101	Site Plan	February 20, 2024
A200	Elevations	February 13, 2024
A201	Elevations	February 13, 2024

Each sheet listed above is stamped "Binding 3-12-24" and is on file and available for public inspection in the office of the Athens-Clarke County Planning Department, 120 West Dougherty Street, Athens, Georgia.

The binding written report associated with this ordinance and incorporated herein by reference consists of seven pages in total, entitled "Report to Support the Special Use Application Phi Kappa Tau Fraternity," prepared by Armentrout Matheny Thurmond, P.C., stamped "Binding 3-12-24," and is on file and available for public inspection in the office of the Athens-Clarke County Planning Department, 120 West Dougherty Street, Athens, Georgia.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.



The Official Zoning Map of Athens-Clarke County

Legend

- P, Parks
- IN, Institutional
- C-G, Commercial-General
- C-D, Commercial-Downtown
- C-N, Commercial-Neighborhood
- C-O, Commercial-Office
- C-R, Commercial-Rural
- E-I, Employment-Industrial
- E-O, Employment-Office
- G, Government
- I, Industrial
- AR, Agricultural Residential (1 unit per 10 acre density)
- RM-1, Mixed Density Residential (16 multi-family units per acre)
- RM-2, Mixed Density Residential (24 multi-family units per acre)
- RM-3, Mixed Density Residential (50 multi-family units per acre)
- RS-5, Single-Family Residential (5,000 sq. ft. min. lot area)
- RS-8, Single-Family Residential (8,000 sq. ft. min. lot area)
- RS-15, Single-Family Residential (15,000 sq. ft. min. lot area)
- RS-25, Single-Family Residential (25,000 sq. ft. min. lot area)
- RS-40, Single-Family Residential (40,000 sq. ft. min. lot area)

Parcel boundaries of the zoning determined by aerial observation.
The parcel data on this map may not be used to define a parcel.

- Downtown Design Areas
  - (DHD), Downtown Historic District
  - (WD), West Downtown
  - (ED), East Downtown
  - (DS), Dougherty Street
  - (RIV), River
  - (WE), West End
  - (ND), North Downtown
- Airport Overlay
  - AZ1, Precision Approach Zone
  - AZ2, Larger Than Utility Runway Nonprecision Approach Zone
  - AZ3, Utility Runway Nonprecision Approach Zone
  - TZ, Transitional Zone
  - RPZ, Runway Protection Zone
  - PSZ, Primary Surface Zone
- 78/316 Special District Overlay
- PD, Planned Development
- *, Zoning with Conditions
- Historic District
- RM-LTD, Mixed Density Residential Limited Overlay
- Conditional Use
- GSRC, Gaines School Road Corridor Special District Overlay
- MAC, Milledge Avenue Corridor Special District Overlay
- WBS, West Broad Street Special District Overlay
- Winterville Boundary
- Bogart Boundary
- ACC Boundary
- Railroads
- ▲ Special Use
- ● Historic Landmark

125 62.5 0 125 250 375 Feet

ATTACHMENT A	SUP-2024-02-0210 SPECIAL USE 141 WILKERSON STREET Michael B. Thurmond / Armentrout, Matheny, Thurmond P.C. Georgia of Phi Kappa Tau Inc.		
562			
FROM: C-D (RIV)		TO: Special Use in C-D (RIV)	
TAX PARCEL #		PLANNING COMMISSION MEETING DATE	ATHENS-CLARKE COUNTY COMMISSION MEETING DATE
171B4 A006		March 7, 2024	April 2, 2024

ATHENS-CLARKE COUNTY PLANNING COMMISSION
RECOMMENDATION

DATE: March 7, 2024	**FILE NO:** SUP-2024-02-0210

LOCATION: 141 Wilkerson St
APPLICANT: Bret Thurmond / Armentrout, Matheny, Thurmond, P.C.
OWNER: Georgia of Phi Kappa Tau Inc.
REQUEST: Special Use in C-D (West End)
COMMISSION DISTRICT: 4

PLANNING COMMISSION MOTION AND RECOMMENDATION:

NAME	YEA	NAY	ABSTAIN	NAME	YEA	NAY	ABSTAIN
Chair: Matthew Hall Present				Kristen Morales Present	X		
Vice-Chair: Alice Kinman Present	X			Taylor Pass Absent			
Vacant Seat				Alexander Sams Present	X		
Sara Beresford Present	X			Monique Sanders Absent			
Sarah Gehring Present	X			Joey Tucker Present	X		
NOTE: Chair does not vote except in case of tie.				TOTAL VOTES:	6	0	0

For: Bret Thurmond, Alan Cleveland, Bill Crane (applicants), Dexter Weaver
Against: None

Discussion: Commissioners noted that there are very few locations for fraternities, and this site seems to be appropriate for one. Commissioners commended the improvements that would be made to the environmental buffer areas on the property, the preserved historic character, and the community-mindedness of the fraternity organization.

Motion: Mr. Tucker made a motion to recommend approval. Ms. Kinman seconded the motion, which passed unanimously.

STAFF REPORT
SPECIAL USE
141 WILKERSON STREET
SUP-2024-02-0210
MARCH 7th, 2024

APPLICANT: .....Michael B. Thurmond / AMT
OWNER: .....Georgia of Phi Kappa Tau, Inc.
ZONING REQUEST: .....Special Use in C-D (RIV)
TYPE OF REQUEST: .....Type II
LOCATION: .....141 Wilkerson Street
TAX MAP NUMBERS: 171B4 A006
COUNTY COMMISSION DISTRICT: 4
PROJECT SIZE: .....0.55 Acres
PRESENT USE: .....Residential
PROPOSED USE: .....Fraternity Chapter House
PUBLIC NOTICE POSTED: .....February 13th, 2024
STAFF RECOMMENDATION: .....***APPROVAL***
PLANNING COMM. RECOMMENDATION: .....***APPROVAL***
MAYOR & COMMISSION AGENDA SETTING: ...March 19th, 2024
MAYOR & COMMISSION VOTING SESSION: .....April 2nd, 2024

I. Summary Recommendation

The applicant is requesting a Special Use Permit in the Commercial-Downtown (River) District (C-D (Riv)) in order to allow a fraternity chapter house at 141 Wilkerson Street. The site currently has two residential single-family houses and several outbuildings. This binding plan proposes to remove one of the existing single-family houses and the outbuildings with an addition to the single-family house at the front of the property that would serve as the chapter house for the fraternity. The applicant has indicated that there would be no residential component, as this property would be used for chapter meetings and gatherings, with the members living in the other houses on Wilkerson Street. The subject parcel, and all parcels surrounding the property are zoned C-D (Riv). Overall, the proposal is compatible with the Comprehensive Plan, the Future Land Use Map, the Zoning Map, and the Zoning Ordinance. Staff also finds that the proposal satisfies the Special Use test.

Staff has reviewed the proposal and found no major code compliance issues. Given the proximity to the parking deck, general downtown area, the University of Georgia, and residences owned by this Fraternity on Wilkerson Street, Staff finds this to be a reasonable location for this use. Therefore, **Staff recommends approval** of the proposal.

Planning Commission Recommendation: Commissioners noted that there are very few locations for fraternities, and this site seems to be appropriate for one. Commissioners commended the improvements that would be made to the environmental buffer areas on the property, the preserved historic character, and the community-mindedness of the fraternity organization. **Commissioners voted to recommend approval.**

II. Purpose of Applicant Request

A. Proposal

The applicant is requesting a special use permit on the subject property at 141 Wilkerson Street for a fraternity chapter house. As this is a special use application, a binding site plan and architectural elevations have been submitted. The proposal also includes the demolition of a few structures in the riparian buffer, and an event space off of the primary structure. There is no residential component proposed, however the surrounding buildings will serve as residences for fraternity brothers.

Existing Conditions

Currently there are two single-family houses and two sheds on the property. The current driveway is gravel and serves as one of the main driveways to parking on the property south of the subject property. All current improved surfaces are roughly in the front half of the property, with the back being grass and trees. The rear of this property abuts the North Oconee River and as such has a 100-foot ACC riparian buffer as well as 100-year floodplains. The surrounding zones to the North, South, East, and West are zoned C-D. The properties to the North and South are residences and the properties to the west are residences and a parking deck. To the East is the North Oconee River.

III. Policy Analysis

A. Compatibility with Comprehensive Plan

The 2023 Comprehensive Plan calls for the following policies that **are** supported in this project:

- *Infill and redevelopment should be prioritized over greenfield expansion.*

This property has had several single-family residences since 1936 according to the Tax Assessor. By removing current infrastructure from the riparian buffer and erecting new structures over what is mostly improved surfaces, this proposal makes the most out of the limiting room available on an in-town lot.

- *Encourage the preservation and adaptive reuse of existing structures, especially those with historic value.*

The applicant makes note that the rear residence is beyond repair. However, the front residence will be renovated and converted into a chapter house. This keeps the historic character of the street intact.

- *Encourage responsible, environmentally-friendly development along river corridors.*

The proposal would remove a significant structure from the riparian buffer, restoring more greenspace in an environmentally sensitive area.

Overall, the proposal is compatible with the Comprehensive Plan.

Compatibility with the Future Land Use Map

The 2023 Future Land Use Map designates the subject parcel as *Downtown*, which is described as follows:

Downtown
Retail, office and entertainment uses are encouraged, as is high-density multifamily housing. Auto-oriented uses, such as vehicle repair and maintenance, drive-through restaurants, and vehicle sales,

are not included in this designation. As parking is handled on a district level, off-street parking for individual commercial development is not intended. Parking structures with commercial uses on the street-level frontage are encouraged rather than surface parking lots. This area should have strict design requirements to protect historic integrity and to ensure that new buildings develop in a form and architectural style compatible with existing downtown character.

No change to the Future Land Use Map is required since the proposed zoning action is already compatible with the Map. The proposal is compatible with the Future Land Use description for this area.

B. Compatibility with the Zoning Map

The applicant has requested a special use in a C-D (RIV) district. The following information has been provided to compare the difference in development intensity between the existing C-D (Commercial Downtown, River District) zoning and the requested C-D (RIV)* (Commercial Downtown, River District, Special Use) zone. Broadly, a comparison of scale, use, and design is offered here to help decision makers evaluate the changes that would be allowed if the request is approved. In terms of building scale, the following chart illustrates the differences in size and scale of buildings that could be constructed:

	CURRENT	REQUESTED
Standard	**C-D (RIV) Zoning**	**C-D (RIV)* Zoning**
Minimum Lot Size	n/a	n/a
Density	200	200
Max Lot Coverage	100%	100%
Max Building Height	100 ft	100 ft
Setbacks	30 ft Max.	30 ft Max.
Conserved Canopy	0%	0%
Total Canopy	0%	0%
Parking	0	0

The Athens-Clarke County Zoning Ordinance includes a list of defined uses and designates where they can or cannot be established. For this request, there are no noticeable differences.

C. Consistency with Other Adopted ACCGov Plans, Studies, or Programs

There are no other adopted ACCGov Plans, Studies, or Programs for/near the subject property.

IV. Technical Assessment

A. Environment

The subject property abuts the North Oconee River. Along with the state mandated 25-foot riparian buffer, there is also the ACCGov 75-foot riparian buffer on the property. The subject property is also within the 100-year floodplain.

The Arborist has reviewed the tree management plan and approved with the following comment:

- *No additional parking spaces proposed and no canopy requirements in the Commercial-Downtown zone*

B. Grading and Drainage

The Transportation and Public Works Department has reviewed and approved the proposal with the following grading and drainage-related comments:

- *Due to the proximity to the flood plain, FEMA Elevation Certificates will be needed: the first (based on plans) to obtain a building permit and the second (based on finished construction) to obtain a certificate of occupancy.*

C. Water and Sewer Availability

The Public Utilities Department has reviewed the proposal and approved with the following comment:

- *ACC water and sewer is available.*

D. Transportation

There are no parking standards for C-D zoning, however it should be noted that the parking deck across from the subject property is not open to the public.

The Transportation and Public Works Department has reviewed and approved the proposal without comment.

E. Fire Protection

The Fire Marshal has reviewed the proposal and approved with no comment.

F. Compliance with the Zoning Ordinance and Development Standards

All exemptions to the zoning and development standards must be identified in the application prior to approval of a binding proposal since the development will otherwise be expected to adhere to the ordinance standards.

Special Use requests are evaluated using the following criteria:

a) *Similarity in scale, bulk, and coverage.*

The proposed addition has more square footage than the primary structure. However, the new structure will be a one-story event space--the same scale as the primary structure.

b) *Character and volume of traffic and vehicular parking generated by the proposed use and the effects on surrounding streets. Increases in pedestrian, bicycle, and mass transit use are considered beneficial regardless of capacity of facilities.*

Many of the houses flanking the subject property will be residences for the chapter members, meaning the subject property itself will only be used as a communal space and is within easy walking distance. With the parking deck across the street and ample other areas to park in the downtown area, visitors will have more than enough options to park near the subject property.

c) *Architectural compatibility with the surrounding area.*

The architecture of the primary building in the front will remain unchanged and the proposed event space has similar architecture to the primary building.

d) *The possible impact on the environment, including, but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality, including the generation of smoke, dust, odors, or environmental pollutants.*

With the removal of a significant structure in the riparian buffer, this proposal has an overall positive impact on the environment in the immediate area.

e) *Generation of noise, light, and glare.*

Being a chapter house, noise should be expected for events put on by the fraternity. However, the downtown area is a place where noise is to be expected and unlikely to disturb neighbors.

f) *The development of adjacent properties compatible with the future development map and the zoning district.*

The development is compatible with the future development map and zoning district.

g) *Impact on future transportation corridors.*

The proposal would not significantly impact future transportation corridors.

h) *Impact on the character of the neighborhood by the establishment or expansion of the proposed use in conjunction with similar uses.*

By keeping the current building fronting Wilkerson, this proposal keeps the character of the neighborhood intact.

i) *Other factors found to be relevant by the hearing authority for review of the proposed use.*

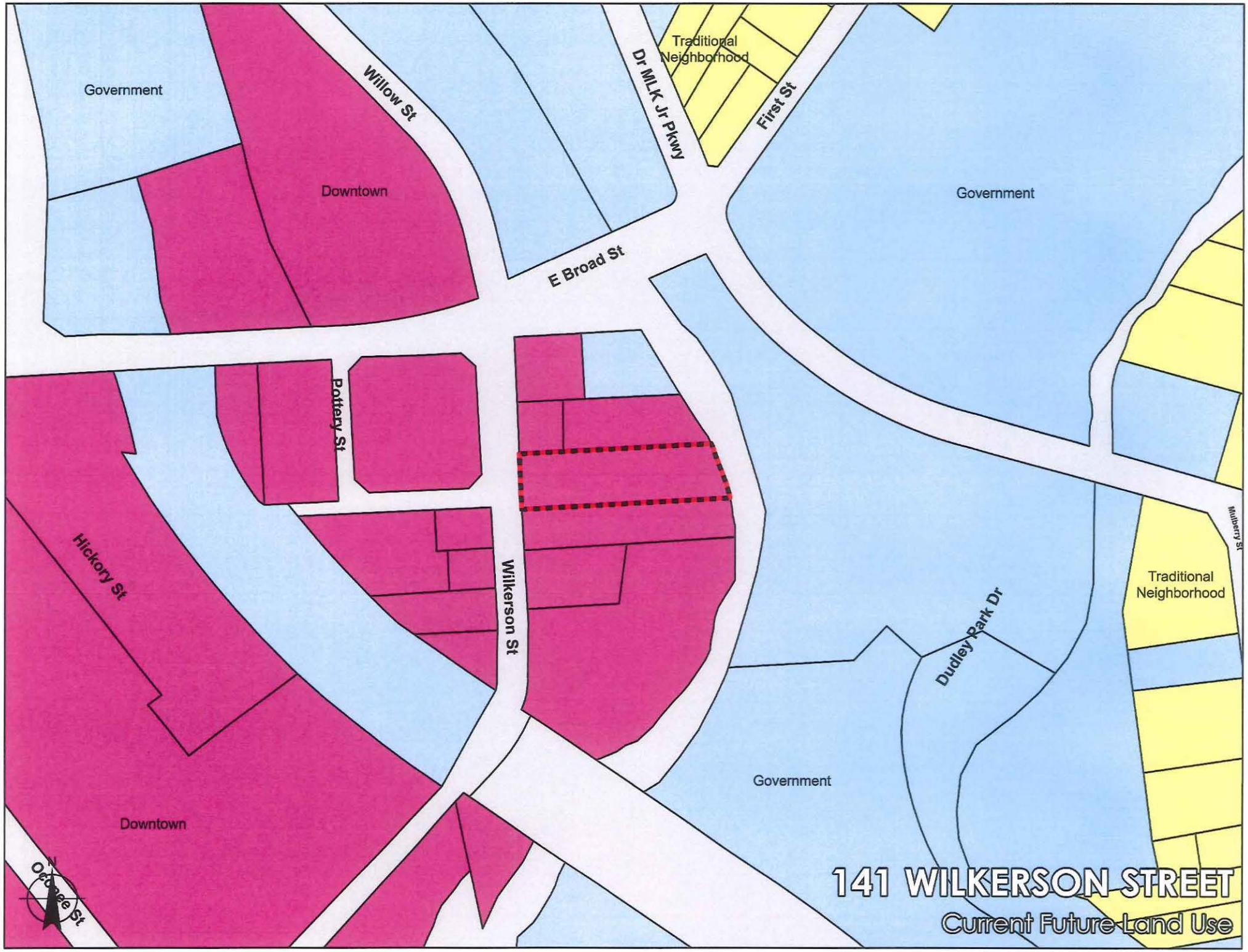
No other factors have been found to be relevant.

End of Staff Report.

Reviewed — Zoning Criteria Considered by Staff

The following factors have been considered as set forth in Guhl v. Holcomb Bridge Road Corp., 238 Ga. 322, 232 S.E.2d 830 (1977).

Reviewed	
☒	The proposed zoning action conforms to the Future Land Use map, the general plans for the physical development of Athens-Clarke County, and any master plan or portion thereof adopted by the Mayor and Commission.
☒	The proposed use meets all objective criteria set forth for that use provided in the zoning ordinance and conforms to the purpose and intent of the Comprehensive Plan and all its elements.
☒	The proposal will not adversely affect the balance of land uses in Athens-Clarke County.
☒	The cost of the Unified Government and other governmental entities in providing, improving, increasing or maintaining public utilities, schools, streets and other public safety measures.
☒	The existing land use pattern surrounding the property in issue.
☒	The possible creation of an isolated district unrelated to adjacent and nearby districts.
☒	The aesthetic effect of existing and future use of the property as it relates to the surrounding area.
☒	Whether the proposed zoning action will be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations.
☒	Whether there are substantial reasons why the property cannot be used in accordance with existing zoning; provided, however, evidence that the economic value of the property, as currently zoned, is less than its economic value if zoned as requested will not alone constitute a significant detriment.
☒	Whether there are other existing or changing conditions affecting the use and development of the property that give supporting grounds for either approval or disapproval of the zoning proposal.
☒	Public services, which include physical facilities and staff capacity, exist sufficient to service the proposal.
☒	The population density pattern and possible increase or over-taxing of the load on public facilities including, but not limited to, schools, utilities, and streets.
☒	The possible impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quantity.


Government
Willow St
Traditional Neighborhood
Dr MLK Jr Pkwy
First St
Downtown
Government
E Broad St
Pottery St
Hickory St
Wilkerson St
Mulberry St
Traditional Neighborhood
Dudley Park Dr
Government
Downtown
Ocoee St
141 WILKERSON STREET
Current Future Land Use


C-D
P
P
G
C-D
P
G
(RIV)
C-D
P
P
P
C-D
141 WILKERSON STREET
Existing Zoning
N
C-D
P
P
G
C-D
P
G
C-D
C-D
P
P
P
C-D
141 WILKERSON STREET
Proposed Zoning

NOTES

1. SOIL TYPE FOR ENTIRE SITE IS LISTED AS PgD3 - PACOLET SANDY CLAY LOAM, 10 TO 15 PERCENT SLOPES, SEVERELY ERODED, PER SURVEY OBTAINED FROM WEBSOILSURVEY.SC.EGOV.USDA.GOV
2. TOPOGRAPHY SOURCE: ATHENS-CLARKE COUNTY GIS, 2' CONTOURS

SITE INFORMATION

-TOTAL ACREAGE:	0.55 AC
-TOTAL LOT COVERAGE:	0.19 AC (34%)
-TOTAL LOT COVERAGE PROPOSED:	0.20 AC (35%)
-TOTAL PARKING SPACES:	1 H/C SPACE PROPOSED

F.A.R. CALCULATION

-LOT SIZE:	0.55 AC (23,958 SF)
-EXEMPT AREA:	11,070 SF
-AREA:	12,888 SF
-TOTAL FLOOR AREA:	3,800 SF + 1909 SF = 5709 SF
-F.A.R.:	0.44

TRAFFIC ANALYSIS

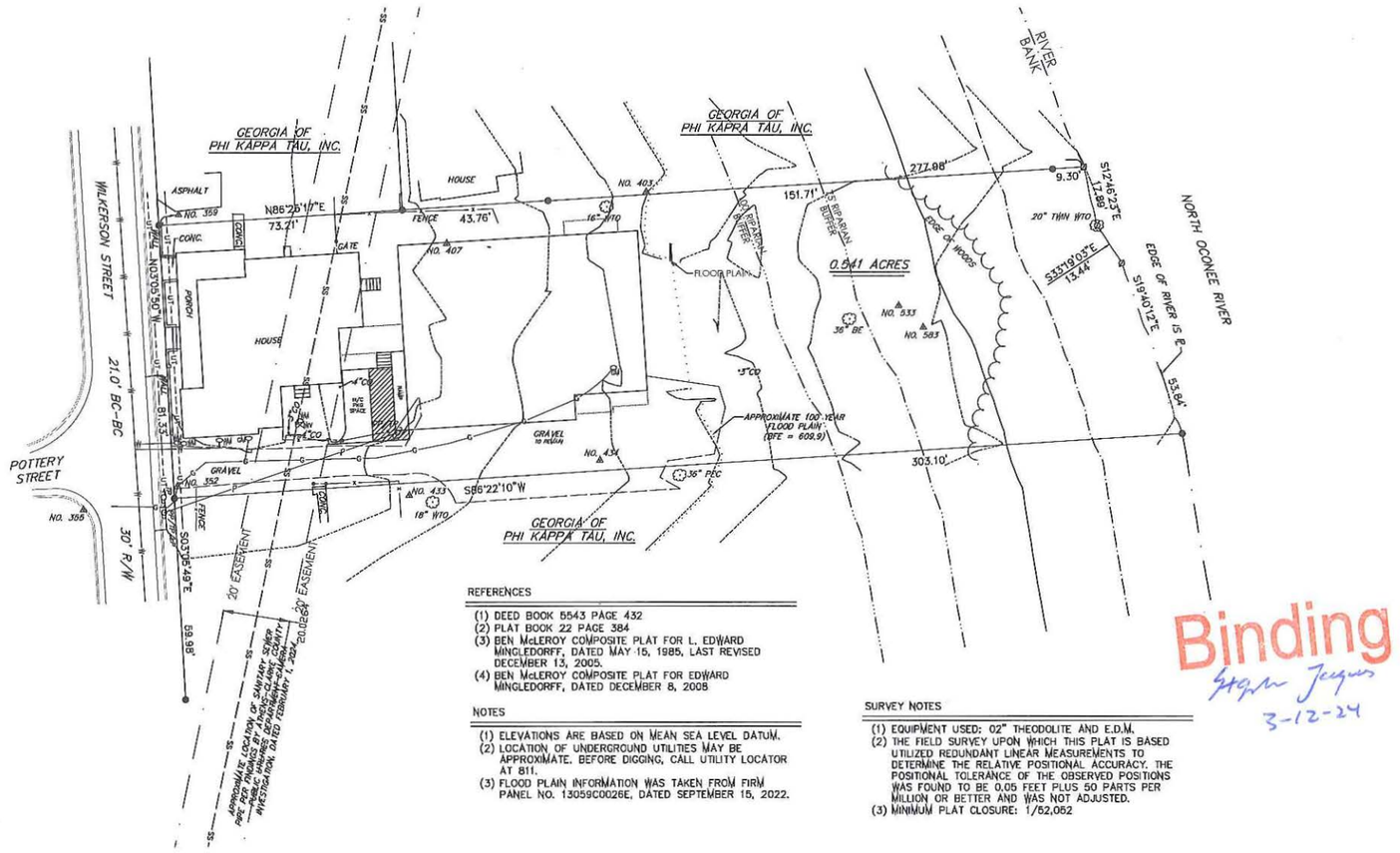
NO PARKING SPACES ARE PLANNED FOR THIS SITE EXCEPT 1 H/C SPACE. ADJACENT PROPERTIES OWNED BY OWNER HAVE ONLY MINOR AVAILABLE PARKING. THEREFORE AVERAGE DAILY TRIP PER DAY IS LESS THAN 1000/DAY AND PEAK TRIP IS LESS THAN 100/DAY. THEREFORE NO TRAFFICE ANALYSIS IS REQUIRED.

WATER AND SEWER DEMAND

AN AVAILABILITY LETTER HAS BEEN RECEIVED BY ACC PUD.
- -WATER DEMAND IS 200 GPD
- -SEWER DEMAND IS 170 GPD
- -AVAILABLE FIRE FLOW IS 2000 GPM

NO STORMWATER MANAGERMENT IS PROPOSED BECASE THE AMOUNT OF NEW/REPLACED IMPERVIOUS IS LESS THAN 5000 SQUARE FEET.

THIS PROJECT WILL BE CONSTRUCTED IN ONE PHASE.



REFERENCES

(1) DEED BOOK 5543 PAGE 432
(2) PLAT BOOK 22 PAGE 384
(3) BEN McLEROY COMPOSITE PLAT FOR L. EDWARD MINGLEDORFF, DATED MAY 15, 1985, LAST REVISED DECEMBER 13, 2005.
(4) BEN McLEROY COMPOSITE PLAT FOR EDWARD MINGLEDORFF, DATED DECEMBER 8, 2008

NOTES

(1) ELEVATIONS ARE BASED ON MEAN SEA LEVEL DATUM.
(2) LOCATION OF UNDERGROUND UTILITIES MAY BE APPROXIMATE. BEFORE DIGGING, CALL UTILITY LOCATOR AT 811.
(3) FLOOD PLAIN INFORMATION WAS TAKEN FROM FIRM PANEL NO. 13059C0026E, DATED SEPTEMBER 15, 2022.

SURVEY NOTES

(1) EQUIPMENT USED: 02" THEODOLITE AND E.D.M.
(2) THE FIELD SURVEY UPON WHICH THIS PLAT IS BASED UTILIZED REDUNDANT LINEAR MEASUREMENTS TO DETERMINE THE RELATIVE POSITIONAL ACCURACY. THE POSITIONAL TOLERANCE OF THE OBSERVED POSITIONS WAS FOUND TO BE 0.05 FEET PLUS 50 PARTS PER MILLION OR BETTER AND WAS NOT ADJUSTED.
(3) MINIMUM PLAT CLOSURE: 1/52,052

Binding
Stephen Jacques
3-12-24

811 Know what's below. Call before you dig

N

0 20' 40'
SCALE 1"=20'

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2/22/2024 4:16:56 PM

REVISIONS

DATE	NO.	BY	DESCRIPTION

DESIGNED: SLS
DRAWN: SLS
CHECKED: MBT
APPROVED: MBT

NOTE: RECHANGES IN METHODS OF CONSTRUCTION MAY BE REQUIRED BY CITY REGULATIONS OR UNFORESEEN CONDITIONS. ANY CHANGES MUST BE APPROVED BY THE ENGINEER. FAILURE TO DO SO RELIEVES THE ENGINEER OF RESPONSIBILITY.

GEORGIA REGISTERED PROFESSIONAL ENGINEER MICHAEL BRET THURMOND 2-20-2024

GAMBROOK CORPORATE CAMPUS
2970 RESEARCH DRIVE, SUITE X240
USA 30606-2760
PHONE: (706) 548, 1211
FAX: (706) 548, 1814
www.amtonline.com

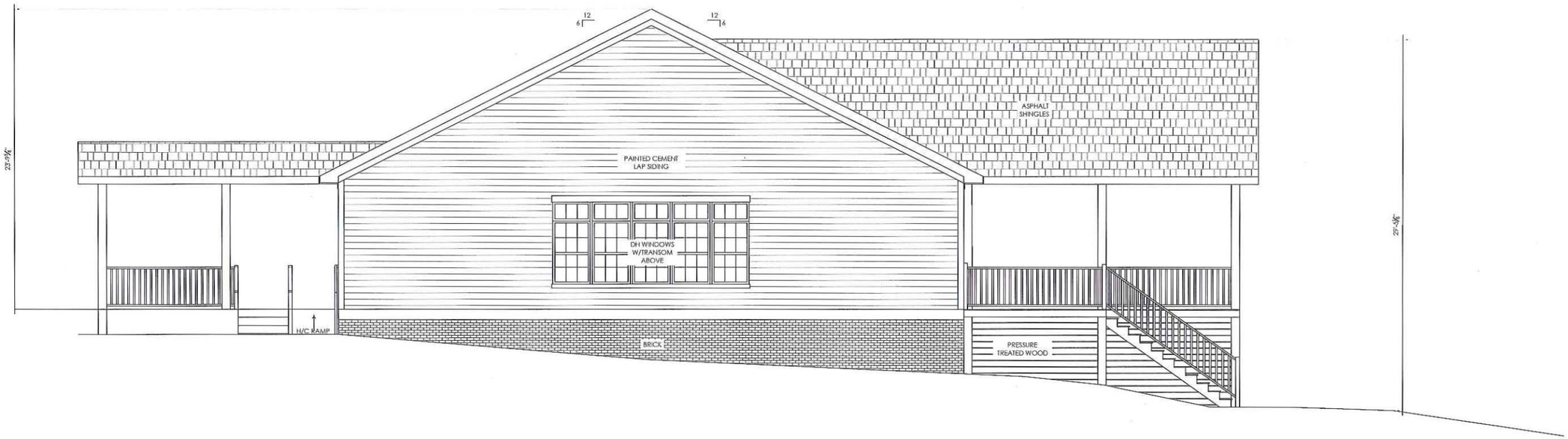
amt ENGINEERS ARCHITECTS PLANNERS
Armentrout · Matheny · Thurmond

23205

GEORGIA OF PHI KAPPA TAU, INC.
141 WILKERSON STREET
ATHENS, GA 30601

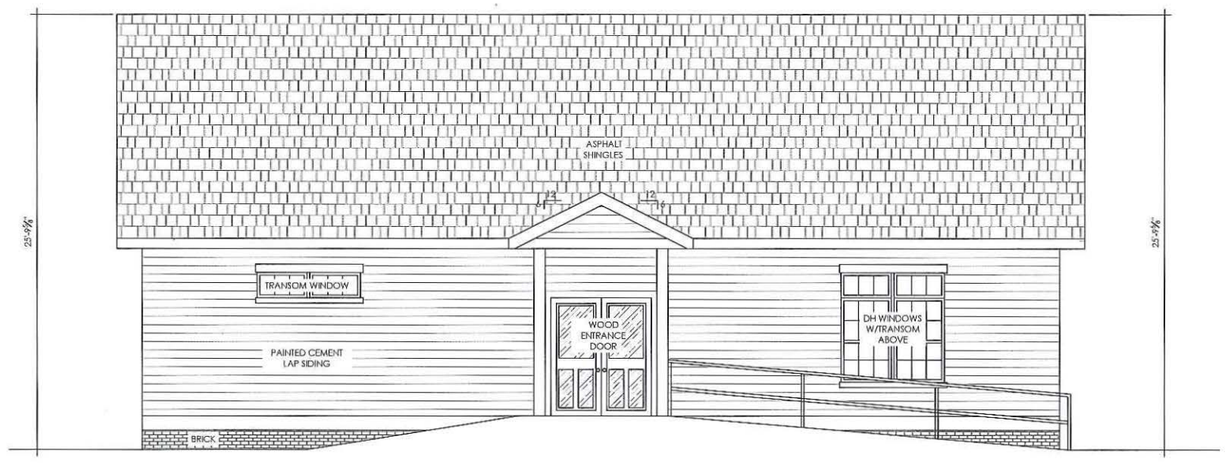
SITE PLAN
C101

NOTE: THE DRAWINGS & THE IDEAS INCORPORATED HEREIN AS AN INSTRUMENT OF SERVICE ARE THE PROPERTY OF AMT AND SHALL NOT BE USED IN WHOLE OR IN PART FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF AMT.



RIGHT ELEVATION (1) A200
SCALE: ¼" = 1'-0"

Binding
Stephen Jaquish
3-12-24



FRONT ELEVATION (2) A200
SCALE: ¼" = 1'-0"

REVISIONS

NO.	BY	DESCRIPTION

DESIGNED: DWM
DRAWN: HL/SLS
CHECKED: DWM
APPROVED: DWM/MBT

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STATE OF GEORGIA
MICHAEL BRETT THURMOND
REGISTERED
ARCHITECT
2-13-2024

CUMBERLAND CORPORATE CAMPUS
2359 OLD LOGAN CIRCLE, SUITE 4240
ATLANTA, GEORGIA
USA 30080-2780
PHONE (770) 955-8771
FAX (770) 955-8744
www.amtarchitects.com

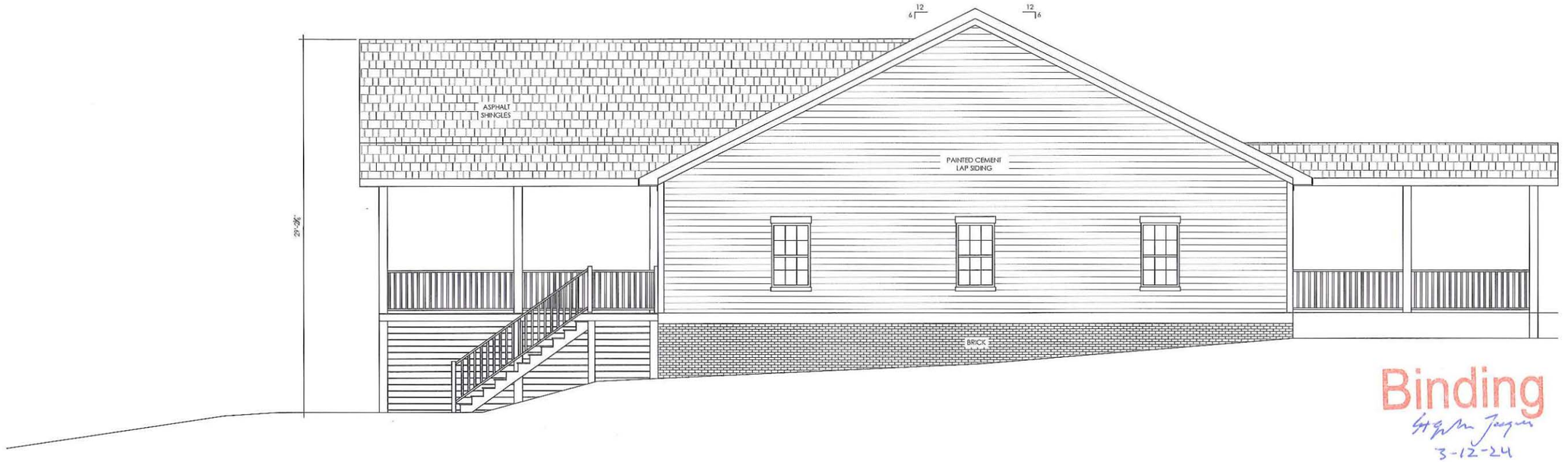
amt ENGINEERS ARCHITECTS PLANNERS
Armentrout • Matheny • Thurmond

PHI KAPPA TAU FRATERNITY
WILKERSON ST.
ATHENS, GA

23205

ELEVATIONS
A200

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Binding
Stephen Jaques
3-12-24

LEFT ELEVATION (1 / A201)
SCALE: 1/4" = 1'-0"



REAR ELEVATION (2 / A201)
SCALE: 1/4" = 1'-0"

REVISIONS

DATE	NO.	BY	DESCRIPTION

DESIGNED: DWM
DRAWN: HJ/JLS
CHECKED: DWM
APPROVED: DWM/MBT

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STATE OF GEORGIA
REGISTERED
ARCHITECT
2-13-2024

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USA 30606-2780
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FAX (706) 543-6414
www.amtathens.com

amt ENGINEERS ARCHITECTS PLANNERS
Armentrout • Matheny • Thurmond

23205

PHI KAPPA TAU FRATERNITY
WILKERSON ST.
ATHENS, GA

ELEVATIONS
A201

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Report to Support the
Special Use Application
Phi Kappa Tau Fraternity

Binding
Stephen Jaques
4-12-24
3.12.24

Introduction:

The Beta Xi Chapter of Phi Kappa Tau Fraternity was located at 558 West Broad Street, but the chapter house was sold for development. As a result, the chapter has been seeking a permanent home. Many locations were investigated, and one previous location was put forward in a special use application in 2023. That effort was unsuccessful. As a result, the fraternity continued to search properties and has purchased 141 Wilkerson Street. The fraternity purchased four adjacent parcels as well, two north of 141 Wilkerson Street and two south. All properties contain at least one single-family house which have been previously partitioned for student housing. Phi Kappa Tau desires to obtain Special Use approval for their proposed chapter lodge on 141 Wilkerson Street. No sleeping areas are proposed. This parcel contains 0.55 acres and is identified as tax parcel 171B4 A006 in the Athens-Clarke County (ACC) Land Records. A Special Use Application is required. The current zoning is Commercial-Downtown River District, (C-D (Riv)) and the future land use map is currently *Downtown;* both of which allow for a fraternity house. Information below reflects the intent and timing of the planned move and how the requirements for the Special Use Application are satisfied.

Site Characteristics:

The subject property contains two rental single-family houses and two sheds in very poor condition. The house at the front of the property is proposed to be renovated. The house at the rear of the property is proposed to be demolished because the foundations have cracked and settled and the interior is in very poor shape. The two sheds will be demolished as well. A limited amount of parking is currently available on the parcel. All parking is on gravel surfaces. The current driveway is gravel. The site is accessed by this driveway from Wilkerson Street. The driveway aligns with the Pottery Street intersection on Wilkerson Street. The remainder of the site contains lawn and ornamental landscaping along with scattered mature trees throughout the site. The property is bounded by C-D zoned properties and the North Oconee River. Directly across the North Oconee River is the Chicopee Parking Lot owned by the University of Georgia Board of Regents and Dudley Park. There is a mix of single-family and rental residences beyond Dudley Park.

Topography for the site is gently sloping from Wilkerson to the North Oconee River. The slope across the property is 5.6%. Stormwater runoff for the site drains rearward to the North Oconee River. A very small amount may drain to the curb line of Wilkerson Street.

The owner wishes to renovate the front house. The renovation of the existing house will create study rooms, meeting rooms and a small group TV room. No bedrooms are proposed for this house. A separate chapter lodge will be constructed in place of the rear single-family house. This structure will contain a catering kitchen, restrooms, storage, chapter room and a pavilion.

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Report to Support the
Special Use Application
Phi Kappa Tau Fraternity

Binding
Steph Jaques
3-12-24

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Binding

Total size of the structure is 3,800 square feet. This is a single-story structure that is tucked in behind the existing front house. ACC regards gravel as impervious, therefore; the total percentage of impervious on the site is increased only about approximately 10 to 15 percent. The fraternity will have much less impact on the area than alternative uses on the parcel with much taller structures up to 100 feet in height with fully impervious area in the buildable area on the lot.

Zoning Request and Future Land Use:

There is no change to the current zoning or future land use. The future land use is *Downtown (Riv)* of which the fraternity and C-D zoning is compatible.

Buffers / Environmental Areas:

The property is located on the North Oconee River. These are the following buffers: 25' state riparian buffer and 100' ACC riparian buffer. FEMA identifies the 100-year flood elevation on the property and there is a floodway that includes the stream channel to the top of the bank of the North Oconee River. The 100-year flood zone is shown on our attached site plan. Screening buffers are not required for the adjacent properties since all are zoned Commercial – Downtown. AMT used the FEMA Flood Study for the North Oconee River to place the flood zone based upon the FEMA flood elevation sections in relation to the topography of the parcel. There are no identified wetlands on the property per the National Wetlands Inventory, although the ACC Planning Viewer identifies a swath of wetland along the river which appears to be mainly in the 25-foot state riparian buffer. Since no encroachment is planned within 100 feet of the river, these wetlands, if they exist, will remain undisturbed. The existing rear single-family residence sits immediately adjacent to the flood plain. This current structure is within the 100-foot ACC riparian buffer. The proposed structure will not be in the 100-foot buffer. There will be no impact to the 100-foot buffer.

Site Access, Traffic, Parking and Pedestrian Safety:

Access to the site is an existing driveway on Wilkerson Street. This driveway aligns with Pottery Street. The property will be fully accessible. Chapter meetings and other events will take place in the new single-story chapter lodge. The chapter lodge including the pavilion will total 3,800 square feet. Heated area is 2,750 square feet. The assembly is 1,766 square feet. A small meeting space, study rooms and other small group activities will be located in the existing front house. This house contains approximately 1,909 square feet. No rooms qualify as assembly. ACC code provides an assembly calculation for parking spaces for a fraternity to be 1 space for 2 persons. The calculated number of persons per area according to the ACC ordinance is 15 square feet per person for heated assembly space. The number of spaces based upon use is 59 spaces. There is no requirement for parking for assembly purposes in the C-D zone. Fraternity members, alumni and guests will park elsewhere in the downtown area. There is ample paid parking in a number of parking decks and other private paid lots as well as on-street parking. Fraternity members also may purchase a UGA parking permit. UGA Lots No 1, No 2 and N12 are located on East Broad Street (750 ft distance), Oconee Street (1,200 ft distance) and Baldwin Street (1,500 ft distance) respectively. All these lots are open to student residents and student

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commuters. One handicap parking spot is proposed on the property. On chapter night, members may carpool and park at the adjacent 4 parcels to 141 Wilkerson Street.

Since the fraternity has approximately 70 members, average daily traffic to the property will be significantly less than the 1000 vehicle trips which would require a traffic analysis. The majority of members traveling to the chapter house will use the UGA transportation system which provides regular service to the downtown area. The multi-model center is 1,200 feet away and the nearest UGA bus stop is located at the Chicopee parking lot which is 750 feet away. The property can support the fraternity without parking on-site or additional parking for alumni events because it is in the downtown area.

The downtown area has sufficient parking to meet Athens-Clarke County Code requirements for events. There is 1 public parking garage at the Classic Center. There is a parking garage on College Avenue. Members will ride the UGA transportation system to class, share rides amongst members that have a leased parking space as well as walk or ride bikes. Pedestrian access is provided by the existing sidewalk along Wilkerson Street. See the attached Phi Kappa Tau Transportation Policy.

Tree Management Plan and Planting:

The C-D zone does not require tree conservation nor any minimum canopy coverage. The property fronts Wilkerson Street and there is a band of trees in the 25-foot state buffer along the river front that will remain. The existing house is located at the right-of-way which precludes street trees.

Public Utilities and Services:

There is no change in the number or design of the utilities for the site. The site is served by Athens-Clarke County public water located in the right-of-way on Wilkerson Street. There is no sprinkler system in the house to be renovated. This house is intended for small meetings and study rooms with no bedrooms and therefore no sprinkler is proposed. The new chapter lodge is an assembly space and will be sprinklered. Athens-Clarke County sewer is located on the property. A 12" DIP sewer line bisects the property north to south. Athens-Clarke County does have sufficient capacity for water and sewer demands. See the attached letter from ACC Public Utilities Department. Solid waste will be collected in roll carts as well as recycling. Roll carts will be stored at the rear of the existing house in an enclosure meeting Athens-Clarke County Ordinance.

Stormwater Management:

All existing construction was completed prior to the adoption of the stormwater ordinance. For this reason, there is no on-site stormwater management facility presently. There are no planned stormwater improvements as the property fronts the North Oconee River. The new impervious planned is less than 5,000 square feet; therefore, no stormwater improvements are required. All stormwater flows overland to the North Oconee River. Adjacent property stormwater also flows to the North Oconee River.

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Lighting:
Existing and proposed site lighting consists of building mounted lights. All lighting will meet Athens-Clarke County ordinances.

Binding

Special Use Considerations:

1. Conformance with the Future Development Map

   The site is located in an area designated as *Downtown (Riv)* in the Future Development map of Athens-Clarke County. The *Downtown (Riv)* designation anticipates a broad variety of uses, including commercial retail, services, and housing. The existing C-D zoning is compatible with the future land use plan and a fraternity is allowed following a Special Use Process.

2. Conformance with the Zoning Ordinance and purpose and intent of Comprehensive Plan

   All area and dimensional requirements for the parcel comply with the current zoning requirements. A fraternity house is allowed within the C-D zone subject to Special Use Approval. Fraternity use of the house in the current location is in congruence with the intent and guiding principles of the comprehensive plan. The new chapter lodge is relatively small compared to what could be constructed by right by another developer that is not a fraternity.

3. Public Services are sufficient to service the proposed Special Use.

   The existing site is currently served by public water and sewer, electricity, gas and communication lines. The water service is in Wilkerson Street and sewer service runs across this parcel. The fraternity use will not have any adverse effect on these utilities. A water and sewer service analysis has been obtained from Athens-Clarke County Public Utilities Department for verification that the needs of the project can be accommodated by existing water and sewer. The current public transportation system can adequately support this use. No residential living is proposed; therefore, no new parking is proposed on this site.

4. The proposed Special Use will not adversely affect the balances of Land Use in Athens-Clarke County.

   This Special Use Application requests fraternity use on an existing property. This will not result in any change to or affect the balance of land use in Athens-Clarke County.

5. The Proposed Use is in conformance with the zoning district, all comprehensive plan policies and state and federal laws

   The proposed use meets all the requirements of the zoning district.

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6. Adequate Capacity of water, sewer, paved access, electricity, storm drainage and storm drainage.

As previously indicated in this report, the existing site is adequately served by public facilities. Furthermore, Athens-Clarke County Public Utilities Department has verified that water and sewer services are adequate for use. The property drains overland to the North Oconee River. No storm drainage system is proposed.

Binding

7. The Special Use will not have an adverse impact on the surrounding area

a. Similarity in scale, bulk and coverage:

The house is located within the Downtown Character Area-River. The current house was constructed in 1938 based upon Athens-Clarke County qPublic information. The size of the new chapter lodge is in keeping with the surrounding properties. The new structure will sit slightly lower due to the topography and the view from the street will not be impacted because the existing house and houses on adjacent properties will obstruct the view to the chapter lodge.

b. Character of volume of traffic and vehicular parking generated by proposed use and effects on surrounding streets:

The UGA transportation system provides service nearby. There is a UGA bus stop at Chicopee Parking Lot approximately 750 feet from the house by sidewalk and the river crossing footbridge. This UGA bus interconnects with four different UGA transit routes. Fraternity members and guests will typically use these as their main means of transportation during the school day. Weekly chapter meetings will result in some members driving to the area. Meetings are on Monday evenings and sufficient parking is available for Monday nights in the downtown area. Members may also park on the other 4 lots that are owned by the fraternity. Special events such as game day do provide a challenge for parking. Fraternity members will share rides, park downtown and walk to the event or take alternate transportation to the property. Ride sharing is common as well as alternatives such as bikes or scooters. Some on-site parking will be available. The traffic associated with the proposed use is not out of scale with the downtown area. Therefore, the proposed use will not cause any adverse impacts to the traffic on Wilkerson Street.

c. Architectural compatibility with surrounding area:

The existing house to be retained was constructed in 1938. The other lots owned by the fraternity also contain houses from this period. None of these houses are original as the exterior cladding has been replaced, new roofs placed on existing roofs and new windows, all installed by a previous owner. Several porches have been enclosed to increase total heated area in all the houses. The house at 141 Wilkerson Street will be

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Binding

remodeled to convert to small group meeting rooms, study rooms and a small TV room. No kitchen facilities and no bedrooms are proposed. The chapter lodge is one story and designed to fit within the property that is developable. Construction materials will match or complement the existing structures. The proposed lodge is within scale of the surrounding houses especially compared to the large parking garage on the corner of Pottery Street and Wilkerson Street.

d. Possible environmental impacts including but not limited to, drainage, soil erosion and sedimentation, flooding, air and water quality

There is no environmental impact from the proposed renovation of the front house and construction of the new chapter lodge even though the parcel abuts the North Oconee River. New impervious is under the required amount for stormwater detention. No change in the direction of storm flow is proposed. There is no confirmed wetland on the property although ACC Planning Viewer identifies wetland in the 25-foot state buffer. The new structure will not encroach on the 100-foot buffer.

e. Generation of noise, light and glare:

The proposed use will not result in impact by the fraternity to surrounding neighbors. Noise is mitigated by the distance to residences from this site. The area is a mix of commercial use and student residences. There will be no additional light and glare impacts on adjacent properties. Site lighting shall conform to ACC ordinance.

As typical with most fraternities, Phi Kappa Tau hosts member events. No residences abut the property except for property owned by the fraternity. There may be an impact of noise, light or glare on these adjoining properties but since the fraternity owns these parcels, this condition is not a nuisance. There are several houses across the street from the parcel. Presently all are unoccupied due to their condition. All are owned by persons who appear to be landlords based on qPublic. Landlords include several corporations including Landmark Properties.

f. Impacts on development of adjacent properties compatible with the future development maps:

All properties immediately surrounding the site are zoned and developed for commercial and downtown uses. The proposed use of the existing house and new structure will not infringe on any future development rights for the adjacent properties.

g. Impacts on future transportation corridors:

Approval of the Special Use for the house will result in a minimal traffic increase for Wilkerson Street because parking is limited on site. The street does not support on-street

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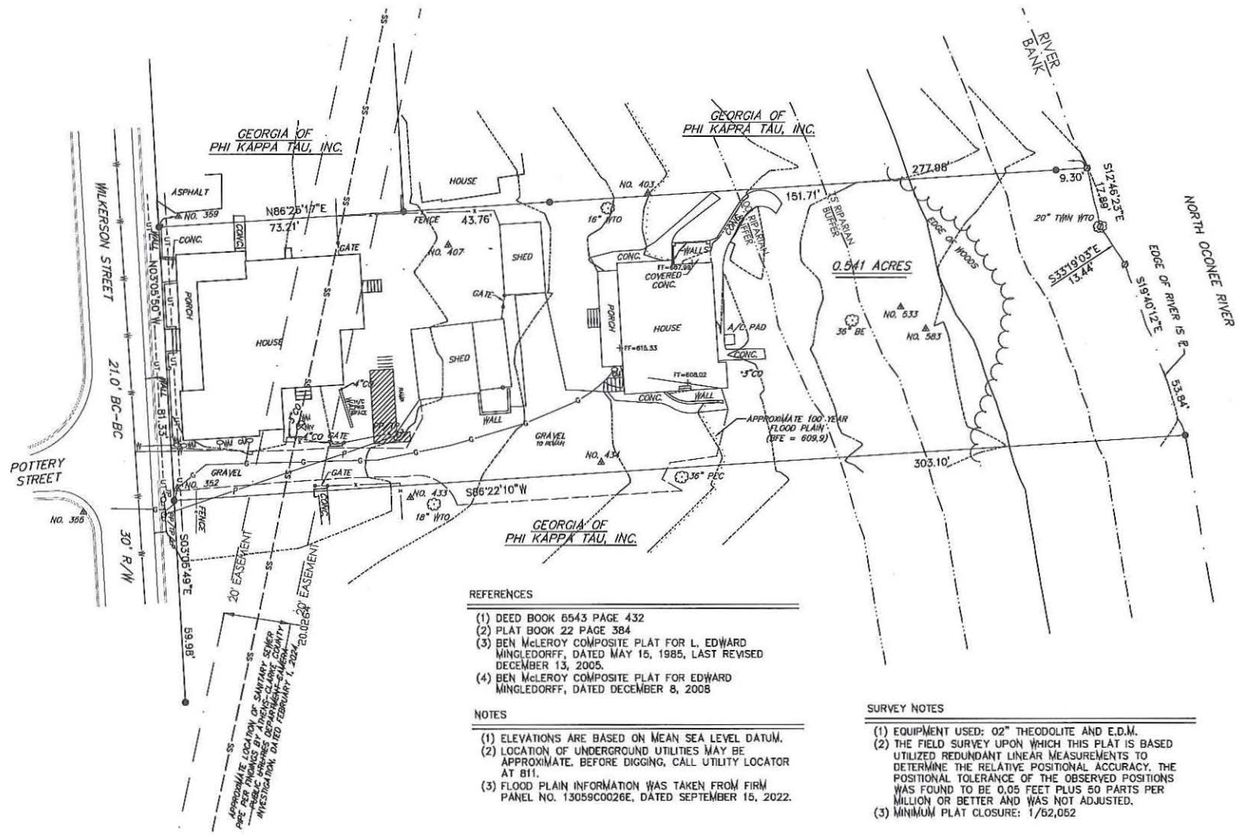
parking. There will be no impact on future transportation corridors throughout the county.

Conclusion:

The proposed use of the existing house for the Phi Kappa Tau Fraternity will not adversely impact the surrounding properties and adjacent downtown zoned uses. This project meets the requirements of the Athens-Clarke County Code of Ordinances.

Binding

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REFERENCES

(1) DEED BOOK 6543 PAGE 432
(2) PLAT BOOK 22 PAGE 384
(3) BEN McLEROY COMPOSITE PLAT FOR L. EDWARD MINGLEDORFF, DATED MAY 15, 1985, LAST REVISED DECEMBER 13, 2005.
(4) BEN McLEROY COMPOSITE PLAT FOR EDWARD MINGLEDORFF, DATED DECEMBER 8, 2008

NOTES

(1) ELEVATIONS ARE BASED ON MEAN SEA LEVEL DATUM.
(2) LOCATION OF UNDERGROUND UTILITIES MAY BE APPROXIMATE. BEFORE DIGGING, CALL UTILITY LOCATOR AT 811.
(3) FLOOD PLAIN INFORMATION WAS TAKEN FROM FIRM PANEL NO. 13059C0026E, DATED SEPTEMBER 15, 2022.

SURVEY NOTES

(1) EQUIPMENT USED: 02" THEODOLITE AND E.D.M.
(2) THE FIELD SURVEY UPON WHICH THIS PLAT IS BASED UTILIZED REDUNDANT LINEAR MEASUREMENTS TO DETERMINE THE RELATIVE POSITIONAL ACCURACY. THE POSITIONAL TOLERANCE OF THE OBSERVED POSITIONS WAS FOUND TO BE 0.05 FEET PLUS 50 PARTS PER MILLION OR BETTER AND WAS NOT ADJUSTED.
(3) MINIMUM PLAT CLOSURE: 1/62,052

Non-Binding

Know what's below. Call before you dig. 811

0 20' 40'
SCALE 1"=20'

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REVISIONS

DATE	NO.	BY	DESCRIPTION

DESIGNED: SLS
DRAWN: SLS
CHECKED: MBT
APPROVED: MBT

GEORGIA REGISTERED MICHAEL BRET THURMOND 3-20-2024

OAKBROOK CORPORATE CAMPUS
330 FEDERATION DRIVE, SUITE A240
USA 30606-2760
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GEORGIA OF PHI KAPPA TAU, INC.
141 WILKERSON STREET
ATHENS, GA 30601

23205

EXISTING CONDITIONS
C100

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NOTES

1. EXISTING TREES TO REMAIN. NO TREES TO BE REMOVED. NO NEW TREES ARE PROPOSED. TREE AREA AT EAST OF PLAN TO BE CONSERVED.
2. THERE ARE NO ENVIRONMENTAL AREAS ON THE SITE.
3. ALL LANDSCAPED AREAS, EXCEPT IN THE DIRECT VICINITY OF PLANTED TREES, ARE TO BE GRASSED. PLANTED TREES SHALL HAVE MULCH, OR PINESTRAW, COVERING THEIR CRITICAL ROOT ZONE.
4. THERE ARE NO PROPOSED LIGHT POLES.

EXISTING TREE SCHEDULE

	BOTANICAL NAME	COMMON NAME	CAUPER Ø	QUANTITY
SEE PLAN	-	WATER OAK	16"	1
SEE PLAN	-	BEECH	36"	1



Non-Binding
Stephen Jaynes
3-12-24

Know what's below. Call before you dig. 811

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SCALE 1"=20'

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REVISIONS

DATE	NO.	BY	DESCRIPTION

DESIGNED: SLS
DRAWN: SLS
CHECKED: MBT
APPROVED: MBT

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GEORGIA REGISTERED PROFESSIONAL ENGINEER MICHAEL BRETT THURMOND
2-20-2024

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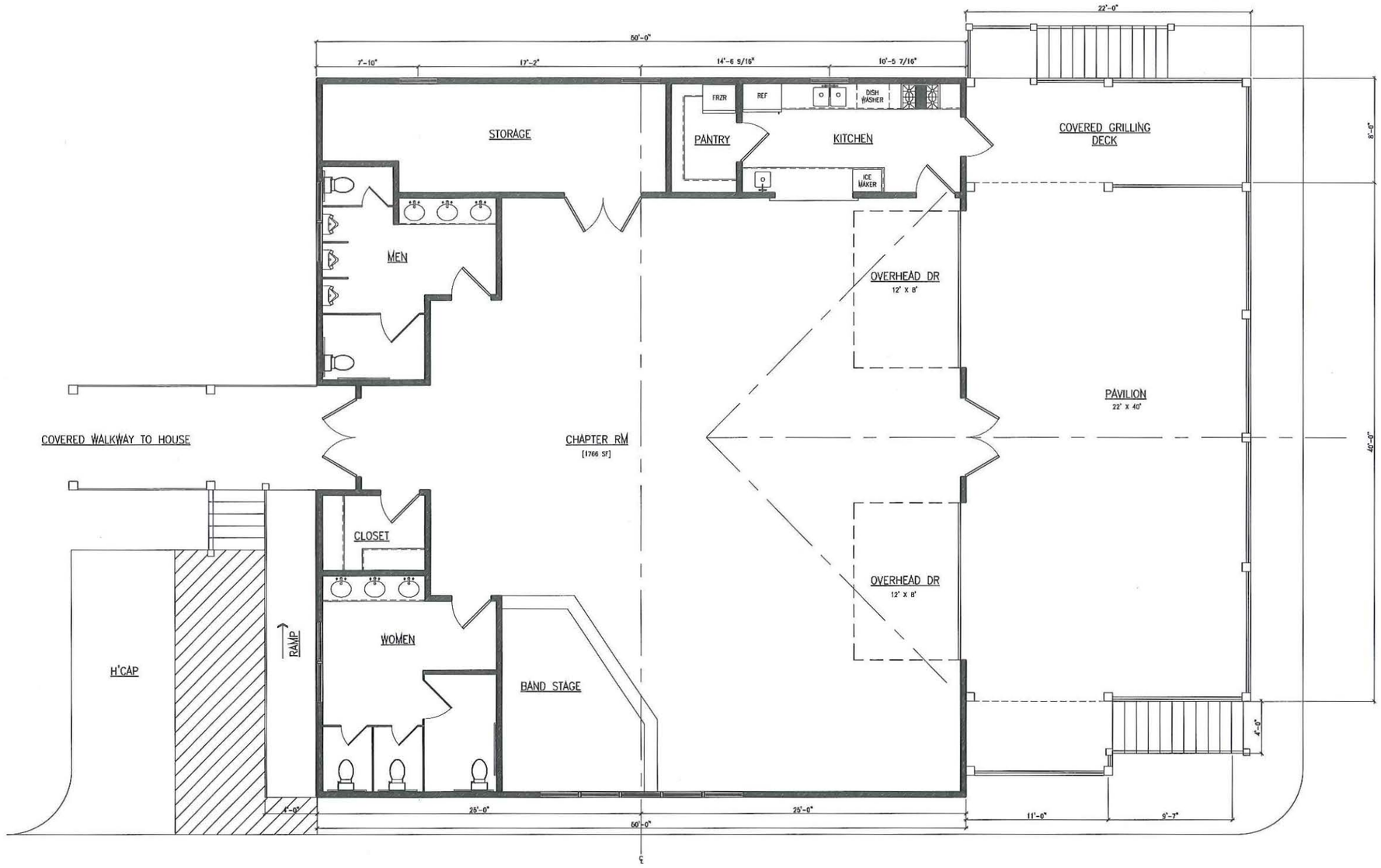
GEORGIA OF PHI KAPPA TAU, INC.
141 WILKERSON STREET
ATHENS, GA 30601

TREE MANAGEMENT PLAN
C102

Non-Binding

Hyshan Jaques

3-12-24



FLOOR PLAN (1 / A100)

SCALE: 1/4" = 1'-0"

REVISIONS

DATE	NO.	BY	DESCRIPTION

DESIGNED: DWM
DRAWN: HJ/SLS
CHECKED: DWM
APPROVED: DWM/MBT

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STATE OF GEORGIA
REGISTERED ARCHITECT
2-15-2024

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PHI KAPPA TAU FRATERNITY
WILKERSON ST.
ATHENS, GA

23205

FLOOR PLAN
A100

2/22/2024 4:18:52 PM \\server\CAD Files\23205\Architectural\CAD Files\Construction Docs\23205_Arch-2-22-2024.dwg



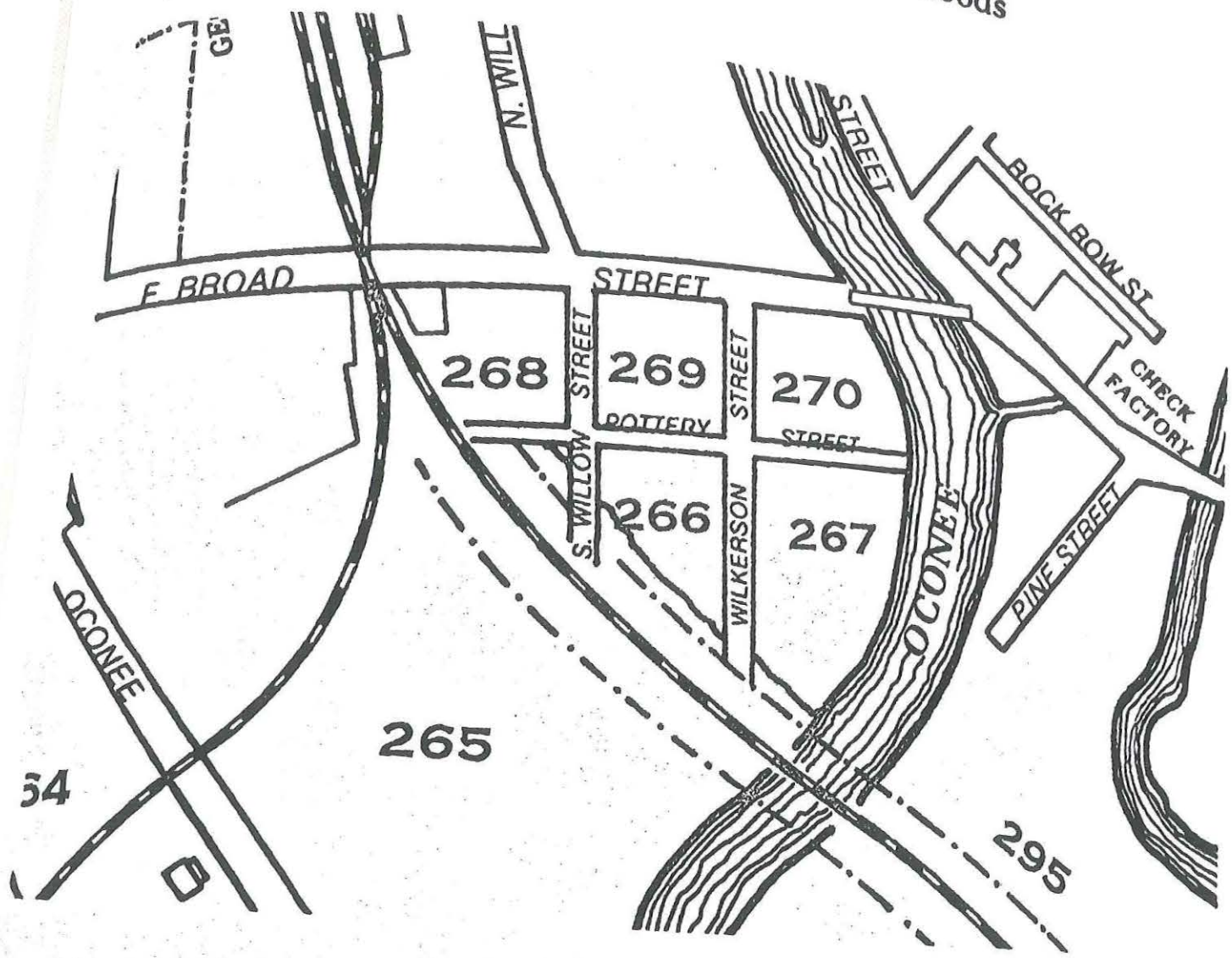
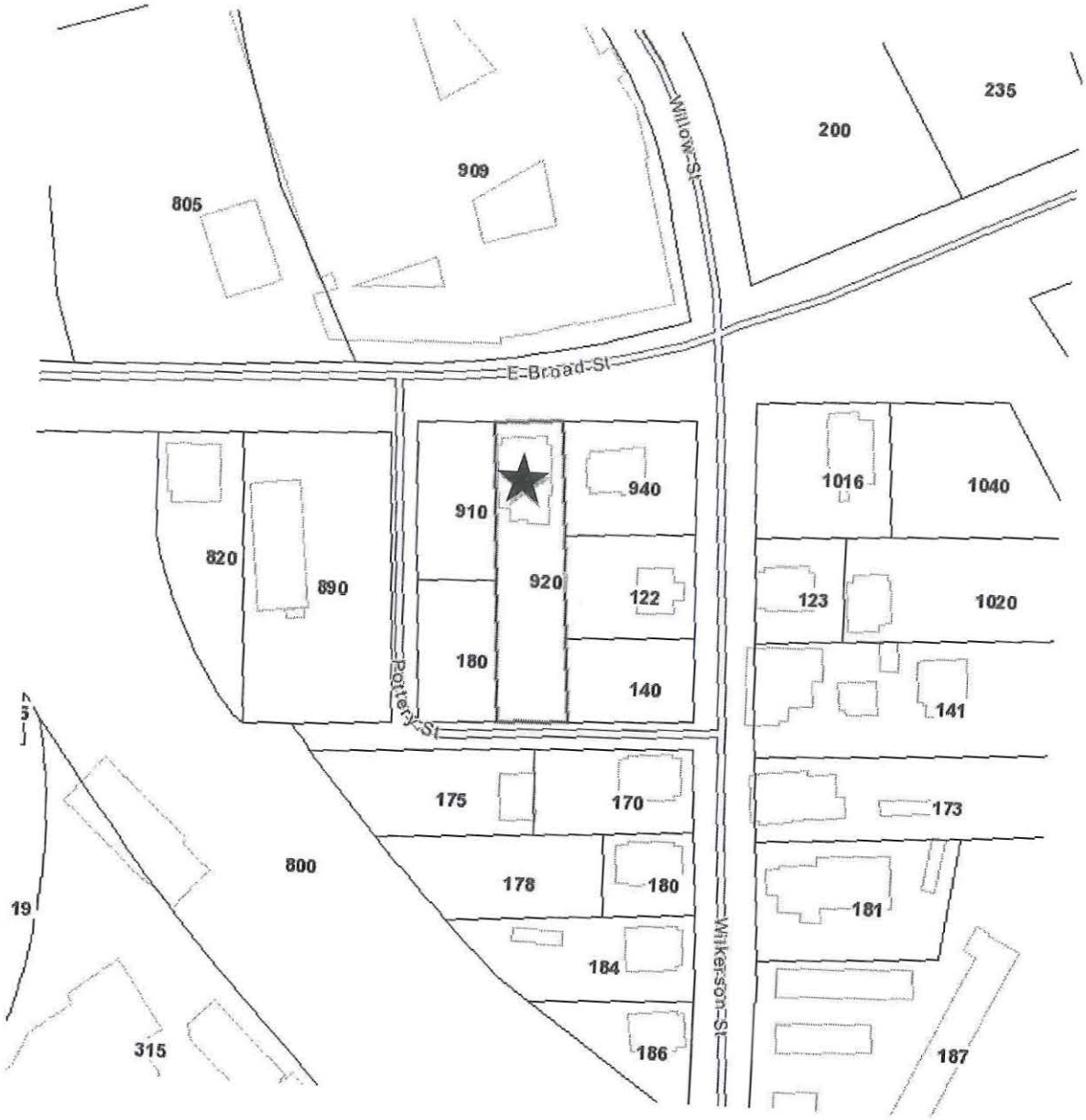
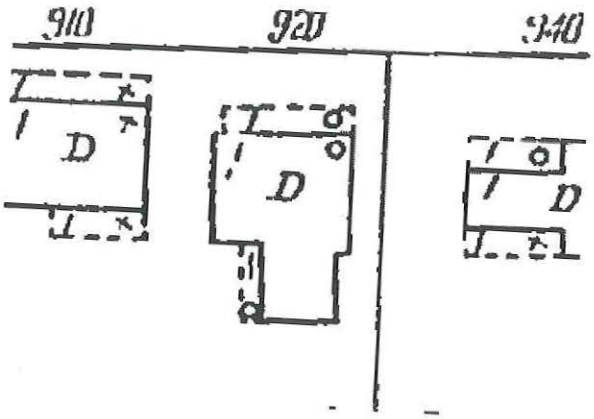


Figure 16. Barrett's 1895 map shows that Pottery Street originally ran east and west between the railroad and the North Oconee River and crossed Willow Street and Wilkerson Street.





1926 Sanborn Map

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA WITH RESPECT TO **REZONING A PARCEL OF LAND COMPRISING APPROXIMTELY 2.8 ACRES OF LAND LOCATED AT 180 MOSS ROAD FROM AR (AGRICULTURAL-RESIDENTIAL) TO C-R (COMMERCIAL-RURAL)**; AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County hereby ordains as follows:

SECTION 1. The map constituting the component of the Zoning Ordinance of Athens-Clarke County, Georgia, by virtue of and in compliance with Sections 9-3-3 and 9-3-6 thereof, is hereby amended by changing the zoning of a parcel of land comprising approximately 2.8 acres located at 180 Moss Road from AR (Agricultural-Residential) to C-R (Commercial-Rural) as shown on Attachment A hereto.

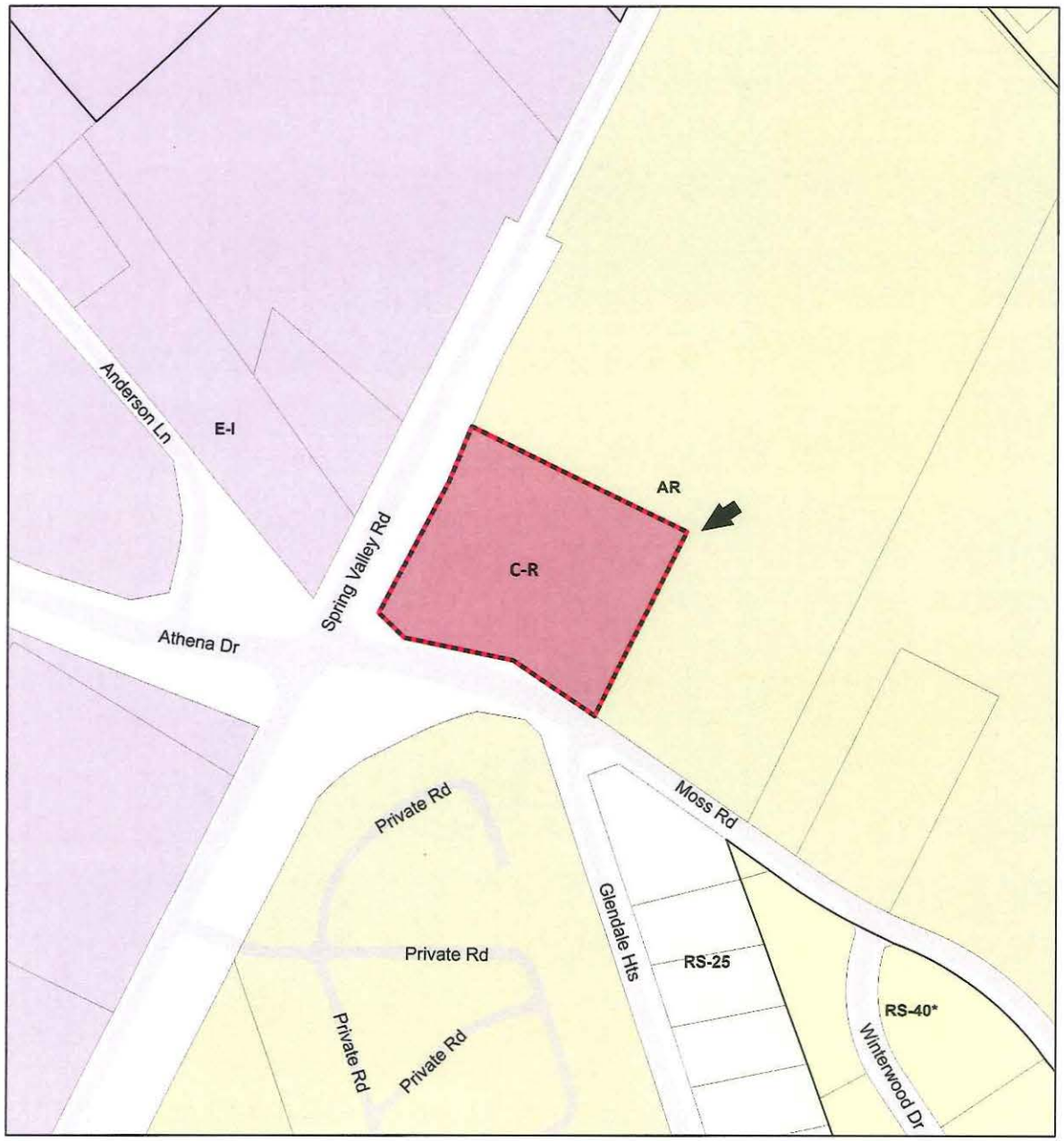
Said affected parcel of land being more fully described in that certain document entitled "180 Moss Road, 2.8438 AC. – 180 Moss Road, Clarke County, Georgia," designated in the lower-right hand corner as "01," prepared by William J. Greer, registered professional architect, dated January 23, 2024, and being on file and available for public inspection in the office of the Athens-Clarke County Planning Department, 120 West Dougherty Street, Athens, Georgia. The affected parcel is known as Tax Parcel No. 224 008B on the Athens-Clarke County tax maps being on file and available for public inspection in the office of the Athens-Clarke County Planning Department, 120 West Dougherty Street, Athens, Georgia. The date of this amendment on the Official Zoning Map of Athens-Clarke County as shown by Attachment A shall be noted on said Official Zoning Map in the office of the Clerk of Commission, 301 College Avenue, Athens, Georgia, and duly noticed in the minutes of the Commission meeting.

SECTION 2. The following conditions of zoning are associated with this ordinance:

1. No automobile parking spaces shall be placed between the building and the Firefly Trail.

2. The bike parking spaces required by the Sec. 9-30-5 shall be placed in a location that maximizes their utility to Trail users.

SECTION 3. All other ordinances or parts of ordinances in conflict herewith are hereby repealed.



The Official Zoning Map
of Athens-Clarke County

Legend

- P, Parks
- IN, Institutional
- C-G, Commercial-General
- C-D, Commercial-Downtown
- C-N, Commercial-Neighborhood
- C-O, Commercial-Office
- C-R, Commercial-Rural
- E-I, Employment-Industrial
- E-O, Employment-Office
- G, Government
- I, Industrial
- AR, Agricultural Residential (1 unit per 10 acre density)
- RM-1, Mixed Density Residential (16 multi-family units per acre)
- RM-2, Mixed Density Residential (24 multi-family units per acre)
- RM-3, Mixed Density Residential (50 multi-family units per acre)
- RS-5, Single-Family Residential (5,000 sq. ft. min. lot area)
- RS-8, Single-Family Residential (8,000 sq. ft. min. lot area)
- RS-15, Single-Family Residential (15,000 sq. ft. min. lot area)
- RS-25, Single-Family Residential (25,000 sq. ft. min. lot area)
- RS-40, Single-Family Residential (40,000 sq. ft. min. lot area)

Precise boundaries of this use are determined by local departments. For parcels designated this use, refer to the official zoning maps.

- Downtown Design Areas
  - (DHD). Downtown Historic District
  - (WD). West Downtown
  - (ED). East Downtown
  - (DS). Dougherty Street
  - (RIV). River
  - (WE). West End
  - (ND). North Downtown
- Airport Overlay
  - AZ1. Precision Approach Zone
  - AZ2. Larger Than Utility Runway Nonprecision Approach Zone
  - AZ3. Utility Runway Nonprecision Approach Zone
  - TZ. Transitional Zone
  - RPZ. Runway Protection Zone
  - PSZ. Primary Surface Zone
- 78/316 Special District Overlay
- PD Planned Development
- * Zoning with Conditions
- Historic District
- RM-LTD, Mixed Density Residential Limited Overlay
- Conditional Use
- GSRC. Gaines School Road Corridor Special District Overlay
- MAC, Milledge Avenue Corridor Special District Overlay
- WBS, West Broad Street Special District Overlay
- Winterville Boundary
- Bogart Boundary
- ACC Boundary
- Railroads
- ▲ Special Use
- ● Historic Landmark

160 80 0 160 320 480 Feet

ATTACHMENT A	ZONE-2024-02-0209 REZONE
563	180 MOSS ROAD Frank Pittman / Pittman & Greer Engineering Ashook Thakkar
FROM: AR	TO: C-R

TAX PARCEL #	PLANNING COMMISSION MEETING DATE	ATHENS-CLARKE COUNTY COMMISSION MEETING DATE
224 008B	March 7, 2024	April 2, 2024

ATHENS-CLARKE COUNTY PLANNING COMMISSION
RECOMMENDATION

DATE: March 7, 2024	**FILE NO:** ZONE-2024-02-0209

LOCATION: 180 Moss Road
APPLICANT: Frank Pittman / Pittman & Greer Engineering
OWNER: Ashook Thakker
REQUEST: From AR to C-R (Agricultural-Residential to Commercial-Rural)
COMMISSION DISTRICT: 3

PLANNING COMMISSION MOTION AND RECOMMENDATION:

NAME	YEA	NAY	ABSTAIN	NAME	YEA	NAY	ABSTAIN
Chair: Matthew Hall Present				Kristen Morales Present	X		
Vice-Chair: Alice Kinman Present	X			Taylor Pass Absent			
Vacant Seat				Alexander Sams Present	X		
Sara Beresford Present	X			Monique Sanders Absent			
Sarah Gehring Present	X			Joey Tucker Present	X		
NOTE: Chair does not vote except in case of tie.				TOTAL VOTES:	6	0	0

For: Frank Pittman (applicant)
Against: James Minor, Star Scott, Rusty Williams, Pamela Bailey, Angela Green, Pat Culpepper, Mike Garland, Chrystal Barber, Cynthia Pace, Stephen Wright

Discussion: Opponents cited concerns about excessive light, noise, potential crime, negative environmental impacts associated with gasoline storage, and the erosion of the buffer between industry and local residences as reasons to oppose the project. Opponents also stated that there are multiple gas stations within a convenient drive of this area, and no more gas stations are needed.

Commissioners did not think the gas station was a complementary land use next to the Firefly Trail, and noted that gas stations can be built by-right across the street in the E-I (Employment-Industrial) Zone. Therefore, Commissioners did not think the rezone needed to occur.

Motion: Ms. Morales made a motion to recommend denial. Ms. Kinman seconded the motion, which passed unanimously.

STAFF REPORT
REZONE
180 MOSS ROAD
ZONE-2024-02-0209
MARCH 7, 2024

APPLICANT: .....Frank Pittman / Pittman & Greer Engineering
OWNER: .....Ashook Thakkar
ZONING REQUEST: .....From AR to C-R
TYPE OF REQUEST: .....Type II
LOCATION: .....180 Moss Road
TAX MAP NUMBERS: 224 008B
COUNTY COMMISSION DISTRICT: 3
PROJECT SIZE: .....2.8 Acres
PRESENT USE: .....Undeveloped
PROPOSED USE: .....Commercial Gas Station & Convenience Store
PUBLIC NOTICE POSTED: .....February 19, 2024
STAFF RECOMMENDATION: .....***APPROVAL WITH CONDITIONS***
PLANNING COMM. RECOMMENDATION: .....***DENIAL***
MAYOR & COMMISSION AGENDA SETTING: ...March 19, 2024 (tentative)
MAYOR & COMMISSION VOTING SESSION: .....April 2, 2024 (tentative)

I. Summary Recommendation

The applicant is requesting to rezone the subject property at 180 Moss Road from Agricultural-Residential (AR) to Commercial-Rural (C-R). The applicant has submitted a non-binding plan for a commercial convenience store with a gas station and two additional tenant spaces.

This undeveloped property sits at the intersection of Moss Rd/Athena Dr and Spring Valley Rd. The parcel that borders the subject property is zoned AR while the properties on the other side of Spring Valley Road are zoned for E-I (Employment-Industrial). Staff finds that the request is compatible with the Future Land Use Map and the Zoning Map, and no major code compliance issues were found in this non-binding plan. However, Staff deems the plan to be partially compatible with the Comprehensive Plan because it does preserve the *Rural* Future Land Use, but does not complement the Firefly Trail that will be built along the frontage with Spring Valley Road. Staff considerations to the design are laid out in more detail throughout this report and we recommend the following conditions that will help improve the design to make it compatible with the plans for the Trail. Overall, Staff is recommending **approval with conditions**.

Condition:

1. No automobile parking spaces shall be placed between the building and the Firefly Trail.
2. The bike parking spaces required by the Sec. 9-30-5 shall be placed in a location that maximizes their utility to Trail users.

Planning Commission Recommendation: Commissioners did not think the gas station was a complementary land use next to the Firefly Trail, and noted that gas stations can be built by-right across the street in the E-I (Employment-Industrial) Zone. Therefore, Commissioners **recommended denial.**

II. Purpose of Applicant Request

A. Proposal

The applicant is requesting to rezone the subject property at 180 Moss Road from AR to C-R. The applicant has submitted a non-binding plan for a commercial convenience store with a gas station and two connected tenant spaces.

B. Existing Conditions

This wooded property is currently undeveloped and sits at the corner of Spring Valley Road and Moss Road (which becomes Athena Drive after crossing Spring Valley Road). The property is currently zoned AR, as are the adjacent properties to the southeast and northeast. They are a mobile home park and an undeveloped tract, respectively. Across Spring Valley Road, the properties are zoned Employment-Industrial (E-I). The properties directly across Spring Valley Road are a mix of vacant properties, dwellings and an industrial use. There are no historic structures or designations on the subject property and no recent zoning actions have occurred here.

III. Policy Analysis

A. Compatibility with Comprehensive Plan

The 2023 Comprehensive Plan calls for the following policies that **are** supported in this project:

- *Preserve the Greenbelt in a way that can still accommodate modest change.*

This property is on the border of the *Rural* and *Employment Center* Future Land Uses. Rezoning the property to C-R still allows it to stay in the *Rural* Future Land Use—maintaining the "Greenbelt" while still allowing modest change in the form of a gas station with retail.

The 2023 Comprehensive Plan calls for the following policies that **are not** supported in this project:

- *Ensure compatible development along greenways and trails.*

The Firefly Trail is scheduled to be built along this property's frontage on Spring Valley Road in a previously secured permanent trail easement. While the site plan is non-binding, Staff finds that additional design considerations should be taken into account to ensure that the project is compatible with the public investment made in building the Trail. The non-binding site plan shows a parking lot in between the building and the trail. There is also no direct pedestrian connection between the trail and the building. These two design choices do not create compatible development along the Trail. Staff recommends that the applicant flip the parking lot and dumpster enclosure from the northwestern side of the retail building to the southeastern side, while shifting the building closer to Spring Valley Road. Adding a side door and amenity or patio space between the Trail and the building is also recommended to complement the Trail.

Overall, the proposal is partially compatible with the Comprehensive Plan. Improving the design as recommended above could bring the project into alignment with the Comprehensive Plan.

B. Compatibility with the Future Land Use Map

The 2023 Future Land Use Map designates the subject parcel as *Rural*, which is described as follows:

Rural

Rural lands are intended to have very low residential density. To maintain open space, clustering of dwellings is encouraged with common open spaces protected by conservation easements. Agricultural functions are encouraged, as well as other compatible uses, such as limited low-impact commercial uses, equestrian facilities and other animal boarding uses.

No change to the Future Land Use Map is required since the proposed zoning action is already compatible with the Map. The proposal is compatible with the Future Land Use description for this area. The Future Land Use Map represents a broad picture of what land development will look like in each district, as written in the description above. For example, the Rural Future Land Use envisions low-density development and agriculture with limited commercial uses. Each Future Land Use contains a basket of zoning districts that have been deemed compatible with the vision for that Future Land Use vision—even if one property is zoned differently than its neighbors (a so-called "isolated district" or "spot zone"). In the event that a rezoning request would create an isolated zoning district, as is the case with this application, the Future Land Use map binds the County to consider the zone that is most compatible with that use based on the matrix in Table 9-4 of Sec. 9-4-18 before considering a rezoning that would also require a change to the Future Land Use. In this case, gas stations and convenience stores can be built in a variety of commercial zoning districts, but only one commercial zone is deemed to be compatible with the *Rural* Future Land Use—the C-R zone.

C. Compatibility with the Zoning Map

The applicant has requested a rezone from AR to C-R. The following information has been provided to compare the difference in development intensity between the existing AR (Agricultural-Residential) zoning and the requested C-R (Commercial-Rural) zone. Broadly, a comparison of scale, use, and design is offered here to help decision makers evaluate the changes that would be allowed if the request is approved. In terms of building scale, the following chart illustrates the differences in size and scale of buildings that could be constructed:

	CURRENT	REQUESTED
Standard	**AR Zoning**	**C-R Zoning**
Minimum Lot Size	10 acres	20,000 sq. ft.
Density	n/a	16 bedrooms / acre
Max Lot Coverage	10%	35%
Max Building Height	50-65 ft.	65 ft.
Setbacks	20-30 ft.	6-20 ft.
Conserved Canopy	0%	30%
Total Canopy	0%	60%
Parking	n/a	24 spaces

The Athens-Clarke County Zoning Ordinance includes a list of defined uses and designates where they can or cannot be established. For this request, the most noticeable difference between the current AR zoning and the proposed C-R zoning is that C-R zoning allows a range of commercial uses while

AR is largely limited to agriculture and single-family dwellings. The C-R zone has a limited number of commercial uses that can complement rural patterns and also has lot requirements that lessen the intensity of any type of development.

While this would be an isolated zone due to a lack of nearby C-R zoning, the lot's location at an intersection does lend itself to commercial development, and C-R zoning is compatible with the Future Land Use Map, as explained previously. Therefore, Staff considers the request to fit with the Zoning Map.

D. Consistency with Other Adopted ACCGov Plans, Studies, or Programs

A permanent easement runs through this property along Spring Valley Road where the Firefly Trail will be built. As specified above, the current non-binding site plan, needs design revisions to ensure that it is compatible with the trail. The ACC Leisure Services Dept. has commented below with their input on how the site needs to be designed to be compatible with the Trail's construction.

IV. Technical Assessment

A. Environment

There are no designated environmental areas on site.

The Arborist has reviewed and approved the tree management plan without comment.

B. Grading and Drainage

The Transportation and Public Works Department has reviewed the proposal and offered the following grading and drainage-related comment:

- *Due to the urban nature of this project and the existing roadway drainage situation, curb & gutter is needed along both roadway frontages, along with any storm sewer improvements to accommodate the pavement drainage. This should be shown on any binding plan.*

C. Water and Sewer Availability

The Public Utilities Department has reviewed the proposal and offered the following comments:

- *ACC Water service and capacity is available. ACC Sewer service is NOT available.*
- *Trees near septic areas must be located 10 feet off of the water main.*

D. Transportation

The Transportation and Public Works Department has reviewed and approved the proposal with the following transportation-related comment:

- *The traffic level generated by this proposed project will be acceptable at this intersection.*

E. Fire Protection

The Fire Marshal has reviewed and approved the proposal without comment.

F. Leisure Services

The Leisure Services Department has reviewed the proposal and offered the following comments:

- *No Plantings inside the Firefly Trail permanent easement*
- *Coordination of Grading Plan is necessary.*
- *For the sidewalk along Moss Road coordinate with us on the location it ties into the trail. The tie in point probably will need to be closer to the bollards shown on our plans due to the RRFB we have planned for this area*
- *We have some standards for bollards, stop signs, and colored concrete that we use at commercial driveway crossings on the trail.*
- *Construction should start on the Firefly Trail this Summer/Fall and probably will last about a year. The goal is to start in Winterville and head towards Athens so the construction of this segment of trail probably would start in the later months of 2024.*

G. Compliance with the Zoning Ordinance and Development Standards

Since a binding plan is not required or proposed with this request, Staff reviewed the plan for general compliance with the code and found no major compliance issues. If approved the proposal will be reviewed for code compliance at the time of permitting review. The applicant has not made any waiver requests, so they will be expected to comply with all of the applicable standards. Signage and lighting are not reviewed at this stage, but the applicant is expected to adhere to those standards as well.

End of Staff Report.

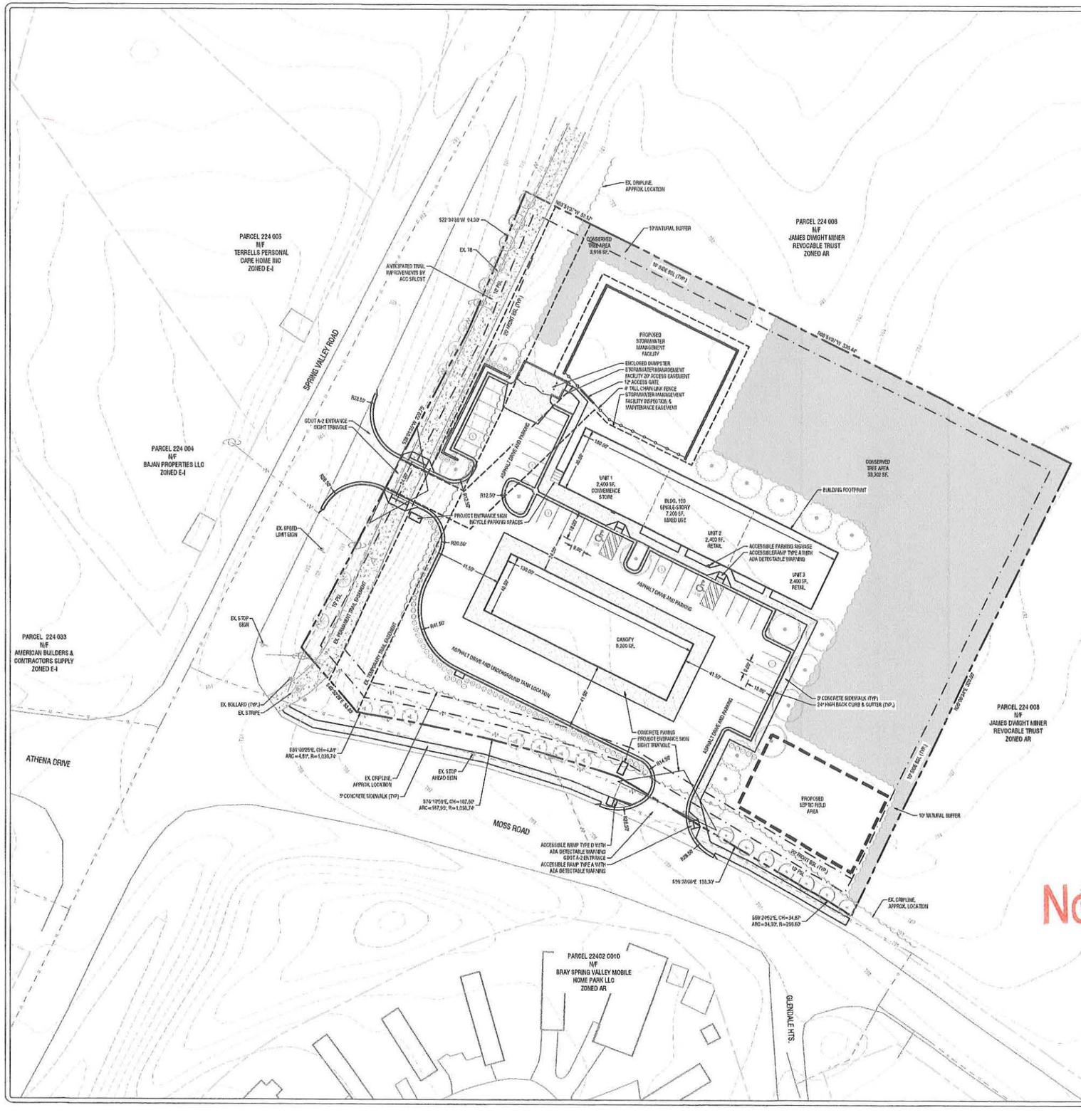
Reviewed — Zoning Criteria Considered by Staff

The following factors have been considered as set forth in Guhl v. Holcomb Bridge Road Corp., 238 Ga. 322, 232 S.E.2d 830 (1977).

Reviewed	
☒	The proposed zoning action conforms to the Future Land Use map, the general plans for the physical development of Athens-Clarke County, and any master plan or portion thereof adopted by the Mayor and Commission.
☒	The proposed use meets all objective criteria set forth for that use provided in the zoning ordinance and conforms to the purpose and intent of the Comprehensive Plan and all its elements.
☒	The proposal will not adversely affect the balance of land uses in Athens-Clarke County.
☒	The cost of the Unified Government and other governmental entities in providing, improving, increasing or maintaining public utilities, schools, streets and other public safety measures.
☒	The existing land use pattern surrounding the property in issue.
☒	The possible creation of an isolated district unrelated to adjacent and nearby districts.
☒	The aesthetic effect of existing and future use of the property as it relates to the surrounding area.
☒	Whether the proposed zoning action will be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations.
☒	Whether there are substantial reasons why the property cannot be used in accordance with existing zoning; provided, however, evidence that the economic value of the property, as currently zoned, is less than its economic value if zoned as requested will not alone constitute a significant detriment.
☒	Whether there are other existing or changing conditions affecting the use and development of the property that give supporting grounds for either approval or disapproval of the zoning proposal.
☒	Public services, which include physical facilities and staff capacity, exist sufficient to service the proposal.
☒	The population density pattern and possible increase or over-taxing of the load on public facilities including, but not limited to, schools, utilities, and streets.
☒	The possible impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quantity.


Employment
Anderson Ln
Spring Valley Rd
Rural
Athena Dr
Employment
Private Rd
Rural
Private Rd
Glendale Hts
Moss Rd
Single Family Residential
N
180 MOSS ROAD
Current Future Land Use


E-I
AR
AR
AR
AR
N
180 MOSS ROAD
RS - Existing Zoning
E-I
AR
C-R
AR
AR
180 MOSS ROAD
Proposed Zoning



PROJECT COVERAGE DATA

TOTAL PROJECT ACREAGE: 2.8438 ACRES (123,878.03 SF.)
FUTURE ROW: 0.00 ACRES (0.00 SF.)
NET SITE ACREAGE: 2.84 ACRES (123,878.03 SF.)

PROPOSED LOT COVERAGE: 43,337.98 SF. (34.98% OF NET SITE)
BUILDINGS & CANOPY: 12,400.00 SF. (10.01% OF NET SITE)
PAVING: 22,832.06 SF. (18.43% OF NET SITE)
SIDEWALKS & CONCRETE AREAS: 8,105.90 SF. (6.54% OF NET SITE)

TOTAL LANDSCAPE AREA: 80,540.07 SF (65.02% OF NET SITE)

PARKING DATA

REQUIRED PARKING: 24 SPACES
BUSINESS & GENERAL RETAIL = ONE SPACE PER 300 SF. GROSS FLOOR
7,200/300 = 24 MINIMUM REQUIRED SPACES

ALLOWED PARKING: 36 SPACES
MINIMUM REQUIRED PARKING +50%
24 REQUIRED SPACES * 1.50 = 36 ALLOWED SPACES

PROPOSED PARKING: 36 SPACES
STANDARD SURFACE: 35 (9'X18', 2 OF THOSE ARE HANDICAP ACCESSIBLE)

BICYCLE PARKING:
REQUIRED: 2 BICYCLE SPACES + 1 BICYCLE SPACE/20 REQUIRED PARKING SPACES
2 + (24/20) = 3.2 REQUIRED BICYCLE PARKING SPACES
PROPOSED: 4 (9'X2' SPACES)

BUILDING DATA

PROPOSED BUILDING AREA: 7,200.00 SF.

PROPOSED CANOPY AREA: 5,200.00 SF.

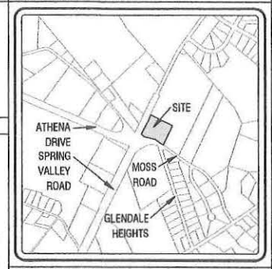
PROPOSED FAR: 0.06

PROPOSED BUILDING HEIGHT: <40'

REZONE CONCEPT PLAN NOTES

1. DIMENSIONS AS SHOWN ARE TO THE FACE OF CURB, IF PRESENT, OR TO THE EDGE OF PAVEMENT, UNLESS OTHERWISE NOTED. BUILDING DIMENSIONS ARE SHOWN TO THE OUTSIDE FACE OF STRUCTURE.
2. ALL CURB RADII SHALL BE 3.0' UNLESS OTHERWISE SPECIFIED ON THE PLAN.
3. ALL PLANTINGS SHALL BE INSTALLED IN ACCORDANCE WITH THE APPROVED TREE MANAGEMENT PLAN.
4. SIGNAGE FOR THE PROJECT WILL REQUIRE SEPARATE PERMITS. DETAILS PERTAINING TO SIGN DESIGN, INCLUDING: SIZE, LOCATION, AND CONSTRUCTION SHALL BE SUBMITTED TO THE ATHENS-CLARKE COUNTY PLANNING AND CODE ENFORCEMENT OFFICES FOR REVIEW AND APPROVAL PRIOR TO ERECTION. ALL SIGNS SHALL BE IN COMPLIANCE WITH THE ATHENS-CLARKE COUNTY CODE OF ORDINANCES AT THE TIME THE PERMITS ARE REQUESTED.
5. ALL EXISTING UTILITIES AS ILLUSTRATED ON THE PLAN ARE APPROXIMATELY LOCATED.
6. ALL PROPOSED UTILITIES AS ILLUSTRATED ON THE PLAN SHALL BE LOCATED WITHIN UTILITY EASEMENTS AS APPLICABLE.
7. STORM WATER MANAGEMENT SHALL BE IN ACCORDANCE WITH ALL COUNTY, STATE, AND OTHER APPLICABLE ORDINANCES AND REGULATIONS IN EFFECT AT THE TIME OF SITE DEVELOPMENT PLAN APPROVAL.

VICINITY MAP - SCALE: 1" = 1000'



PROJECT DATA

PROPERTY OWNER:
ASHOOK THAKKAR
1101-A PEBBLE STONE DRIVE
WATKINSVILLE , GEORGIA 30677
ATTN: ASHOOK THAKKAR, 706-224-8875

DEVELOPER:
ASHOOK THAKKAR
1101-A PEBBLE STONE DRIVE, ----
WATKINSVILLE , GEORGIA 30677
ATTN: ASHOOK THAKKAR, 706-224-8875

AUTHORIZED AGENT:
PITTMAN & GREER ENGINEERING P.C.
1050 BARBER CREEK DRIVE, BLDG. 400
WATKINSVILLE , GEORGIA 30677
706.419.9244

PHYSICAL ADDRESS: 180 MOSS ROAD

TAX PARCEL: 224 008B

TOTAL PROJECT ACREAGE: 2.8438 ACRES (123,878.03 SF.)

CONTOUR INVERVAL: 1' NAVD TOPO

BOUNDARY SURVEY: THIS DRAWING WAS PREPARED USING A WOODS & CHASTAIN SURVEYORS BOUNDARY SURVEY FOR STANLEY HEY, DATED 05/27/2003.

EXISTING ZONING: AR

PROPOSED ZONING: C-R

EXISTING USE: VACANT TRACT

PROPOSED USE: CONVENIENCE STORE

FLOOD PLAIN: SUBJECT PROPERTIES ARE WITHIN AREAS HAVING ZONE DESIGNATION OF ZONE X, DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN PER FLOOD INSURANCE RATE MAP NO. 13059C0016E, WITH AN EFFECTIVE DATE OF 09/15/2022, FOR COMMUNITY PANEL NUMBER 130040, (ATHENS-CLARKE COUNTY), GEORGIA.

THERE ARE NO STATE WATERS ONSITE, NOR WITHIN 200' OF THE SITE.

THERE ARE NO WETLANDS DELINEATED ON SITE.

THIS PROPERTY DOES NOT CONTAIN ENVIRONMENTAL AREAS AS DENOTED ON THE ATHENS-CLARKE COUNTY ENVIRONMENTAL MAP DATED 11/24/13.

C-R ZONING REGULATIONS

MAX. RESIDENTIAL DENSITY (BEDROOMS PER GROSS ACRE): 16
MIN. LOT AREA: 20,000 SF.
MIN. LOT WIDTH: 100'
MIN. LOT DEPTH: 200'
MIN. FRONT YARD: 20'
MIN. SIDE YARD: 0'
MIN. SIDE YARD ADJ. TO STREET: 0'
MIN. YARD WHEN ABUTTING RESIDENTIAL ZONE: 10', PLUS ONE FOOT FOR EACH FOOT OF BUILDING HEIGHT ABOVE 30 FEET.
MAX. FAR: 0.25
MAX. LOT COVERAGE: 35%
MIN. LANDSCAPED AREA: 65%
MAX. BUILDING HEIGHT: 60'
TOTAL TREE CANOPY COVER, CONSERVED AND PLANTED: 86%
CONSERVED TREE CANOPY COVER COMPONENT OF TOTAL: 36%

SERVICE PROVIDERS

WATER: ATHENS-CLARKE COUNTY PUBLIC UTILITY DEPARTMENT
SEWAGE DISPOSAL: INDIVIDUAL SEPTIC TANK AND DRAINFIELD
ELECTRIC: GA POWER
COMMUNICATION: AT&T ATHENS & CHARTER COMMUNICATIONS
SOLID WASTE: BY PRIVATE CONTRACT

SITE DRAINAGE

CONCRETE CURB AND GUTTER AND COUNTY APPROVED PIPE WILL BE EMPLOYED TO COLLECT AND DIVERT SURFACE WATER TO THE PROPOSED STORM WATER MANAGEMENT FACILITY.

PLANT LEGEND

WILLOW OAK	INDIAN HAWTHORNE
NUTTALL OAK	VINTAGE JADE
SERVICE BERRY	KNOCK OUT ROSE
REDBUD	LORAPETALUM
DOGWOOD	DWARF BURFORD HOLLY
	YOSHINO CHERRY

REVISIONS

DATE	DESCRIPTION
-	-
-	-
-	-
-	-
-	-

PITTMAN & GREER ENGINEERING P.C.
1050 BARBER CREEK DRIVE - BLDG. 400
WATKINSVILLE GA 30677
P. 706.419.9244 - WWW.PITTMANGREER.COM

GEORGIA REGISTERED No. 1478 PROFESSIONAL LANDSCAPE ARCHITECT WILLIAM J. GREER 01.23.2024

ISSUE PURPOSE
FOR REVIEW ONLY

180 MOSS ROAD
2.8438 AC. - 180 MOSS ROAD
CLARKE COUNTY, GEORGIA

SCALE 1" = 20'
0 10 20

PROJECT NUMBER
2024-009

811 Georgia's Online One Call System

DATE
01.23.2024

REZONE CONCEPT PLAN

01

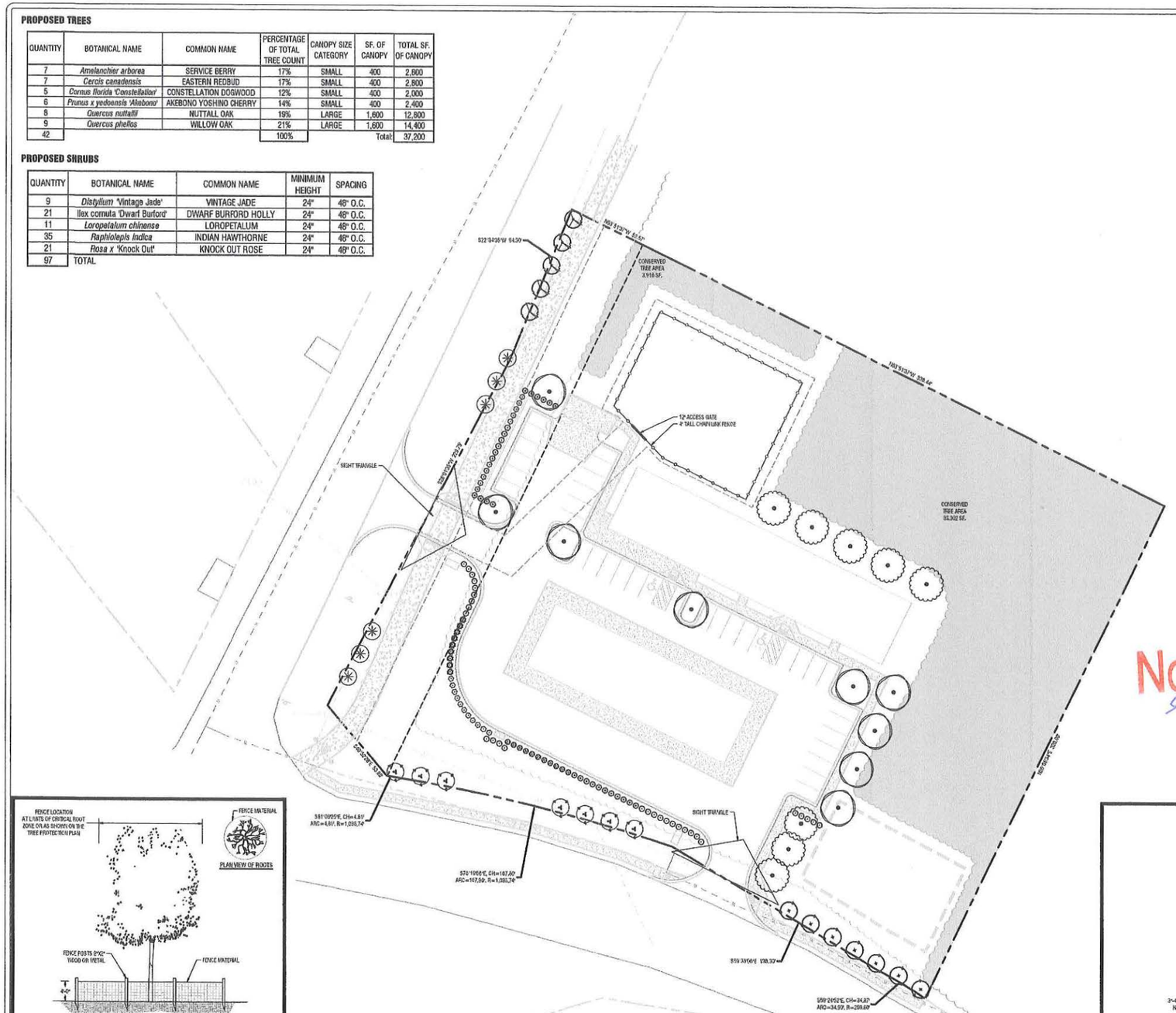
UFS-SC\Projects\2024-009 Bain Field-Remote\Drawings\BZA\RZN.dwg 1-23-24 05:25:14 PM Frank Pittman

PROPOSED TREES

QUANTITY	BOTANICAL NAME	COMMON NAME	PERCENTAGE OF TOTAL TREE COUNT	CANOPY SIZE CATEGORY	SF. OF CANOPY	TOTAL SF. OF CANOPY
7	*Amelanchier arborea*	SERVICE BERRY	17%	SMALL	400	2,800
7	*Cercis canadensis*	EASTERN REDBUD	17%	SMALL	400	2,800
5	*Cornus florida 'Constellation'*	CONSTELLATION DOGWOOD	12%	SMALL	400	2,000
6	*Prunus x yedoensis 'Akebono'*	AKEBONO YOSHINO CHERRY	14%	SMALL	400	2,400
8	*Quercus nuttallii*	NUTTALL OAK	19%	LARGE	1,600	12,800
9	*Quercus phellos*	WILLOW OAK	21%	LARGE	1,600	14,400
42			100%		Total:	37,200

PROPOSED SHRUBS

QUANTITY	BOTANICAL NAME	COMMON NAME	MINIMUM HEIGHT	SPACING
9	*Distylium* 'Vintage Jade'	VINTAGE JADE	24"	48" O.C.
21	Ilex cornuta 'Dwarf Burford'	DWARF BURFORD HOLLY	24"	48" O.C.
11	*Loropetalum chinense*	LOROPETALUM	24"	48" O.C.
35	*Raphiolepis indica*	INDIAN HAWTHORNE	24"	48" O.C.
21	*Rosa x* 'Knock Out'	KNOCK OUT ROSE	24"	48" O.C.
97	TOTAL			



LANDSCAPE CALCULATIONS

REQUIRED TOTAL LANDSCAPED AREA: 65%
PROPOSED TOTAL LANDSCAPE AREA: 69,549.07 SF. (65.02% OF NET SITE)

STREET TREES:
REQUIRED: 1 TREE PER 30' FRONTAGE PER SECTION 8-7-15.K
MOSS ROAD: 399.95 LF. FRONTAGE = 13.33 REQUIRED
14 PROPOSED
SPRING VALLEY ROAD: 324.05 LF. FRONTAGE = 10.80 REQUIRED
11 PROPOSED

PARKING LOT TREES:
REQUIRED: 1 PER 7 STANDARD PARKING SPACES
39 PROPOSED SPACES/7 = 5.14 REQUIRED TREES
6 PROPOSED TREES

QUANTITIES AND PERCENTAGES ARE PROVIDED FOR PERMITTING PURPOSES ONLY. CONTRACTOR SHALL VERIFY ALL QUANTITIES BEFORE PROVIDING A PROPOSED PRICE FOR SCOPE OF WORK TO BE PERFORMED. IF ANY DISCREPANCIES ARE FOUND, PLEASE REPORT TO PITTMAN & GREER ENGINEERING P.C. IMMEDIATELY.

FENCING LEGEND

PROPOSED 4' TALL CHAIN LINK SECURITY FENCE, SEE DETAILS SHEET FOR ADDITIONAL INFORMATION.

TREE MANAGEMENT PLAN NOTES

1. ALL EXISTING UTILITIES ARE SHOWN AS LOCATED ON AN SURVEY FOR STANLEY NEY BY WOODS & CHASTAIN SURVEYORS. LOCATIONS SHOULD BE VERIFIED BY CONTRACTOR AT TIME OF CONSTRUCTION.
2. SEE TREE CANOPY CALCULATIONS FOR EXISTING ON SITE TREE GROUPS OR INDIVIDUAL TREES TO BE CONSERVED.
3. TREE PLANTINGS SHALL BE IN ACCORDANCE WITH ALL A-CC TREE ORDINANCES AS WELL AS ANY THAT MAY BE REQUIRED BY STATE & FEDERAL AUTHORITIES AT THIS TIME.
4. NO TREES WITH A DBH GREATER THAN 2" ARE LOCATED IN THE RIGHT-OF-WAY.
5. TREES PLANTED OR CONSERVED TO MEET CODE REQUIREMENTS SHALL NOT BE REMOVED WITHOUT PRIOR APPROVAL OF THE A-CC ARBORIST OR FORESTER.
6. THE A-CC ARBORIST OR FORESTER MUST INSPECT THE INSTALLATION OF TREE PROTECTION FENCING PRIOR TO COMMENCEMENT OF CONSTRUCTION ACTIVITY, INCLUDING DEMOLITION (WHEN PROPOSED). TREE PROTECTION FENCING SHALL REMAIN IN PLACE UNTIL CONSTRUCTION ACTIVITIES END OR A CERTIFICATE OF OCCUPANCY IS ISSUED, WHICHEVER IS LATER. CONTRACTOR TO COORDINATE INSPECTION.
7. NO VEHICLE OR EQUIPMENT TRAFFIC, PARKING OR STORAGE OF MATERIALS IS ALLOWED WITHIN THE TREE PROTECTION AREA NOR WITHIN 10' OF THE TRUNK ANY CONSERVED TREE.
8. TREES PLANTED TO MEET DEVELOPMENT REQUIREMENTS SHOULD BE WATERED THROUGHOUT THE GROWING SEASON TO THE EQUIVALENT OF 1" OF WATER PER WEEK.
9. STAKING MATERIALS SHOULD BE REMOVED WITHIN ONE YEAR OF PLANTING.
10. BURLAP (AND ALL OTHER MATERIALS) MUST BE REMOVED FROM AT LEAST THE TOP 12" OF THE ROOT BALL AND TREE SHOULD BE PLANTED SO THAT TRUNK FLARE IS VISIBLE ABOVE THE GROUND.
11. PLANTED TREES SHOULD BE MULCHED IMMEDIATELY AFTER PLANTING. MULCH IS NOT ALLOWED CLOSER THAN 6" TO THE TRUNK FLARE.
12. ALL PLANTINGS SHALL BE INSTALLED ACCORDING TO SECTION 8-7-19 OF THE ATHENS-CLARKE COUNTY CODE OF ORDINANCES.
13. ALL EXISTING TREES THAT HAVE BEEN DESIGNATED FOR CONSERVATION MUST BE PROTECTED IN ACCORDANCE WITH 8-7-19. **ALL TREE PROTECTION FENCING TO BE INSTALLED PRIOR TO ANY DEMOLITION ACTIVITIES.**
14. FORESTED AREAS CONTRIBUTING TOWARDS CONSERVED TREE CANOPY AND CONSERVATION CREDIT MUST REMAIN IN THEIR NATURAL, UNDISTURBED CONDITION. CLEARING OF UNDERBRUSH IS NOT PERMITTED, EXCEPT FOR THE REMOVAL OF INVASIVE SPECIES.
15. THIS SHEET SHOWS PROPOSED TREES, BUT NOT ALL PROPOSED LANDSCAPING. SEE THE PLANT LISTS ON THE LANDSCAPE PLAN FOR TOTAL REQUIRED ONSITE PLANTINGS, INCLUDING REQUIRED LANDSCAPE BUFFERS AND SCREENING.
16. THERE ARE EXISTING FORESTED AREAS ON THIS SITE. NO INDIVIDUAL TREES HAVE BEEN INVENTORIED AND THEREFORE ARE NOT COUNTED AS SUCH IN THE CALCULATIONS.
17. THERE ARE NO AREAS ON SITE DESIGNATED FOR FOREST REGENERATION OR FUTURE FORESTED.
18. **ALL TREES GREATER THAN 2" DBH WHICH FALL OUTSIDE OF THE DEVELOPMENT AREAS WILL BE SAVED ON THE SITE. THE DEVELOPMENT AREAS WILL BE FURTHER DEFINED BY CONSTRUCTION PLANS.**

TREE CANOPY CALCULATIONS

TOTAL PROJECT ACREAGE: 2.8433 ACRES (123,878.03 SF.)
FUTURE ROW: 0 ACRES (000 SF.)
NET SITE ACREAGE: 2.84 ACRES (123,878.03 SF.)

ZONING: C-R

EXISTING TREE CANOPY: 100,697.32 SF. OR 85.05% OF NET SITE
TREE GROUP: 100697.32 SF.
INDIVIDUAL TREES: 0 SF.

REQUIRED CONSERVED TREE CANOPY: 30% OF NET SITE (37,163.41 SF.)

PROPOSED CONSERVED TREE CANOPY: 37,219.27 SF. OR 30.05% OF NET SITE

TOTAL INDIVIDUAL PLANTED TREE CANOPY: 9,090 SF. OR 7.76% OF NET SITE

REQUIRED TOTAL TREE CANOPY (CONSERVED & PLANTED): 60% OF NET SITE

TOTAL TREE CANOPY (CONSERVED & PLANTED):
46,519.27 SF. OR 37.76% OF NET SITE

QUANTITIES AND PERCENTAGES ARE PROVIDED FOR PERMITTING PURPOSES ONLY. CONTRACTOR SHALL VERIFY ALL QUANTITIES BEFORE PROVIDING A PROPOSED PRICE FOR SCOPE OF WORK TO BE PERFORMED. IF ANY DISCREPANCIES ARE FOUND, PLEASE REPORT TO PITTMAN & GREER ENGINEERING P.C. IMMEDIATELY.

FOR SITE COVERAGE PERCENTAGES, SEE CALCULATIONS ON SITE PLAN.

PLANT MATERIALS NOTE

ALL TREE SIZES TO BE AS FOLLOWS:
DECIDUOUS TREES - 2" CALIPER
MULTI-TRUNK TREES - 1" CALIPER PER TRUNK
EVERGREEN TREES - 8' IN HEIGHT

PLANTINGS AND PLANT SUBSTITUTIONS

ALL PLANTINGS SHALL BE INSTALLED ACCORDING TO APPROVED PLANS.

SUBSTITUTIONS IN PLANT MATERIAL ARE NOT PERMITTED WITHOUT PRIOR APPROVAL FROM THE DESIGN PROFESSIONAL OR A-CC PLANNING DEPARTMENT.

PLANT LEGEND

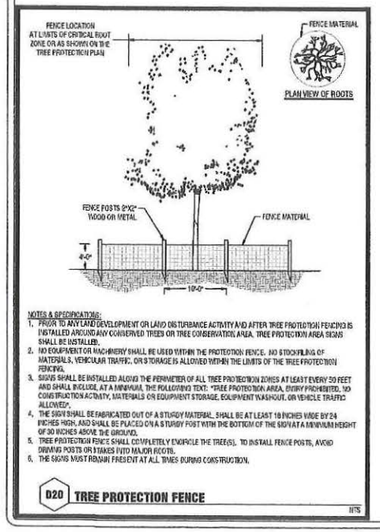
- WILLOW OAK
- NUTTALL OAK
- SERVICE BERRY
- REDBUD
- DOGWOOD
- INDIAN HAWTHORNE
- VINTAGE JADE
- KNOCK OUT ROSE
- LOROPETALUM
- DWARF BURFORD HOLLY
- YOSHINO CHERRY

A-CC TREE SEPARATION

MINIMUM DISTANCES IN FEET REQUIRED BETWEEN TREES & STRUCTURES OR INFRASTRUCTURE BY TREE CANOPY SIZE CATEGORY

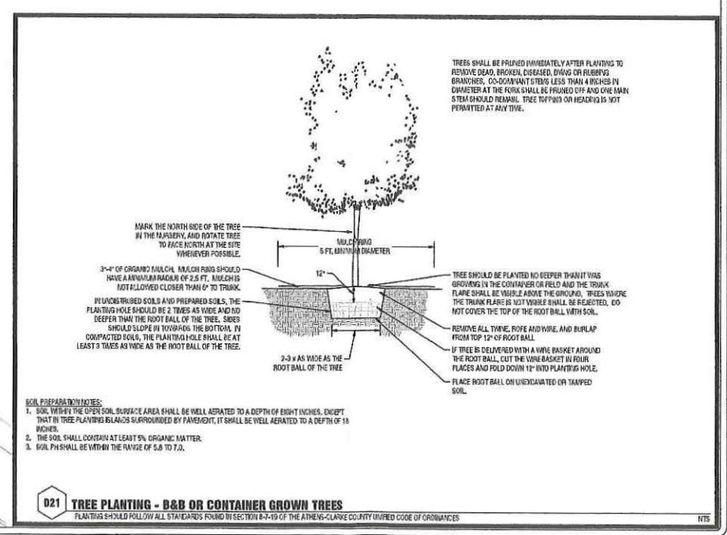
STRUCTURE/ INFRASTRUCTURE DESCRIPTION	TREE CANOPY SIZE CATEGORY FROM THE A-CC TREE SPECIES LIST			
	LARGE	MEDIUM	SMALL	VERY SMALL
STREET INTERSECTION, MEASURED FROM THE ROW BOUNDARY	35	35	35	35
TRAFFIC SIGNS	20	20	20	20
LIGHT POLES	20	20	15	15
OVERHEAD UTILITIES	30	20	0	0
BUILDINGS	15	10	5	5
UNDERGROUND UTILITIES	5	5	5	5
MAILBOXES	5	5	5	5
FIRE HYDRANTS, ELECTRICAL BOXES, WATER METERS	5	5	5	5
CURB, SIDEWALK, EDGE OF PAVEMENT	3.5	3	2	2

Non-Binding
Stephen Jaques
3-12-24



NOTES & SPECIFICATIONS:
1. PRIOR TO ANY LAND DEVELOPMENT OR LAND DISTURBANCE ACTIVITY AND AFTER TREE PROTECTION FENCING IS INSTALLED AROUND ANY CONSERVED TREES OR TREE CONSERVATION AREA, TREE PROTECTION AREA SIGNS SHALL BE INSTALLED.
2. NO EQUIPMENT OR MACHINERY SHALL BE USED WITHIN THE PROTECTION FENCE. NO STOCKPILING OF MATERIALS, VEHICULAR TRAFFIC, OR STORAGE IS ALLOWED WITHIN THE LIMITS OF THE TREE PROTECTION FENCING.
3. SIGNS SHALL BE INSTALLED ALONG THE PERIMETER OF ALL TREE PROTECTION ZONES AT LEAST EVERY 50 FEET AND SHALL INCLUDE, AT A MINIMUM, THE FOLLOWING TEXT: "TREE PROTECTION AREA, ENTRY PROHIBITED. NO CONSTRUCTION ACTIVITY, MATERIALS OR EQUIPMENT STORAGE, EQUIPMENT WASHOUT, OR VEHICLE TRAFFIC ALLOWED".
4. THE SIGN SHALL BE FABRICATED OUT OF A STURDY MATERIAL, SHALL BE AT LEAST 18 INCHES WIDE BY 24 INCHES HIGH, AND SHALL BE PLACED ON A STURDY POST WITH THE BOTTOM OF THE SIGN AT A MINIMUM HEIGHT OF 30 INCHES ABOVE THE GROUND.
5. TREE PROTECTION FENCE SHALL COMPLETELY ENCIRCLE THE TREE(S). TO INSTALL FENCE POSTS, AVOID DRIVING POSTS OR STAKES INTO MAJOR ROOTS.
6. THE SIGNS MUST REMAIN PRESENT AT ALL TIMES DURING CONSTRUCTION.

D20 **TREE PROTECTION FENCE** NTS



SOIL PREPARATION NOTES:
1. SOIL WITHIN THE OPEN SOIL SURFACE AREA SHALL BE WELL AERATED TO A DEPTH OF EIGHT INCHES, EXCEPT THAT IN TREE PLANTING ISLANDS SURROUNDED BY PAVEMENT, IT SHALL BE WELL AERATED TO A DEPTH OF 18 INCHES.
2. THE SOIL SHALL CONTAIN AT LEAST 5% ORGANIC MATTER.
3. SOIL PH SHALL BE WITHIN THE RANGE OF 5.8 TO 7.0.

D21 **TREE PLANTING - B&B OR CONTAINER GROWN TREES**
PLANTING SHOULD FOLLOW ALL STANDARDS FOUND IN SECTION 8-7-19 OF THE ATHENS-CLARKE COUNTY UNIFIED CODE OF ORDINANCES NTS

REVISIONS

DATE	DESCRIPTION
-	-
-	-
-	-
-	-
-	-
-	-

PITTMAN & GREER ENGINEERING P.C.
1050 BARBER CREEK DRIVE - BLDG. 400
WATKINSVILLE GA 30677
P. 706.419.9244 - WWW.PITTMANGREER.COM

GEORGIA REGISTERED PROFESSIONAL LANDSCAPE ARCHITECT No. 1478 WILLIAM J. GREER 01.23.2024

ISSUE PURPOSE
FOR REVIEW ONLY

180 MOSS ROAD
2.8438 AC. - 180 MOSS ROAD
CLARKE COUNTY, GEORGIA

N
SCALE 1" = 20'
0 10 20

PROJECT NUMBER
2024-009

811 Georgia Utilities Call before you dig.

DATE
01.23.2024

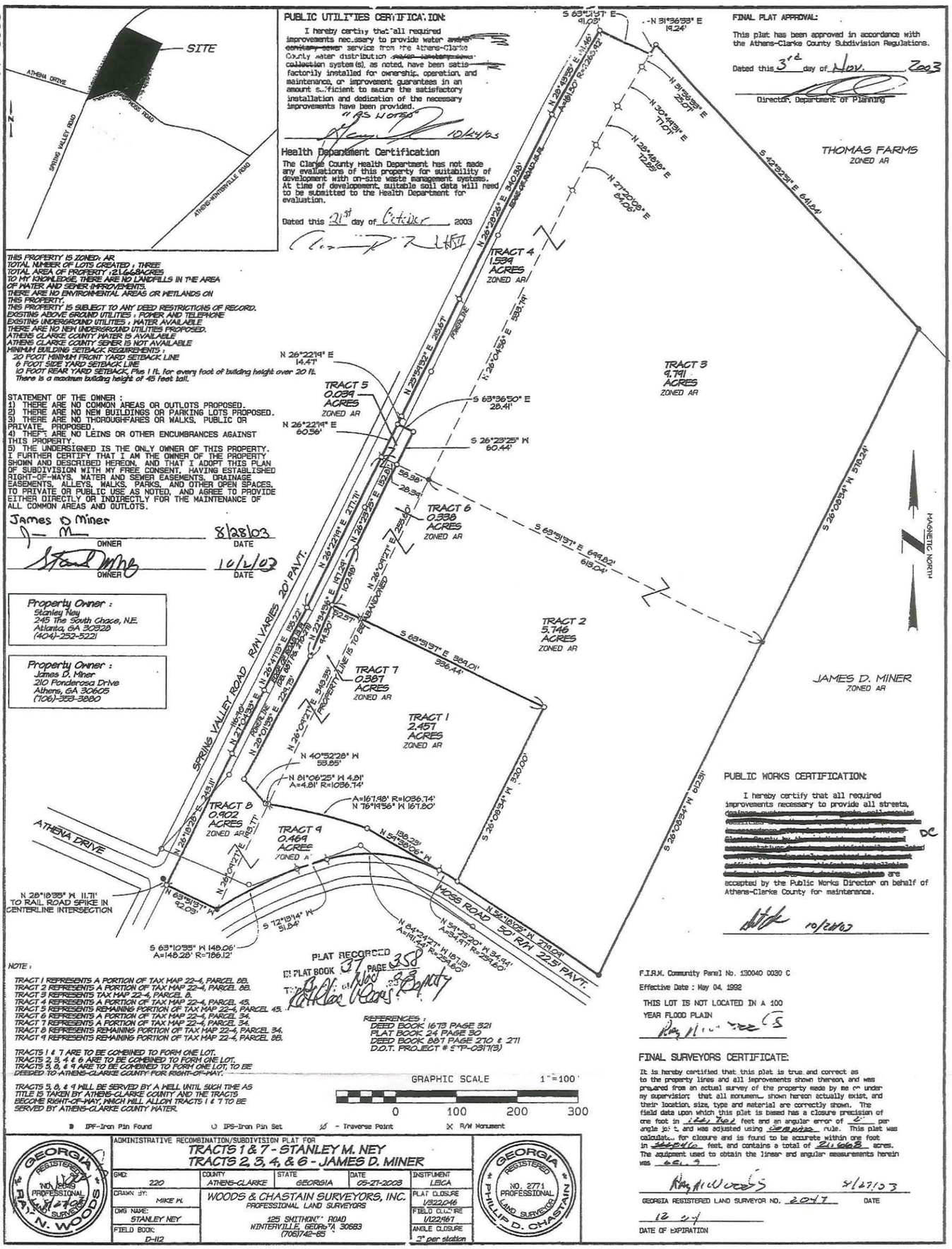
TREE MANAGEMENT PLAN

02

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358

2003-44



Non-Binding
5-12-24

180 MOSS ROAD

TYPE II REZONING REPORT (submitted 02/02/2024)

PROPERTY INFORMATION

Property Address: 180 Moss Road

Parcel ID: 224 008B

Owner: Ashook Thakkar

Existing Zoning: AR

Proposed Zoning: C-R

Adjacent Zonings: North: AR

South: AR

East: AR

West: E-I

Existing Use: undeveloped

Proposed Use: Convenience Store with Retail Store

Property Area: 2.84 acres

Non-Binding
Stephen Jaques
3-12-24

INTRODUCTION AND PROPOSAL

180 Moss Road is an undeveloped tract that is at the northeastern intersection of Moss Road and Spring Valley Road in eastern Athens-Clarke County. The parcel is wooded and has not been developed. It is not conducive to Agriculture and Residential development being at a busy intersection and nearby the new Athens Studios and Industrial plants, including the soon to be Meissner facility along Athena and Olympic Drives. Due to the large number of jobs in the area including the 1,800 coming to Meissner, the parcel has strong value as a convenience store to service the fueling and purchase needs of these employees. The western edge of this property also will include a portion of the Firefly Trail so pedestrian shopping needs along the trail can be met as well. Due to these factors, the property is better suited for this commercial use than agricultural or single-family uses. The request for this rezone is to rezone the existing AR zoned tract to a C-R (Commercial Rural) zoning to allow for a convenience store and retail shops. The plan would be to have access from both Moss Road and Spring Valley Road with water provided by ACC and sewage to be handled with onsite septic system.

ECONOMIC IMPACT OF PROPOSED DEVELOPMENT

After development of the parcel for a convenience store use there would be a substantial positive economic impact to Athens-Clarke County created by the project. The current tract is 2.84 acres that has been sitting undeveloped for decades. The proposed development would consist of commercial development that would increase property tax and sales tax revenues for ACC.

ZONING REQUEST

This zoning request is to change the existing AR zoning to a straight CR zoning for a convenience store and retail store use. The proposed rezoning meets all objective criteria set forth for that use provided in the zoning ordinance and fits the surrounding properties by providing needed services to the area jobs and conforming to the future land use map. The rezone request does conform to the future land use map and therefore the request is considered a Type II rezone.

FUTURE LAND USE MAP

The future land use map for Athens-Clarke County designates this property as Rural. The proposed rezoning does conform to the Future Development Map and therefore no change is proposed to the Future Land Use map.

ADJACENT USES

Non-Binding

Adjacent uses include residential and Industrial uses.

LANDSCAPING AND BUFFERING

Landscaping will be such that it meets the ACC ordinance on tree management. This includes conserved and proposed tree canopy throughout the development to meet ACC Tree Management requirements and buffering adjacent to the single-family residential lots.

PROPOSED USE

The proposed use consists of a convenience store and retail shops.

TRAFFIC IMPACT

Projected traffic is based on the trip generation rate published by the Institute of Transportation Engineers, Trip Generation, 11th Edition. Traffic projections are based on the ITE code (822) Strip Retail Plaza (<40k).

Average Daily Trips = 392 ADT (7200 total sf)

AM Peak Hour = 55 trips

PM Peak Hour = 95 trips

UTILITY SERVICE

Water and fire protection will be provided by Athens-Clarke County Public Utilities. Demands for water usage is anticipated to be:

250 gpd per commode for convenience store =500 gpd

100 gpd per 1000 sf of retail x 4800 sf = 480 gpd

Total water usage = 980 gpd

Sanitary Sewer will be handled by onsite septic system.

GARBAGE COLLECTION

Garbage collection will be handled by private contractor. There will be a double dumpster corral onsite to provide trash and recycling.

PUBLIC SERVICES

It is not anticipated that the request will cause a strain on public services. Public services, which include physical facilities and staff capacity, exist sufficient to service the proposed rezoning.

STORMWATER MANAGEMENT AND ENVIRONMENTAL CONCERNS

As the project is developed, Stormwater Management will be provided for Runoff Reduction and Quantity per the ACC Stormwater Code and the GA State Stormwater Manual. Erosion and Sedimentation Control Plans will be submitted and adhered to, to ensure no adverse environmental impacts on the property or adjacent properties. No adverse effects are anticipated in regard to noise or air pollution from the project. The proposed stormwater management facility will be an above ground facility.

Non-Binding

TYPE II REZONE APPROVAL CRITERIA

HOW THE PROPOSED REZONING WILL CONFORM TO THE FUTURE LAND USE MAP, THE GENERAL PLANS FOR THE PHYSICAL DEVELOPMENT OF ATHENS-CLARKE COUNTY, AND ANY MASTER PLAN OR PORTION THEREOF ADOPTED BY THE MAYOR AND COMMISSION

The proposed C-R zoning is in conformance with the Future Land Use Map designation of Rural. The C-R zoning would be a transition from the adjacent single family residential property and the Industrial property along Spring Valley Road and Athena Drive.

THE PROPOSED USE MEETS ALL OBJECTIVE CRITERIA SET FORTH FOR THAT USE PROVIDED IN THE ZONING ORDINANCE AND CONFORMS TO THE PURPOSE AND INTENT OF THE COMP PLAN AND ALL ITS ELEMENTS

The project meets essential objectives for the C-R zones by providing rural shopping nodes near pedestrian corridors, residential communities, and large employment areas. It also provides much needed retail services for a large employment area and provides a tax boost to Athens-Clarke County.

AFFECT ON BALANCE OF LAND USES IN ATHENS-CLARKE COUNTY

The proposed C-R zoning class will not adversely affect the balance of land uses in Athens-Clarke County. The corridor is a mix of residential and employment areas and needs a small retail transition between the two in ACC.

PUBLIC SERVICES, WHICH INCLUDE PHYSICAL FACILITIES AND STAFF CAPACITY, EXIST SUFFICIENT TO SERVICE THE PROPOSAL

Public water is available to the site and access to the site is from a major roadway system that carries residential as well as industrial traffic.

THE EXISTING LAND USE PATTERN SURROUNDING THE PROPERTY IN ISSUE

The adjacent properties are zoned AR and E-I. The proposed use would be a natural transition between these two zoning classes and land use patterns.

THE POSSIBLE CREATION OF AN ISOLATED DISTRICT UNRELATED TO ADJACENT AND NEARBY DISTRICTS

Non-Binding

This C-R zoning would technically be an isolated district but would not be unrelated to adjacent and nearby districts. The C-R zoning is meant to be for smaller commercial properties in Rural Areas. Though this request would not be adjacent to other C-R zonings, it would be a needed transition between the industrial and single-family zonings. The C-R zoning, however, does conform to the Future Land Use Map and therefore is not an unrelated district.

THE POPULATION DENSITY PATTERN AND POSSIBLE INCREASE OR OVER-TAXING OF THE LOAD ON PUBLIC FACILITIES INCLUDING, BUT NOT LIMITED TO, SCHOOLES, UTILITIES, STREETS

As shown in the proposed traffic trip generation, there will be little effect on the roadway network surrounding the property which is a major thoroughfare. Water usage will not be substantial and there is capacity at the site for the development. Schools will benefit from the increase is tax revenue generated by the project.

THE COST OF THE UNIFIED GOVERNMENT AND OTHER GOVERNMENTAL ENTITIES IN PROVIDING, IMPROVING, INCREASING OR MAINTAINING PUBLIC UTILITIES, SCHOOLS, STREETS, AND OTHER PUBLIC SAFETY MEASURES

There are no required improvements to be made by ACC and any costs associated with utility maintenance, providing, and treatment to the Unified Government would be outweighed by the increase in tax base created by this development.

THE POSSIBLE IMPACT ON THE ENVIRONMENT, INCLUDING BUT NOT LIMITED TO, DRAINAGE, SOIL EROSION AND SEDIMENTATION, FLOODING, AIR QUALITY AND WATER QUALITY

All required erosion control and stormwater management measures will be implemented on the development to meet ACC and State of Georgia standards and ensure no adverse impacts on the environment.

WHETHER THE PROPOSED ZONING AMENDMENT WILL BE A DETERRENT TO THE VALUE OR IMPROVEMENT OF DEVELOPMENT OF ADJACENT PROPERTY IN ACCORDANCE WITH THE EXISTING REGULATIONS

We do not believe the proposed development would decrease adjacent property values. The property would provide a much needed transition between industrial and single-family properties.

WHETHER THERE ARE SUBSTANTIAL REASONS WHY THE PROPERTY CANNOT BE USED IN ACCORDANCE WITH EXISTING ZONING; PROVIDED, HOWEVER, EVIDENCE THAT THE ECONOMIC VALUE OF THE PROPERTY, AS CURRENTLY ZONED, IS LESS THAN IS ECONOMIC VALUE IF REZONED AS REQUESTED WILL NOT ALONE CONSTITUTE A SIGNIFICANT DETRIMENT

The property is currently zoned AR. The parcel is at a high traffic, high industrial intersection. The site has no viable value as agricultural nor residential property.

THE AESTHETIC EFFECT OF EXISTING AND FUTURE USE OF THE PROPERTY AS IT RELATES TO THE SURROUNDING AREA

The property will be developed as a low impact commercial center which will not create an aesthetic effect on the surrounding properties.

WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER APPROVAL OR DISAPPROVAL OF THE ZONING PROPOSAL

There are more and more jobs being created in the area which will increase the need for retail services for these commuters. The industrial facilities in the Athena and Olympic Drive areas employ thousands of people including an estimated new 1,800 jobs at the soon to be Meissner facility.

REPRESENTATIVE ARCHITECTURE



Non-Binding

Stephen Jaques

From: Rachel Gomez
Sent: Wednesday, February 21, 2024 8:23 AM
To: Stephen Jaques; Marc Beechuk
Cc: Planning Internet Email
Subject: FW: [EXT]ZONE-2024-02-0209

From: Trevor Wright [redacted]
Sent: Wednesday, February 21, 2024 7:53 AM
To: Planning Internet Email <Planning@accgov.com>
Subject: [EXT]ZONE-2024-02-0209

EXTERNAL SENDER: **This email originated from outside of the organization.**
Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Athens-Clarke Planning Commission,

I want to express concerns regarding the proposed rezoning of 180 Moss Road to C-R. While I appreciate the need for development, I wonder if adding a gas station in this location is necessary, given that there are already six gas stations within a 3-mile radius. Furthermore, I am concerned about the safety of the intersection where the proposed rezoning is located. Drivers often don't adhere to the stop signs, and the presence of local police is limited. I am aware that the roads in the area tend to be used at higher speeds than the posted limit, leading to at least one head-on collision. Additionally, the location is close to the proposed firefly trail, which could pose a serious risk to pedestrians in the future.

As a resident of the neighborhood located just down the road, I am worried about the safety of the residents in the area. Our neighborhood is on a double curve with limited visibility of oncoming traffic. We already take risks leaving the neighborhood with the current traffic load, and additional traffic added to these roads would compromise our safety. I understand that gas stations are among the top 25% of violent crime locations, which is a concern for many residents in the area.

I also want to voice my concern about the issue of light pollution. The proposed gas station will require bright outdoor lighting, which could significantly impact the night sky visibility of the area. This is particularly concerning because the area around 180 Moss Road is known for its natural beauty and stargazing opportunities. Moreover, the recently developed storage facility has placed an extremely bright light that shines into the eyes of drivers on Athena Drive, making it hard to see oncoming traffic and potential road hazards. It would be detrimental if there were similar lights on the gas station around this already hazardous intersection.

I hope these concerns can be considered and addressed as the development process moves forward. Thank you for your time and attention to this matter.

Thanks,
Trevor Wright
100 Gretchen Lane
Winterville, GA 30683

Athens/Clarke County Planning Department

120 W. Dougherty Street

Athens, Georgia 30601

February 19, 2024

Re: Proposed Rezoning of property located at 180 Moss Road.

An Applicant has requested rezoning property located at 180 Moss Road from Agricultural-Residential to Commercial-Rural, in order to build a gas station with a convenience store. I understand that there will be a public hearing on this proposal held on March 7th, 2024. As a property owner within 400 feet of the subject area, I was notified in writing of this proposed action. However, due to age, and health issues I will be unable to attend the hearing regarding this proposal .

Therefore I am sending this letter as notification of my opposition to this proposal, and pray that you will take mine, and I assume others into consideration when voting on this proposal. I reside on Glendale Hgts., which puts me at a very short distance from the proposed location. My opposition to this proposal is based on the following:

Increased traffic flow, much of which I assume will use my Street as a cut-through, and/or make it even more difficult to make the left turn from Glendale Hgts. On to Moss Road.

I see no need for a gas station with a convenience store to be located here, as there is one just minutes away at the Five Points location in Winterville.

Increased probability of crime being committed due to isolated location of said store.

Increased probability of other businesses proposing to build there if this is allowed.

I have lived in my present location for decades, and moved here to get away from businesses such as this crowding me out! Once again, this proposed business is not needed, nor is it wanted, from what I am hearing from others in my neighborhood. I pray that you take into consideration the opinion of many whose daily lives will be adversely affected if this proposed rezoning is approved.

Thank you for your consideration.

Sincerely,

Nancy H. Bell

Nancy H. Bell

Stephen Jaques

From: Stephen Wright [redacted]
Sent: Monday, March 4, 2024 2:26 PM
To: Stephen Jaques
Subject: [EXT]March Planning Meeting

EXTERNAL SENDER: **This email originated from outside of the organization.**
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Hi Stephen, below are my comments for the items under consideration for the Mar. 7 planning meeting:

180 Moss Rd: The development of a gas station has no business sharing frontage to one of the largest non-vehicular transit projects the county has ever embarked on. The current plan might meet the future land use map and zoning guidelines, but we are in the process of developing a new future land use map and I do not think a new gas station is what our community needs. Imagine if Atlanta finished a new section of the Beltline and allowed a greenfield gas station to be built right along it. That would be crazy, right?

With multiple other gas stations within a 5 minute drive of this address, there is no reason to add an additional potential source of potential fuel and chemical leaks that could lead to soil contamination and groundwater pollution. According to an article regarding gas stations on grist.com, the cost to remediate the land where a former gas station stood could cost more than a $1 million dollars and in some states it isn't clear who is financially liable in some situations.

2295 Barnett Shoals/170 Forest Rd:

I personally support this development, as it would provide housing in an area that does not currently provide it and would return land back to the tax rolls of ACC.

Stephen Jaques

From: Max Doty
Sent: Tuesday, March 5, 2024 8:04 AM
To: Stephen Jaques; Marc Beechuk
Cc: Planning Internet Email
Subject: FW: [EXT]Re: ZONE-2024-02-0209 - 180 MOSS ROAD

From: Val P. [redacted]
Sent: Monday, March 4, 2024 7:39 PM
To: Planning Internet Email <Planning@accgov.com>
Subject: [EXT]Re: ZONE-2024-02-0209 - 180 MOSS ROAD

EXTERNAL SENDER: **This email originated from outside of the organization.**
Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Athens-Clarke County Planning Commission,

I am writing this email because I will be unable to attend the meeting to be held on Thursday, March 6, 2024, regarding the rezoning of the property at 180 Moss Road. I write out of my concern for the safety of the people who travel Moss and Spring Valley on a daily basis. I've lived in Thomas Farms for almost six years and in this time, I've a seem the increase in traffic and the disregard for the four-way on several occasions – as recent as today. My question concerning this is will there be a traffic light placed at this intersection to help control the traffic? My concern is also for people who will use the proposed future firefly trail as well. Will there be use of the signal light for pedestrians which is used downtown and in other areas?

As a resident of Thomas Farms at Spring Valley I am worried about the safety of the residents in the area. Our neighborhood is on a double curve road with limited visibility of oncoming traffic and there is only a main entrance into this property. There's no way out onto another street other than Spring Valley. We already take risks leaving the neighborhood with the current traffic load, and additional traffic added to these roads would compromise our safety.

Another one of my concerns is violent crimes which sometimes comes along with gas stations. I understand the concern for the large number of jobs coming into this area, but what about the people who live in this area. The people the gas station/convenience/retail store is proposed to be created for won't necessarily live in this area. I think consideration must be given to the people who live in the area and will have to primarily deal with the traffic, noise, bright lighting and possible violence.

Because the bright lights from the proposed gas station/convenience store and the increase in traffic, and the possibly of violence and accidents is why I want to voice my concern. I hope these concerns can be considered and addressed as the development process moves forward. I sincerely thank you for your time and attention to this matter.

Valerie Porter

Stephen Jaques

From: Max Doty
Sent: Tuesday, March 5, 2024 8:05 AM
To: Stephen Jaques; Marc Beechuk
Cc: Planning Internet Email
Subject: FW: [EXT]Rezoning of Moss Rd/Spring Valley intersection

-----Original Message-----
From: Tom McKee [redacted]
Sent: Monday, March 4, 2024 9:09 PM
To: Planning Internet Email <Planning@accgov.com>
Subject: [EXT]Rezoning of Moss Rd/Spring Valley intersection

EXTERNAL SENDER: This email originated from outside of the organization.
Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Planning Commission,

As a resident of the Thomas Farm neighborhood I join the other home owners with concerns about the convenience store/gas station proposed at the nearby intersection of Moss and Spring Valley Rds.

I read the site plan document outlining the land usage, its economical, and environmental impact, and am disappointed with the dismissive stance about any negative realities I feel exist but were not included in the plan. The Commission would have us believe the proposed business would not cause a trash problem on the roadways and surrounding land. The fact is, littering, loitering, and traffic noise and congestion are compounded exponentially with this type of business.

I am pleading with you to take a few moments and consider the nearby homeowners that call their houses and land a sanctuary from exactly what you are proposing to place in uncomfortable close proximity to us.

The good news is you can make the right decision and prevent this blight on our neighborhood. It is not a foregone conclusion and a necessity of 'build it or else.'

Please represent your citizens; please deny this rezoning proposal.

Thank you,

James McKee
115 Ashlin Ct
Thomas Farm
Winterville, Ga

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA WITH RESPECT TO **REZONING TWO PARCELS OF LAND COMPRISING APPROXIMATELY 4.8 ACRES OF LAND LOCATED AT 2295 BARNETT SHOALS ROAD AND 170 FOREST ROAD FROM RS-25 (SINGLE-FAMILY RESIDENTIAL) TO RM-1 (MIXED DENSITY RESIDENTIAL);** AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. The map constituting the component of the Zoning Ordinance of Athens-Clarke County, Georgia, by virtue of and in compliance with Sections 9-3-3 and 9-3-6 thereof, is hereby amended by changing the zoning of two parcels of land located at 2295 Barnett Shoals Road and 170 Forest Road from RS-25 (Single-Family Residential) to RM-1 (Mixed-Density Residential) as shown on Attachment A hereto.

Said affected parcels of land being more fully described in that certain document entitled "2295 Barnett Shoals Rd., 4.7919 AC., 2295 Barnett Shoals Rd. & 170 Forest Rd., Clarke County, Georgia," labeled in the lower-right hand corner as "01," prepared by William J. Greer, registered landscape architect, dated January, 29, 2024, and being on file and available for public inspection in the office of the Athens-Clarke County Planning Department, 120 West Dougherty Street, Athens, Georgia. The affected parcels are known as Tax Parcel Numbers 241C1 A002 & 241C1 A016 on the Athens-Clarke County tax maps being on file and available for public inspection in the office of the Athens-Clarke County Planning Department, 120 West Dougherty Street, Athens, Georgia. The date of this amendment on the Official Zoning Map of Athens-Clarke County as shown by Attachment A shall be noted on said Official Zoning Map in the office of the Clerk of Commission, 301 College Avenue, Athens, Georgia, and duly noted in the minutes of the Commission meeting.

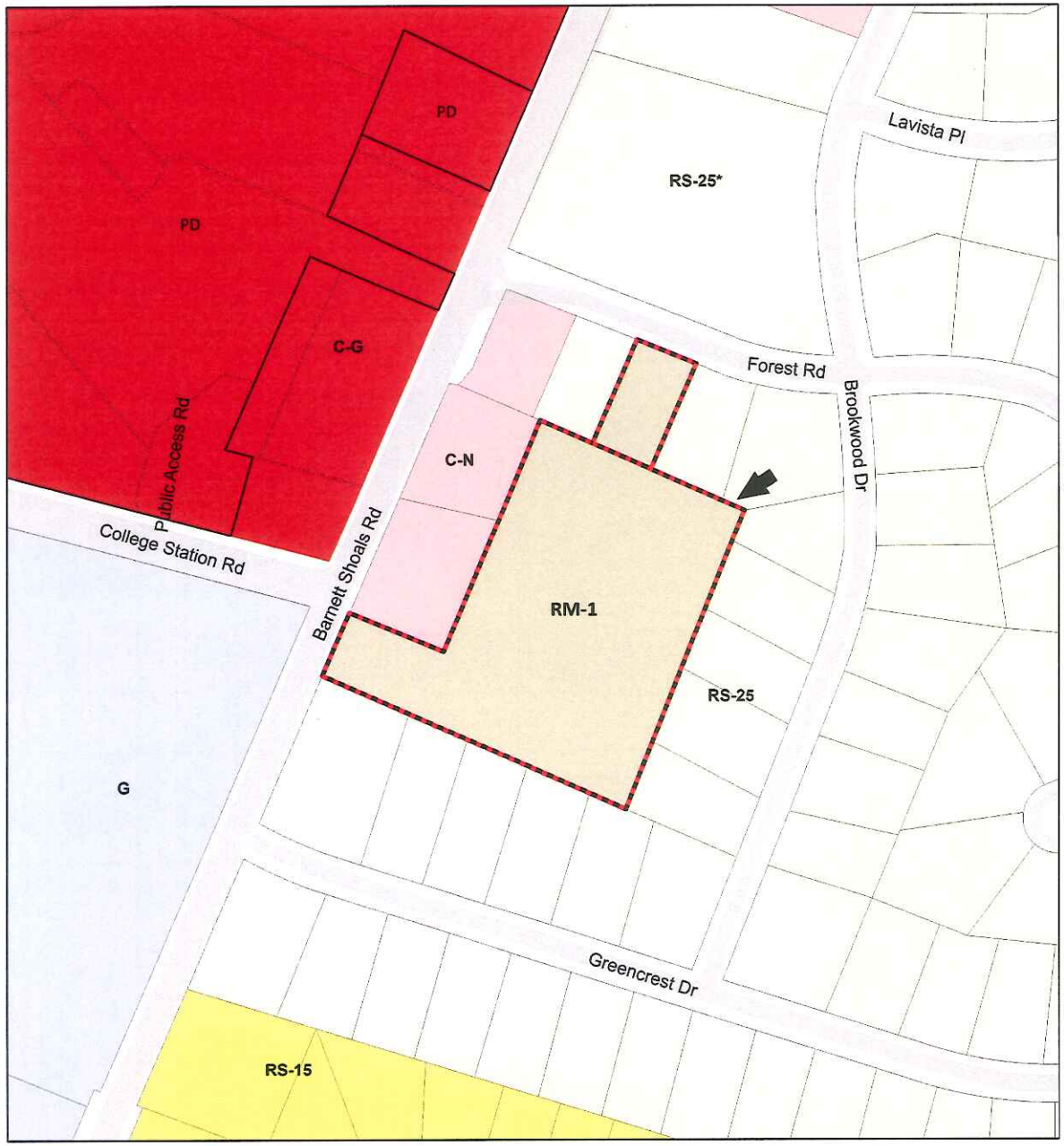
SECTION 2. The binding site plan associated with this ordinance and incorporated herein by reference consists of one sheet in total, said sheet being titled "Binding Rezone Concept Plan" and stamped "Binding 3-12-24."

SECTION 3. The following conditions of zoning are associated with this ordinance:

1. At minimum, the applicant shall provide a 12-foot paved multi-use path with at least 0.5 foot-candles of illumination to connect directly from Barnett Shoals Road to the residences. The path shall be aligned with the southern crosswalk across Barnett Shoals Road.

2. The binding plan shall be amended to remedy the code compliance issues noted in the staff report.

SECTION 4. All other ordinances or parts of ordinances in conflict herewith are hereby repealed.



The Official Zoning Map of Athens-Clarke County

Legend

- P, Parks
- IN, Institutional
- C-G, Commercial-General
- C-D, Commercial-Downtown
- C-N, Commercial-Neighborhood
- C-O, Commercial-Office
- C-R, Commercial-Rural
- E-I, Employment-Industrial
- E-O, Employment-Office
- G, Government
- I, Industrial
- AR, Agricultural Residential (1 unit per 10 acre density)
- RM-1, Mixed Density Residential (16 multi-family units per acre)
- RM-2, Mixed Density Residential (24 multi-family units per acre)
- RM-3, Mixed Density Residential (50 multi-family units per acre)
- RS-5, Single-Family Residential (5,000 sq. ft. min. lot area)
- RS-8, Single-Family Residential (8,000 sq. ft. min. lot area)
- RS-15, Single-Family Residential (15,000 sq. ft. min. lot area)
- RS-25, Single-Family Residential (25,000 sq. ft. min. lot area)
- RS-40, Single-Family Residential (40,000 sq. ft. min. lot area)

Parcel boundaries of the site are determined by legal description. The parcels shown on this map are to be used only as a guide.

- Downtown Design Areas
  - (DHD), Downtown Historic District
  - (WD), West Downtown
  - (ED), East Downtown
  - (DS), Dougherty Street
  - (RIV), River
  - (WE), West End
  - (ND), North Downtown
- Airport Overlay
  - AZ1, Precision Approach Zone
  - AZ2, Larger Than Utility Runway Nonprecision Approach Zone
  - AZ3, Utility Runway Nonprecision Approach Zone
  - TZ, Transitional Zone
  - RPZ, Runway Protection Zone
  - PSZ, Primary Surface Zone
- 78/316 Special District Overlay
- PD, Planned Development
- *, Zoning with Conditions
- Historic District
- RM-LTD, Mixed Density Residential Limited Overlay
- Conditional Use
- GSRC, Gaines School Road Corridor Special District Overlay
- MAC, Milledge Avenue Corridor Special District Overlay
- WBS, West Broad Street Special District Overlay
- Winterville Boundary
- Bogart Boundary
- ACC Boundary
- Railroads
- Special Use
- Historic Landmark

160 80 0 160 320 480 Feet

ATTACHMENT A	ZONE-2024-02-0207 REZONE 2295 BARNETT SHOALS ROAD & 170 FOREST ROAD Frank Pittman / Pittman & Greer Engineering Green Acres Baptist Church Inc.	
561		
FROM: RS-25	TO: RM-1	
TAX PARCEL # 241C1 A002 & 241C1 A016	PLANNING COMMISSION MEETING DATE March 7, 2024	ATHENS-CLARKE COUNTY COMMISSION MEETING DATE April 2, 2024

ATHENS-CLARKE COUNTY PLANNING COMMISSION
RECOMMENDATION

DATE: March 7, 2024	**FILE NO:** ZONE-2024-02-0207

LOCATION: 2295 Barnett Shoals Road & 170 Forest Road
APPLICANT: Frank Pittman / Pittman & Greer Engineering
OWNER: Green Acres Baptist Church Inc.
REQUEST: From RS-25 to RM-1 (Single-Family Residential-25 to Mixed-Density Residential-1)
COMMISSION DISTRICT: 8

PLANNING COMMISSION MOTION AND RECOMMENDATION:

NAME	YEA	NAY	ABSTAIN	NAME	YEA	NAY	ABSTAIN
Chair: Matthew Hall Present				Kristen Morales Present	X		
Vice-Chair: Alice Kinman Present	X			Taylor Pass Absent			
Vacant Seat				Alexander Sams Present	X		
Sara Beresford Present	X			Monique Sanders Absent			
Sarah Gehring Present	X			Joey Tucker Present	X		
NOTE: Chair does not vote except in case of tie.				TOTAL VOTES:	6	0	0

For: Blake Underwood, Frank Pittman, Jeff Koon (applicants), Cameron Ford (pastor of Green Acres Baptist), Wendy Todd, Jeremy Jones, Philip Ashford, Trent Burton, Bill Holmes, Devon Arnold, Jim Sullivan
Against: Kent Middleton, Andy Herod, Brad Hankins, Trey Crowley, Hilda Mata, Sinclair Jackson, Matthew Mendocino, Jim Minor, Laura David, Melanie Aaron

Discussion: Supporters spoke in favor of the project's potential to boost economic growth, provide downsizing options, and increase the housing supply in a town with a growing population and rising prices. Supporters also spoke of the positive potential to attract single adults and young families to the neighborhood because the townhomes offer a different type of housing than the typical detached single-family house that populates Green Acres. Supporters also noted that the property has homeless activity rather than being an undisturbed woodland, and development of the parcel would solve this issue.

Opponents urged the Planning Commission to adhere to the recommendation of the Staff Report for denial as well as the Commission's previous denial of this project. Opponents vocalized concerns about traffic, noise, a perceived mismatch between the design of the project and the surrounding neighborhood, too much density, and the potential that students and short-term rentals would be attracted to the project—bringing noise and traffic with them. Opponents asked for a project with less density and housing types that would be attractive to people who are seeking to downsize as they age. A geriatric facility was also encouraged. Opponents also were concerned about the precedent of spot-zoning the RS-zoned Forest Road parcel, and the price of the units.

The applicant stated that the density was necessary and that the design does not have the amenities that characterize purpose-built student housing.

Commissioners clarified that the site will always have an access issue, especially if it is unable to gain access through the adjacent commercial parcel at 2285 Barnett Shoals Rd, but suggested that a more thoughtful design would be a better fit for this site. Commissioners noted that development of the property at lower densities such as the RS-15-zone would not be financially feasible. Commissioners asked the developer to confirm the proposed price points and the presence of master-on-main bedrooms in the 20 three-bedroom units. Neither concern about increased traffic or the presence of students were deemed sufficient grounds for denial, especially in light of rising housing prices. One Commissioner stated that if the test for approval is whether students could live there, then no projects could ever be approved in Athens. It was also said that we have to think about the needs of future and prospective residents, not just current neighbors. Another Commissioner stated that land development decisions should not discriminate against renters, including students, in a town where half the population rents. The Commissioner concluded by saying renters and students have a right to live in Athens too. It was noted that the prevailing prices of houses in Green Acres are similar to the projected prices for the project. Commissioners also noted that half of the adjacent houses in Green Acres are rentals. The neighborhood is not exclusively owner-occupied. Commissioners recommended approval primarily based on the perceived need to add housing.

Motion: Mr. Tucker made a motion to recommend approval with conditions proposed by staff. Ms. Gehring seconded the motion, which passed unanimously.

Condition:

1. At minimum, the applicant shall provide a 12-foot paved multi-use path with at least 0.5 foot-candles of illumination to connect directly from Barnett Shoals Road to the residences. The path shall be aligned with the southern crosswalk across Barnett Shoals Road.
2. The binding plan shall be amended to remedy the code compliance issues noted in the staff report.

STAFF REPORT
REZONE
2295 BARNETT SHOALS RD
& 170 FOREST RD
ZONE-2024-02-0207
MARCH 7th, 2024

APPLICANT: .....Frank Pittman / Pittman & Greer Engineering
OWNER: .....Green Acres Baptist Church Inc.
ZONING REQUEST: .....From RS-25 to RM-1
TYPE OF REQUEST: .....Type II
LOCATION: .....2295 Barnett Shoals Rd & 170 Forest Rd
TAX MAP NUMBERS: .....241C1 A002 & 241C1 A016
COUNTY COMMISSION DISTRICT: 8
PROJECT SIZE: .....4.8 Acres
PRESENT USE: .....Undeveloped & Residential Single-Family
PROPOSED USE: .....Residential Multi-Family
PUBLIC NOTICE POSTED: .....February 21st, 2024
STAFF RECOMMENDATION: .....***DENIAL***
PLANNING COMM. RECOMMENDATION: .....***APPROVAL WITH CONDITIONS***
MAYOR & COMMISSION AGENDA SETTING: ...March 19th, 2024 (tentative)
MAYOR & COMMISSION VOTING SESSION: .....April 2nd, 2024 (tentative)

I. Summary Recommendation

The applicant is requesting a rezone from Single-Family Residential (RS-25) to Mixed-Density Residential (RM-1) at 2295 Barnett Shoals Rd and 170 Forest Road. The applicant has offered to voluntarily bind the concept plan as shown with 28 townhouse-style multi-family units (8 two-bedroom units and 20 three-bedroom units) arranged along a single private street, accessed through the Green Acres subdivision via Forest Road. The parcel at 2295 Barnett Shoals Rd is entirely wooded, while the parcel at 170 Forest Road contains a single-family residence. Both parcels are zoned RS-25. A majority of the surrounding parcels are zoned RS-25 and contain single-family residences with the exception for two commercial properties fronting Barnett Shoals Rd, which are zoned Commercial-Neighborhood (C-N).

Multiple attempts to develop the parcel have been made over the years, including the most recent proposal to build a Kroger Fuel Center in 2016. The site lacks access to Barnett Shoals Road due to being located too close to the Barnett Shoals/College Station intersection. The current applicant is proposing to tear down the house at 170 Forest Road and replace it with a private street that would serve as the sole access point for the development.

Overall, the proposal is partially compatible with the Comprehensive Plan but misses opportunities to create a design that would align with the Comprehensive Plan. The proposal would increase the supply of housing on an infill lot located close to a major node of transportation, schools, housing, and commercial services, but it lacks the variety of housing types called for in the Comp Plan. The applicant mentions Missing Middle Housing, but due to the number of units, the uniformity of the

housing type, and the lack of integration with the surrounding area, this project would not qualify for such a label. The site is designed as a mid-density cul-de-sac providing one type of housing, whereas the Comprehensive Plan calls for transitions that are less abrupt.

The request requires no change to the Future Land Use Map. Staff thinks that RM-1 zoning on the 2295 Barnett Shoals Rd parcel could be compatible with the Zoning Map because of its proximity to neighborhood services, but the rezone of 170 Forest Road is not compatible with the Zoning Map because that parcel is embedded in an existing RS-25-zoned neighborhood. Staff found several zoning code compliance issues and recommends that the plan be amended to remedy these issues. Staff recognizes that this site is unique and flexibility in development standards may be necessary to develop the property in a way that is compatible with the neighborhood.

Staff is recommending denial of the request primarily because of the lack of compatibility with the Zoning Map at 170 Forest Road, but also because the design leaves gaps in its compatibility with the Comprehensive Plan and neighborhood development pattern.

If the request is approved, Staff recommends including the following condition:

1. At minimum, the applicant shall provide a 12-foot paved multi-use path with at least 0.5 foot-candles of illumination to connect directly from Barnett Shoals Road to the residences. The path shall be aligned with the southern crosswalk across Barnett Shoals Road.
2. The binding plan shall be amended to remedy the code compliance issues noted in the staff report.

Planning Commission Recommendation: After extensive public comment and discussion amongst Commissioners, the Commission voted to recommend approval with the recommended conditions, based primarily on the perceived need to add housing in the face of rising prices and a relatively low supply of housing. Commissioners stated that we need to think about the needs of future and prospective residents, not just existing residents. Commissioners also stated that land development decisions should not discriminate against renters, including students, in a town where half the population rents.

II. Purpose of Applicant Request

A. Proposal

The applicant is requesting a rezone from RS-25 to RM-1 at 2295 Barnett Shoals Rd and 170 Forest Road for the purpose of building residential multi-family housing. The applicant has offered to voluntarily bind the concept plan as shown with 28 townhouse-style multi-family units (8 two-bedroom units and 20 three-bedroom units) arranged along a single private street, accessed via Forest Road. The concept proposal also includes 89 parking spaces (34 off-street, 55 on-street) a stormwater management pond, and a dog park for residents.

B. Existing Conditions

The parcel at 2295 Barnett Shoals Rd is entirely wooded, while the parcel at 170 Forest Road contains a single-family residence. Both parcels are owned by Green Acres Baptist Church Inc. and both are zoned RS-25. A majority of the surrounding parcels are zoned RS-25 and contain single-family residences with the exception of two commercial properties fronting Barnett Shoals Rd, which are zoned C-N. The properties on the western side of Barnett Shoals Rd, across from the subject parcels, are zoned Government (G) and Commercial-General (C-G). The UGA College of Veterinary Medicine, ACCGov's Fire Station #7, the College Station Kroger shopping center, and several gas stations serve as notable land uses in the vicinity of this site. On the eastern side of Barnett Shoals sit

numerous single-family residences, including the Green Acres and Clarkedale residential subdivisions.

Multiple attempts at developing this parcel have been undertaken over the years. In 2000, the property was rezoned to RS-5 as part of the County-wide adoption of a new zoning ordinance. A 2003 preliminary proposal for 19 residential lots was initiated but never built. In 2004, the property was rezoned from RS-5 to Commercial-Neighborhood, Planned Development (C-N (PD)) with a binding plan for a small office park that included the adjacent parcel at 2285 Barnett Shoals Rd (currently a Chevron gas station). The last approved zoning action was a 2013 request to rezone 2295 Barnett Shoals Rd from C-N (PD) to its current RS-25 zone with a corresponding change from the *Community Center Mixed Use* Future Land Use to the current *Traditional Neighborhood* Future Land Use. Other proposals have been made over the years, but were never approved by the Mayor & Commission, including the most recent attempt to construct the Aldi grocery store that is now located across from Ansonborough.

The primary problem for developing 2295 Barnett Shoals Rd is the lack of access to the street. The parcel has 110-feet of frontage on Barnett Shoals Rd, but is too close to the College Station/Barnett Shoals Road intersection to have full driveway access. The current applicant is proposing to deal with this problem by tearing down the house at 170 Forest Road and replacing it with a private street that would serve as the sole access point for the development.

III. Policy Analysis

A. Compatibility with Comprehensive Plan

The 2023 Comprehensive Plan calls for the following policies that **are** supported in this project:

- *Infill and redevelopment should be prioritized over greenfield expansion.*
- *Create nodal development tied to transportation, healthcare, schools, jobs, workforce, and housing.*

The proposal would increase the supply of housing on an infill lot located close to a major node of transportation, schools, housing, and commercial services.

The 2023 Comprehensive Plan calls for the following policies that **are not** supported in this project:

- *Increase the supply and variety of quality housing units, at multiple price points, in multiple locations, to suit the needs of a variety of households.*
- *Promote intra- and inter-connectivity within and between neighborhoods while discouraging cul-de-sac development. This applies to both vehicular and pedestrian pathways and may not always require formal, paved improvements when associated with walkability.*
- *Identify areas that could potentially be developed for unique neighborhoods with smaller houses and a cohesive theme.*

While the project would increase the supply of housing, it does not offer a variety of housing types or prices. The applicant mentions Missing Middle Housing, but due to the number of units, the uniformity of the housing type, and the lack of integration with the surrounding area, this project would not qualify for such a label. This site is a candidate for a unique pocket neighborhood with quality design, but the applicant has proposed cul-de-sac providing one type of housing. The site also lacks connectivity and the angled parking will make it difficult to maneuver. The lack of connectivity

is partially offset by a paved multi-use path, as shown on the plan to connect residents with Barnett Shoals.

Overall, the proposal is partially compatible with the Comprehensive Plan but misses opportunities to create a design that would align with the Comprehensive Plan. Staff recognizes that this site is unique and flexibility in development standards may be necessary to develop the property in a way that is compatible with the neighborhood.

B. Compatibility with the Future Land Use Map

The 2023 Future Land Use Map designates the subject parcel as *Traditional Neighborhood*, which is described as follows:

Traditional Neighborhood

These are medium density neighborhoods with traditional qualities including well-connected street systems, sidewalks, street trees, and a variety of housing types. Homes are often built close to the street with front porches. Garages are set back farther than the homes and porches. Traditional Neighborhood areas support single-family residences, duplexes which resemble large homes, and townhouses. Strict design standards should be implemented to ensure appropriateness of design and to protect neighborhood character. Limited commercial and other non-residential uses designed at a neighborhood scale are encouraged, but only in areas close to principal and minor arterial routes that have good access to transit.

No change to the Future Land Use Map is required since the proposed zoning action is already consistent with the Map. The proposal is consistent with the Future Land Use description for this use.

C. Compatibility with the Zoning Map

The applicant has requested a rezone from RS-25 to RM-1. The following information has been provided to compare the difference in development intensity between the existing RS-25 zoning and the requested RM-1 zone. Broadly, a comparison of scale, use, and design is offered here to help decision makers evaluate the changes that would be allowed if the request is approved. In terms of building scale, the following chart illustrates the differences in size and scale of buildings that could be constructed:

	CURRENT	REQUESTED
Standard	**RS-25 Zoning**	**RM-1 Zoning**
Minimum Lot Size	25,000 sq. ft.	5,000 sq. ft.
Density	1.4 units / acre	16 units (bedrooms) / acre
Max Lot Coverage	35%	55%
Max Building Height	30 ft.	30 ft.
Setbacks	10-20 ft.	6-15 ft.
Conserved Canopy	40% (30% for each lot)	35%
Total Canopy	60% (50% for each lot)	55%
Parking	2 spaces / unit	1-2 spaces / unit

The Athens-Clarke County Zoning Ordinance includes a list of defined uses and designates where they can or cannot be established. For this request, the most noticeable difference between the current RS-25 zoning and the proposed RM-1 zoning is that RS-25 allows almost no other land uses besides

single-family houses while RM-1 allows multiple types of housing, including multi-family, either by-right or via a special use permit. RM-1 also allows limited commercial uses such as restaurants and retail via a special use permit.

The request would create an isolated district since there is no RM-1 zoning in the immediate vicinity of the subject parcels. However, in Staff's opinion, given the prevalence of nearby neighborhood services and destinations, it is justifiable to raise the allowable development intensity on the 2295 Barnett Shoals Rd parcel above what the current low-density RS-25 zoning allows. RM-1 zoning on this 4.1-acre parcel could provide a transition zone between the commercial properties and the single-family residences. On the other hand, Staff does not support a rezone of the 170 Forest Road parcel because this would be a spot rezone of an existing single-family house in an existing single-family neighborhood that is uniformly zoned RS-25. Staff thinks that RM-1 zoning on the 2295 Barnett Shoals Road parcel could be compatible with the Zoning Map, but the rezone of 170 Forest Road is not compatible with the Zoning Map.

D. Consistency with Other Adopted ACCGov Plans, Studies, or Programs

No applicable ACCGov plans, studies, or programs were identified.

IV. Technical Assessment

A. Environment

There are no designated environmental areas on the property.

The Arborist has reviewed the tree management plan and offered the following comment:

- *The tree management plan does not meet all requirements of the Community Tree Management Ordinance, mainly 8-7-15(m)(4) and 8-7-19(d)(3). Concerning conservation standards and forested areas the plan does not meet the requirement that each conserved area shall be a minimum of 20 ft wide in any one direction. Plan also does not meet the required amount of open soil surface area for large canopy trees proposed for parking lot trees. Because of this and the fact that conflicts between trees and underground utilities may be present, the ACC Arborist recommends that the TMP be non-binding.*

B. Grading and Drainage

The Transportation and Public Works Department has reviewed the proposal and offered the following grading and drainage-related comment:

- *A binding plan needs to indicate a runoff reduction facility will be provided for the approximately 190 LF driveway that is indicated to drain to Forest Rd. All onsite impervious area runoff must drain to a runoff reduction facility sized to treat the runoff reduction volume for that area.*

C. Water and Sewer Availability

The Public Utilities Department has reviewed the proposal and offered the following comments:

- *ACC Water and Sewer service and capacity are available.*
- *Each unit will require its own independently-metered water and sewer connection to the main. Fire hydrants are required at entrances.*

- *The proposed trees in front of Building 200 and 300 appear to conflict with the proposed water line. No trees can be planted within the utility easement.*
- *Recommend approval with the condition that the TMP be non-binding.*

D. Transportation

The Transportation and Public Works Department has reviewed and recommended approval of the proposal while offering the following transportation-related comment:

- *The driveway and parking layout shown does not appear to provide for efficient circulation, especially for larger vehicles. A turnaround provision that doesn't require backing up or a second street connection would be helpful.*
- *The traffic generated by this proposed project is minimal and does not cause any issues of concern.*

E. Fire Protection

The Fire Marshal has reviewed the proposal and offered the following comment:

- *The access street must be 24 ft. from curb to curb including from parking space to parking space.*

F. Compliance with the Zoning Ordinance and Development Standards

All exemptions to the zoning and development standards must be identified in the application prior to approval of a binding proposal since the development will otherwise be expected to adhere to the ordinance standards. The applicant has not made any waiver requests, so they will be expected to comply with all of the applicable standards.

Code Compliance Issues:

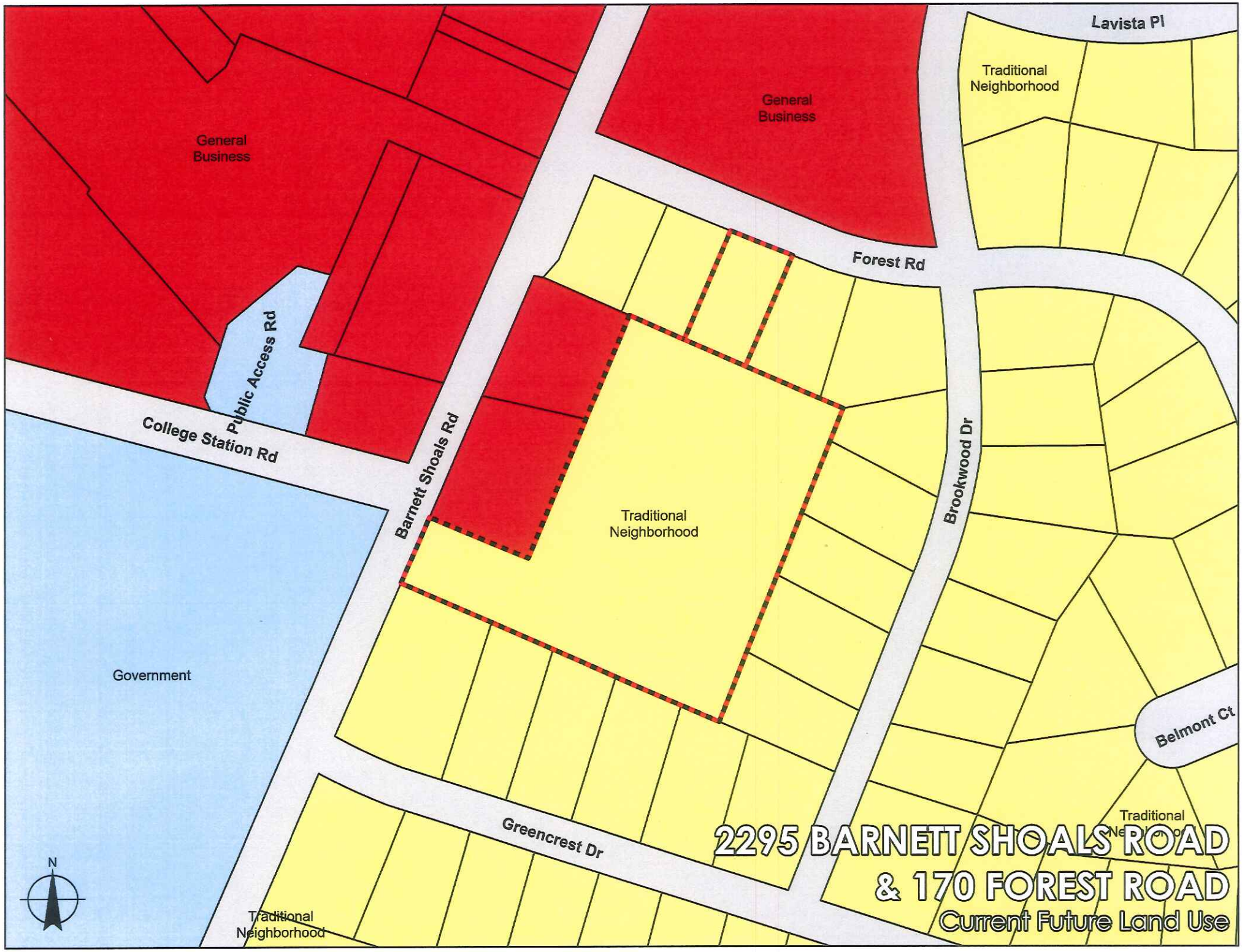
1. *Staff could not verify compliance with Sec. 9-8-7's requirement for 15% of the lot to be reserved for recreation use.*
2. *Staff could not verify compliance with Sec. 9-25-8(C)7.a's requirement for 8% of the lot to be reserved for recreation use.*
3. *Children's play area was not provided as required by Sec. 9-25-8(C)7.c.*

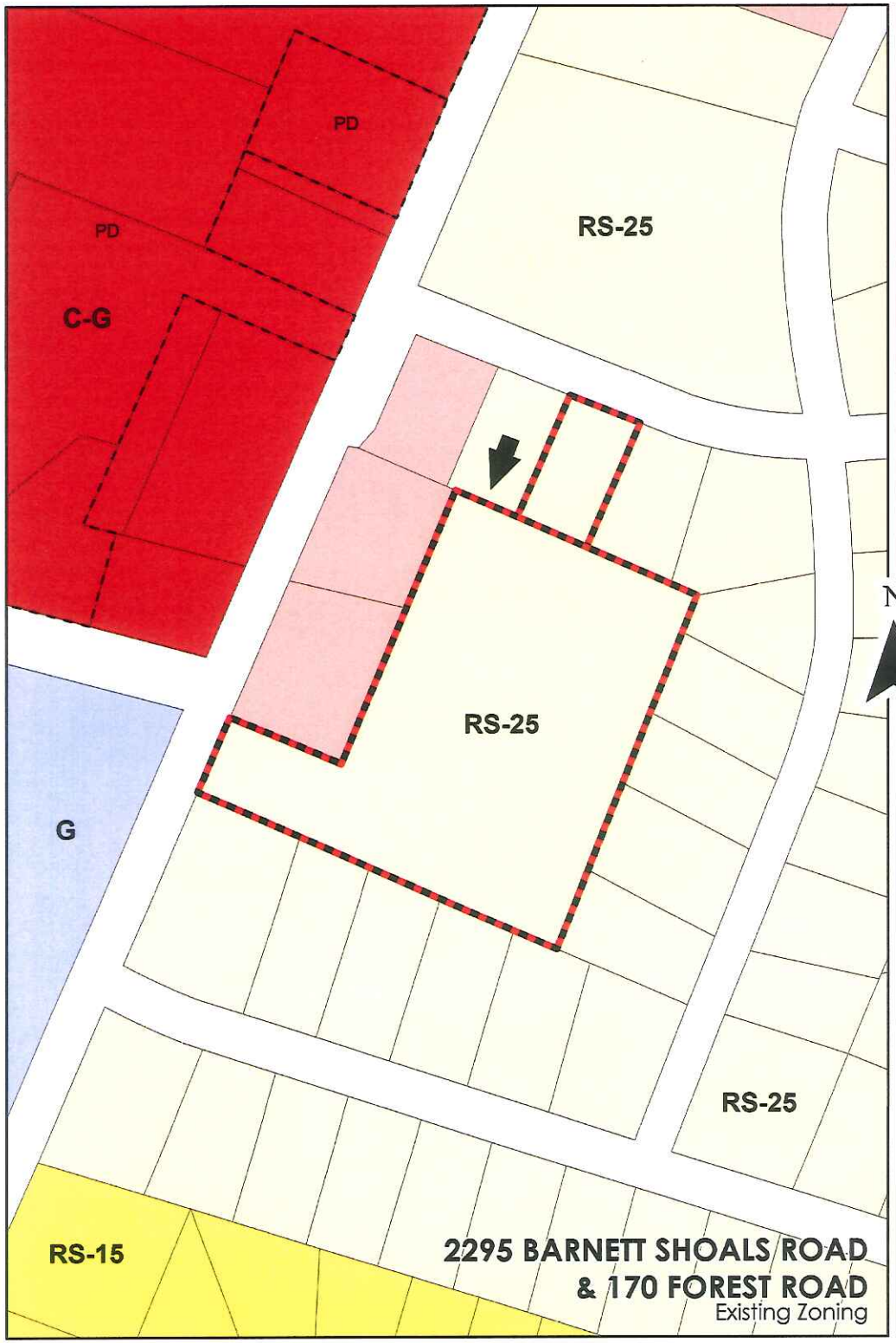
End of Staff Report.

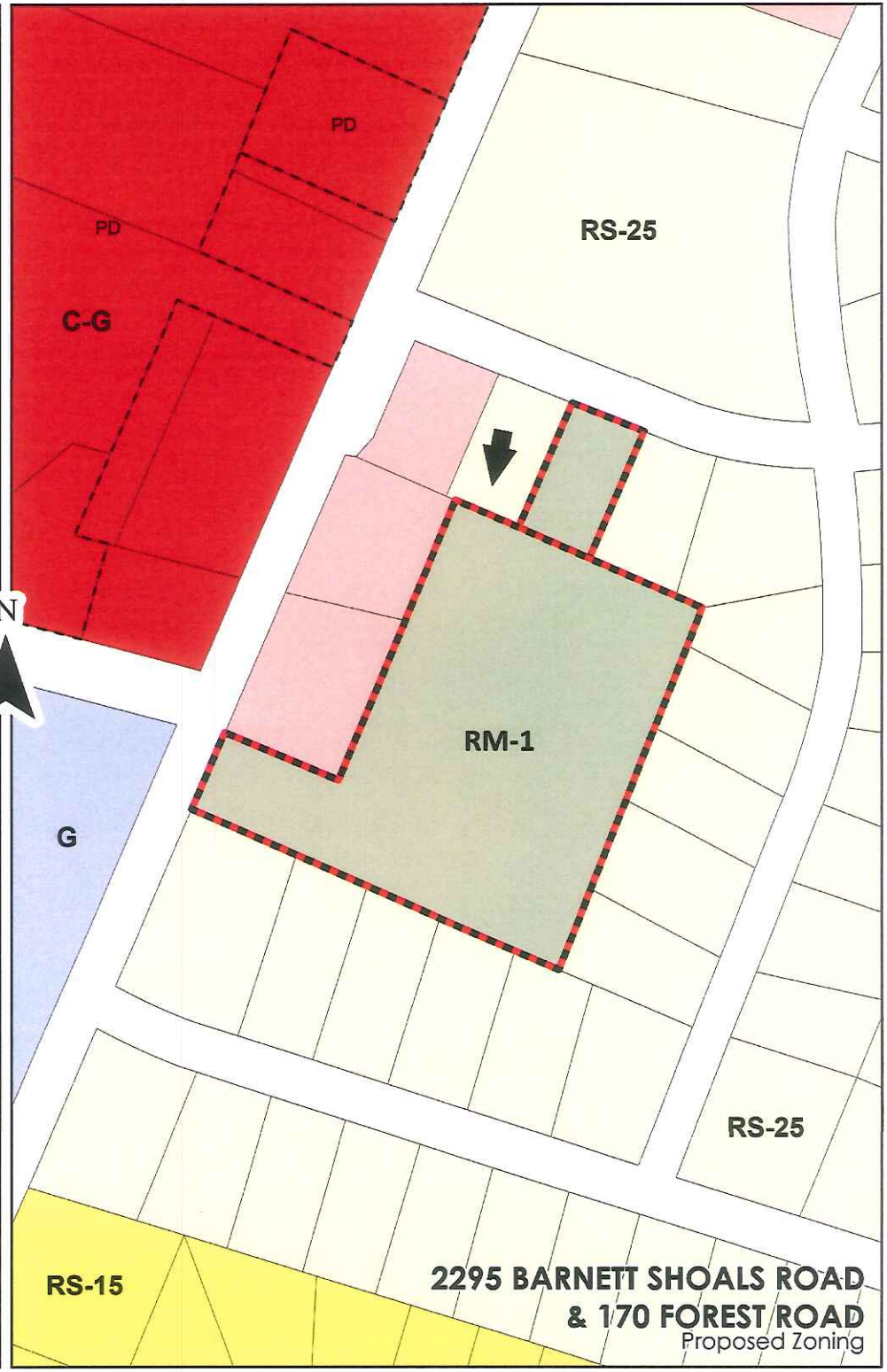
Reviewed — Zoning Criteria Considered by Staff

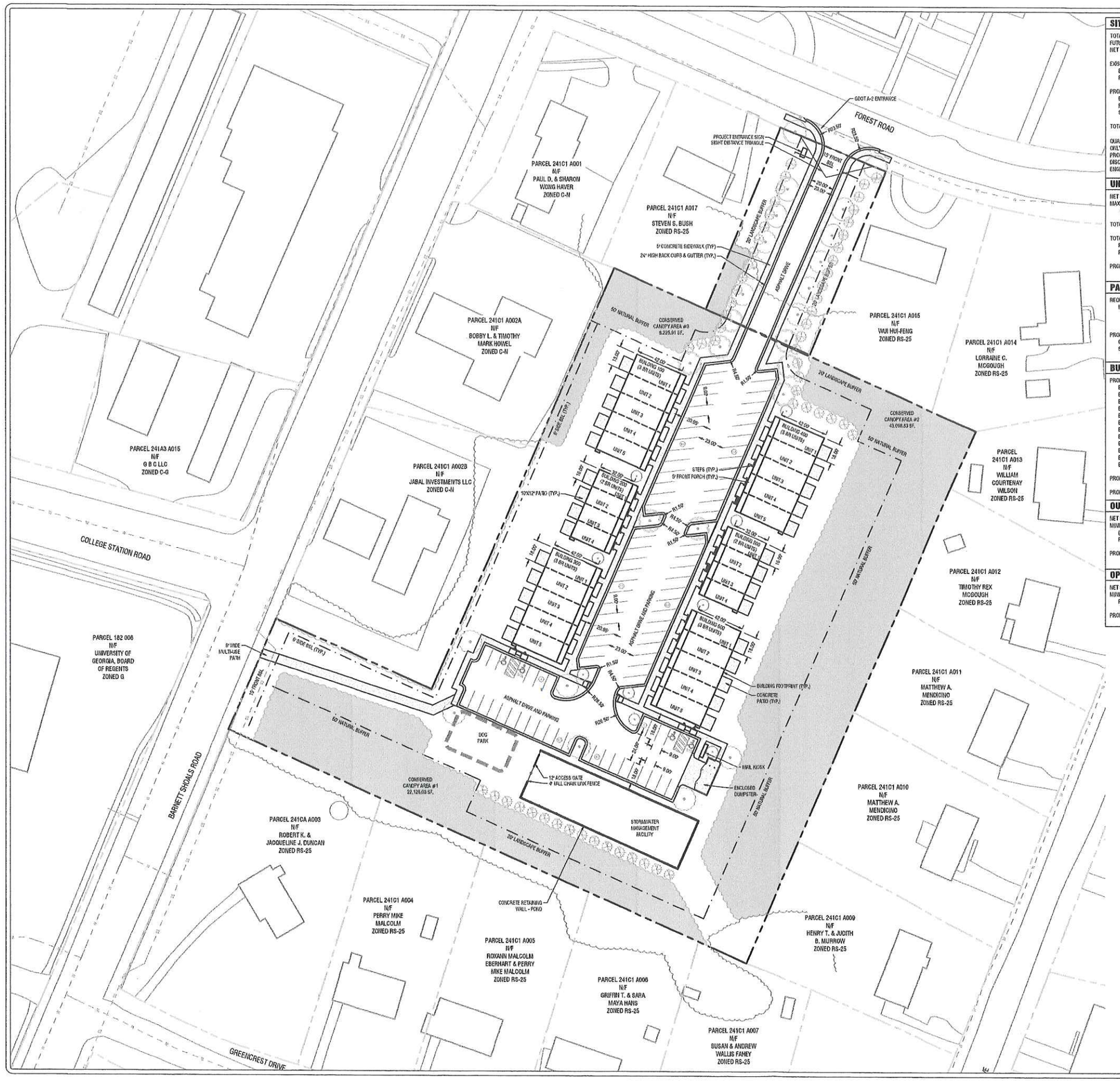
The following factors have been considered as set forth in Guhl v. Holcomb Bridge Road Corp., 238 Ga. 322, 232 S.E.2d 830 (1977).

Reviewed	
☒	The proposed zoning action conforms to the Future Land Use map, the general plans for the physical development of Athens-Clarke County, and any master plan or portion thereof adopted by the Mayor and Commission.
☒	The proposed use meets all objective criteria set forth for that use provided in the zoning ordinance and conforms to the purpose and intent of the Comprehensive Plan and all its elements.
☒	The proposal will not adversely affect the balance of land uses in Athens-Clarke County.
☒	The cost of the Unified Government and other governmental entities in providing, improving, increasing or maintaining public utilities, schools, streets and other public safety measures.
☒	The existing land use pattern surrounding the property in issue.
☒	The possible creation of an isolated district unrelated to adjacent and nearby districts.
☒	The aesthetic effect of existing and future use of the property as it relates to the surrounding area.
☒	Whether the proposed zoning action will be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations.
☒	Whether there are substantial reasons why the property cannot be used in accordance with existing zoning; provided, however, evidence that the economic value of the property, as currently zoned, is less than its economic value if zoned as requested will not alone constitute a significant detriment.
☒	Whether there are other existing or changing conditions affecting the use and development of the property that give supporting grounds for either approval or disapproval of the zoning proposal.
☒	Public services, which include physical facilities and staff capacity, exist sufficient to service the proposal.
☒	The population density pattern and possible increase or over-taxing of the load on public facilities including, but not limited to, schools, utilities, and streets.
☒	The possible impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quantity.


Lavista Pl
Traditional Neighborhood
General Business
General Business
Forest Rd
Public Access Rd
College Station Rd
Barnett Shoals Rd
Brookwood Dr
Traditional Neighborhood
Government
Belmont Ct
Greencrest Dr
Traditional Neighborhood
N
2295 BARNETT SHOALS ROAD
& 170 FOREST ROAD
Current Future Land Use


PD
PD
C-G
RS-25
RS-25
G
RS-25
RS-15
2295 BARNETT SHOALS ROAD
& 170 FOREST ROAD
Existing Zoning


N
PD
PD
C-G
RS-25
RM-1
G
RS-25
RS-15
2295 BARNETT SHOALS ROAD
& 170 FOREST ROAD
Proposed Zoning



SITE COVERAGE DATA

TOTAL PROJECT ACREAGE: 4.7919 ACRES (208,736.91 SF.)
FUTURE ROW: 0.00 ACRES (0.00 SF.)
NET SITE ACREAGE: 4.79 ACRES (208,736.91 SF.)

EXISTING LOT COVERAGE: 6,215.20 SF. (2.98% OF SITE)
BUILDINGS: 3,033.02 SF. (1.45% OF SITE)
PAVING: 3,182.18 SF. (1.52% OF SITE)

PROPOSED LOT COVERAGE: 71,655.87 SF. (34.33% OF NET SITE)
BUILDINGS & CANOPY: 21,059.60 SF. (10.37% OF NET SITE)
PAVING: 36,256.91 SF. (17.37% OF NET SITE)
SIDEWALKS & CONCRETE AREAS: 13,742.06 SF. (6.58% OF NET SITE)

TOTAL LANDSCAPE AREA: 137,081.04 SF (65.67% OF NET SITE)

QUANTITIES AND PERCENTAGES ARE PROVIDED FOR PERMITTING PURPOSES ONLY. CONTRACTOR SHALL VERIFY ALL QUANTITIES BEFORE PROVIDING A PROPOSED PRICE FOR SCOPE OF WORK TO BE PERFORMED. IF ANY DISCREPANCIES ARE FOUND, PLEASE REPORT TO PITTMAN & GREER ENGINEERING P.C. IMMEDIATELY.

UNIT DATA

NET SITE ACREAGE: 4.79 ACRES
MAX. ALLOWED RESIDENTIAL DENSITY: 16 UNITS PER GROSS ACRE
4.79 AC. * 16 UNITS PER GROSS ACRE = 76.67 UNITS (BEDS)

TOTAL PROPOSED DWELLING STRUCTURES: 6

TOTAL PROPOSED DWELLINGS: 28
PROPOSED 3 BEDROOM DWELLINGS: 20
PROPOSED 2 BEDROOM DWELLINGS: 8

PROPOSED UNITS (BEDS): 76

PARKING DATA

REQUIRED PARKING: 56 SPACES
MIXED DENSITY DWELLINGS
TWO-BEDROOM DWELLING UNITS AND UP = 2.00 SPACES/UNIT
28 DWELLING UNITS * 2.00 SPACES = 56 SPACES

PROPOSED PARKING: 65 SPACES
ON-STREET ANGLED: 55 (9'X18')
STANDARD SURFACE: 34 (9'X18', 4 OF THOSE ARE HANDICAP ACCESSIBLE)

BUILDING DATA

PROPOSED BUILDING AREA: 38,492 SF.
BUILDING 100 - FIRST FLOOR - 3780.00 SF.
BUILDING 100 - SECOND FLOOR - 3780.00 SF.
BUILDING 200 - FIRST FLOOR - 2048.00 SF.
BUILDING 200 - SECOND FLOOR - 2048.00 SF.
BUILDING 300 - FIRST FLOOR - 3780.00 SF.
BUILDING 300 - SECOND FLOOR - 3780.00 SF.
BUILDING 400 - FIRST FLOOR - 3780.00 SF.
BUILDING 400 - SECOND FLOOR - 3780.00 SF.
BUILDING 500 - FIRST FLOOR - 2048.00 SF.
BUILDING 500 - SECOND FLOOR - 2048.00 SF.
BUILDING 600 - FIRST FLOOR - 3780.00 SF.
BUILDING 600 - SECOND FLOOR - 3780.00 SF.

PROPOSED FAR: 0.18

PROPOSED BUILDING HEIGHT: <35'

OUTDOOR RECREATION SPACE

NET SITE ACREAGE: 4.79 ACRES (208,736.91 SF.)
MINIMUM REQUIRED OUTDOOR RECREATION SPACE: 15% OF NET SITE (CAN BE PASSIVE OR ACTIVE RECREATION SPACE)
REQUIRED: 208,736.91 SF. * 15% = 31,310.54 SF.

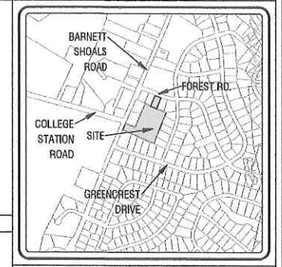
PROPOSED: 48,282.84 SF. (23.13% OF NET SITE)

OPEN SPACE

NET SITE ACREAGE: 4.79 ACRES (208,736.91 SF.)
MINIMUM REQUIRED OPEN SPACE: 8% OF NET SITE
REQUIRED: 208,736.91 SF. * 8% = 16,698.95 SF.

PROPOSED: 75,143.57 SF. (36.00% OF NET SITE)

VICINITY MAP - SCALE: 1" = 1000'



PROJECT DATA

PROPERTY OWNER:
GREEN ACRES BAPTIST CHURCH INC
2085 BARNETT SHOALS ROAD
ATHENS, GEORGIA 30605
ATTN: ----, ----

DEVELOPER:
ATHENS REAL ESTATE GROUP
2350 PRINCE AVENUE, SUITE 2
ATHENS, GEORGIA 30606
ATTN: BLAKE UNDERWOOD, 706.340.1215

AUTHORIZED AGENT:
PITTMAN & GREER ENGINEERING P.C.
1050 BARBER CREEK DRIVE, BLDG. 400
WATKINSVILLE , GEORGIA 30677
706.419.9244

PHYSICAL ADDRESS: 2295 BARNETT SHOALS RD. & 170 FOREST RD.

TAX PARCEL: 241C1 A002 & 241C1 A018

TOTAL PROJECT ACREAGE: 4.7919 ACRES (208,736.91 SF.)

CONTOUR INTERVAL: 1' A-CC GIS TOPO

BOUNDARY SURVEY: THIS DRAWING WAS PREPARED USING A JAMES E. FLANDERS, ETAL BOUNDARY SURVEY FOR ALWYN B. STILES, DATED 08.29.1968 AND A BEN MCLEROY & ASSOCIATES BOUNDARY SURVEY FOR CHARLES C. CLEMETS III, DATED 05.28.1999.

EXISTING ZONING: RS-25

PROPOSED ZONING: RM-1

EXISTING USE: VACANT TRACT & SINGLE-FAMILY RESIDENTIAL

PROPOSED USE: MULTI-FAMILY

FLOOD PLAIN: SUBJECT PROPERTIES ARE WITHIN AREAS HAVING ZONE DESIGNATION OF ZONE X, DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN PER FLOOD INSURANCE RATE MAP NO. 13059C0020D, WITH AN EFFECTIVE DATE OF 04/02/2007, FOR COMMUNITY PANEL NUMBER 130040, (ATHENS-CLARKE COUNTY), GEORGIA.

THERE ARE NO STATE WATERS ONSITE, NOR WITHIN 200' OF THE SITE.

THERE ARE NO WETLANDS DELINEATED ON SITE.

THIS PROPERTY DOES NOT CONTAIN ENVIRONMENTAL AREAS AS DENOTED ON THE ATHENS-CLARKE COUNTY ENVIRONMENTAL MAP DATED 11/24/13.

RM-1 ZONING REGULATIONS

MAX. RESIDENTIAL DENSITY: 16 UNITS PER GROSS ACRE
MIN. FRONT YARD: 15 FEET
MIN. REAR YARD: 10 FEET
MIN. SIDE YARD: 6 FEET
MIN. SIDE YARD ADJ. TO STREET: 10 FEET
MIN. BUILDING SEPARATION: 12 FEET
MAX. LOT COVERAGE: 55%
MIN. LANDSCAPED AREA: 45%
MAX. BUILDING HEIGHT: 35'
TOTAL TREE CANOPY COVER, CONSERVED AND PLANTED: 55%
CONSERVED TREE CANOPY COVER COMPONENT OF TOTAL: 35%

SERVICE PROVIDERS

WATER: ATHENS-CLARKE COUNTY PUBLIC UTILITY DEPARTMENT
SANITARY SEWER: ATHENS-CLARKE COUNTY PUBLIC UTILITY DEPARTMENT
ELECTRIC: GA POWER
COMMUNICATION: AT&T ATHENS & CHARTER COMMUNICATIONS
GAS: ATLANTA GAS LIGHT COMPANY
SOLID WASTE: BY PRIVATE CONTRACT

SITE DRAINAGE

CONCRETE CURB AND GUTTER AND COUNTY APPROVED PIPE WILL BE EMPLOYED TO COLLECT AND DIVERT SURFACE WATER TO THE PROPOSED STORM WATER MANAGEMENT FACILITY.

PLANT LEGEND

W	WILLOW OAK	S	SHUMARD OAK
N	NUTTALL OAK	M	SERVICE BERRY
O	OVERCUP OAK	C	CRYPTOMERIA

Binding
Stephen Jaeger
3-12-24

REVISIONS	
DATE	DESCRIPTION
-	-
-	-
-	-
-	-
-	-

PITTMAN & GREER ENGINEERING P.C.
1050 BARBER CREEK DRIVE - BLDG. 400
WATKINSVILLE GA 30677
P. 706.419.9244 - WWW.PITTMANGREER.COM

GEORGIA REGISTERED LANDSCAPE ARCHITECT WILLIAM J. GREER 01.29.2024

ISSUE PURPOSE
FOR REVIEW ONLY

2295 BARNETT SHOALS RD.
4.7919 AC.
2295 BARNETT SHOALS RD. & 170 FOREST RD.
CLARKE COUNTY, GEORGIA

SCALE 1" = 60'
0 30 60

PROJECT NUMBER
2023-065

811 Know what's below. Call before you dig.

DATE
01.29.2024

BINDING REZONE CONCEPT PLAN

01

U:\PE-DE\Projects\2023-065 Barbarossa\4-2295 Barnett Shoals Rd\drawings\REZONE.dwg 1-29-24 09:16:58 PM Frank Pittman

2295 BARNETT SHOALS ROAD & 170 FOREST ROAD

TYPE II REZONING REPORT (submitted 02/02/2024) – BINDING SITE PLAN

PROPERTY INFORMATION

Property Address: 2295 Barnett Shoals Road & 170 Forest Road

Parcel ID: 241C1 A002 & 241C1 A016

Owner: Green Acres Baptist Church Inc

Non-Binding
Stephen Jaques
3-12-24

Existing Zoning: RS-25

Proposed Zoning: RM-1 with BINDING SITE PLAN

Adjacent Zonings: North: RS-25

South: RS-25

East: RS-25

West: C-N

Existing Use: undeveloped

Proposed Use: RM-1 for multi-family, for sale, condos (28 condo dwellings with up to 76 bedrooms)

Property Area: 4.79 acres

INTRODUCTION AND PROPOSAL

2295 Barnett Shoals Road is an undeveloped tract that has a very small amount of road frontage on Barnett Shoals Road and is behind commercial businesses fronting Barnett Shoals Road just across from the intersection of College Station Road and Barnett Shoals Road in eastern Athens-Clarke County. The parcel is wooded and has not been developed. 170 Forest Road is a small residential lot at the northern boundary of 2295 Barnett Shoals Road that would be an access point from 2295 Barnett Shoals property to Forest Road. There is an existing older single-family home on the property. Various commercial developers have looked at this property over the years and rezones to commercial have been denied. It is a very difficult parcel to develop as single family residential due to being behind commercial parcels and having very little road frontage. The parcel isn't large enough to put a new road into it to create lots as the cost of the road will outweigh the value of the lots created. It is situated along a corridor with easy pedestrian access to nearby shopping and the ACC bus line. Due to these factors, the property is better suited for multi-family residential use than commercial or single-family uses. The request for this rezone is to rezone the existing RS-25 zoned tract to an RM-1 zoning to allow for a condo development. The plan would be for all of the units to be 2-bedroom and 3-bedroom units which would be very desirable to young professionals and families. This project is not anticipated to be for students. The project does not propose having amenities that would make it appropriate for undergraduate style residential development. The proposed development would have 1 access point on Forest Road with interior parking surrounded by external condos, with buffers between the developed portion of the property and the existing single family lots surrounding the property. The access point is proposed on Forest Road instead of along Barnett Shoals Road due to safety reasons. The access point on Barnett Shoals would be an offset from the College Station intersection and would not meet offset distance

Non-Binding

requirements. This would result in a dangerous situation and therefore access from Forest Road where there is an existing intersection with Barnett Shoals Road is the desired and proposed access point.

PROPOSED BINDING PLAN AND ITS AFFECT ON REZONE

The site plan is offered as a binding rezone plan. This allows the neighbors and commission to be sure that the proposal will be built as proposed. The binding plan means the buildings, parking, drive, pond, etc. will be built as shown and where shown on the property. This binding plan also ensures that the 170 Forest Road lot that is part of the rezone will not consist of a multifamily building. It will only be used as an entrance drive to the development. Until the time the development is constructed, this lot will be able to continue as a single family lot either with the existing house or with any future house that may be constructed on it. Due to the plan meeting all ACC development code requirements, there is no need for a Planned Development. The binding zoning plan will serve the same purpose as a PD but will meet all requirements whereas a PD would not.

MISSING MIDDLE STUDY EMPHASIS

In 2022 ACC completed a study citing the need for Missing Middle Housing. This would be housing that fits "in between" single family residential and high-density multifamily residential. This would include small blocks of condos as proposed. The study cites the lack of and need for this housing type in ACC that is walkable/bikeable to amenities, shopping, etc. This site is within walking/biking distance to two grocery stores, multiple restaurants, and other retail establishments. The study mentions that Missing Middle typically means a project between 10-60 units per acre. This project is less than that number at 6 housing units per acre. This project is designed with the Missing Middle study in mind.

ECONOMIC IMPACT OF PROPOSED DEVELOPMENT

After development of the parcel for multi-family use there would be a substantial positive economic impact to Athens-Clarke County created by the project. The current tract is 4.79 acres that has been sitting undeveloped for decades. The proposed development would consist of 28 condo dwellings with up to 76 bedrooms (max allowed by RM-1 zoning) that would increase property tax revenue for ACC.

ZONING REQUEST

This zoning request is to change the existing RS-25 zoning to a straight RM-1 zoning with a binding site plan. The proposed rezoning meets all objective criteria set forth for that use provided in the zoning ordinance and fits the surrounding properties, conforming to the future land use map and being similar to other residential developments along the College Station Road and Barnett Shoals corridors. The rezone request does conform to the future land use map and therefore the request is considered a Type II rezone.

FUTURE LAND USE MAP

The future land use map for Athens-Clarke County designates this property as Traditional Neighborhood. The proposed rezoning does conform to the Future Development Map and therefore no change is proposed to the Future Land Use map.

ADJACENT USES

Adjacent uses include residential and commercial uses.

LANDSCAPING AND BUFFERING

Non-Binding

Landscaping will be such that it meets the ACC ordinance on tree management. This includes conserved and proposed tree canopy throughout the development to meet ACC Tree Management requirements and buffering adjacent to the single-family residential lots.

PROPOSED USE

The proposed use consists of 28 condo dwellings (2 and 3 bedroom condos) with up to 76 bedrooms. These will be built as for-sale condo units.

ACCESS AND PARKING

The proposed development would access Forest Road which will allow access to Barnett Shoals Road at an existing signalized intersection. There will be sidewalks throughout the development with access out to Forest Road and also an 8 foot wide multi-use path out to Barnett Shoals Road from the development.

There will be adequate parking for residents and any potential guests onsite so that there should not be any street parking associated with the development.

AMENITIES

Since the project is not catered to students there are no student-oriented amenities provided with the project. There will be a dog park onsite as well as the previously mentioned sidewalks and multi-use path. There will be ample outdoor space, both lawn and naturally wooded areas, for resident enjoyment.

TRAFFIC IMPACT

Projected traffic is based on the trip generation rate published by the Institute of Transportation Engineers, Trip Generation, 11th Edition. Traffic projections are based on the ITE code (220) Multi-Family Low-rise Housing. The traffic generated is not enough to trigger a Traffic Impact Analysis.

The average rate is 1.86 trips per resident.

76 residents x 1.86 trips per house = 141 ADT

AM Peak Hour = 20 trips

PM Peak Hour = 21 trips

UTILITY SERVICE

Water, fire protection and sanitary sewer will be provided by Athens-Clarke County Public Utilities. Demands for water and sewer usage is anticipated to be:

76 bedrooms *75 gpd per bedroom =5700 gpd

A sanitary sewer main and water main exists in the right-of-way of Barnett Shoals Road. There is also a water main the right-of-way of Forest Road.

GARBAGE COLLECTION

Garbage collection will be handled by private contractor. There will be a double dumpster corral onsite to provide trash and recycling.

Non-Binding

PUBLIC SERVICES

It is not anticipated that the request will cause a strain on public services. Public services, which include physical facilities and staff capacity, exist sufficient to service the proposed rezoning.

STORMWATER MANAGEMENT AND ENVIRONMENTAL CONCERNS

As the project is developed, Stormwater Management will be provided for Runoff Reduction and Quantity per the ACC Stormwater Code and the GA State Stormwater Manual. Erosion and Sedimentation Control Plans will be submitted and adhered to, to ensure no adverse environmental impacts on the property or adjacent properties. No adverse effects are anticipated in regard to noise or air pollution from the project. The proposed stormwater management facility will be an above ground facility with some walls as part of the pond construction. The pond will be at the southeast corner of the property and will discharge into the existing stormwater channel that carries water from Barnett Shoals Road to the storm system within the subdivision. Runoff will be decreased from the site from pre-developed conditions and a portion of the stormwater from the development will be held and infiltrated onsite.

TYPE II REZONE APPROVAL CRITERIA

HOW THE PROPOSED REZONING WILL CONFORM TO THE FUTURE LAND USE MAP, THE GENERAL PLANS FOR THE PHYSICAL DEVELOPMENT OF ATHENS-CLARKE COUNTY, AND ANY MASTER PLAN OR PORTION THEREOF ADOPTED BY THE MAYOR AND COMMISSION

The proposed RM-1 zoning is in conformance with the Future Land Use Map designation of Traditional Neighborhood. The RM-1 zoning would be a transition from the adjacent single family residential property and the commercial property along Barnett Shoals Road.

THE PROPOSED USE MEETS ALL OBJECTIVE CRITERIA SET FORTH FOR THAT USE PROVIDED IN THE ZONING ORDINANCE AND CONFORMS TO THE PURPOSE AND INTENT OF THE COMP PLAN AND ALL ITS ELEMENTS

The project meets essential objectives for the RM-1 zones by providing low density multi-family residences near pedestrian corridors and shopping nodes. It also provides much needed young professional and family-oriented housing and provides a tax boost to Athens-Clarke County.

AFFECT ON BALANCE OF LAND USES IN ATHENS-CLARKE COUNTY

The proposed RM-1 zoning class will not adversely affect the balance of land uses in Athens-Clarke County. The corridor is highly residential and will help fill the needs of a shortage of housing in ACC.

PUBLIC SERVICES, WHICH INCLUDE PHYSICAL FACILITIES AND STAFF CAPACITY, EXIST SUFFICIENT TO SERVICE THE PROPOSAL

Public water and sewer are available to the site and access to the site is from a residential street (Forest Road).

THE EXISTING LAND USE PATTERN SURROUNDING THE PROPERTY IN ISSUE

The adjacent properties are zoned C-N and RS-25. The proposed use would be a natural transition between these two zoning classes and land use patterns.

Non-Binding

THE POSSIBLE CREATION OF AN ISOLATED DISTRICT UNRELATED TO ADJACENT AND NEARBY DISTRICTS

This property is adjacent to C-N and RS-25 property. Though this request would not be adjacent to other RM zonings, it would be a needed transition between the commercial and single-family zonings. The proposed RM-1 zoning is in conformance with the Future Land Use Map for this property.

THE POPULATION DENSITY PATTERN AND POSSIBLE INCREASE OR OVER-TAXING OF THE LOAD ON PUBLIC FACILITIES INCLUDING, BUT NOT LIMITED TO, SCHOOLES, UTILITIES, STREETS

As shown in the proposed traffic trip generation, there will be little effect on the roadway network surrounding the property which is a major thoroughfare. Water and sewer usage will not be substantial and there is capacity at the site for the development. Schools will benefit from the increase is tax revenue generated by the project.

THE COST OF THE UNIFIED GOVERNMENT AND OTHER GOVERNMENTAL ENTITIES IN PROVIDING, IMPROVING, INCREASING OR MAINTAINING PUBLIC UTILITIES, SCHOOLS, STREETS, AND OTHER PUBLIC SAFETY MEASURES

There are no required improvements to be made by ACC and any costs associated with utility maintenance, providing, and treatment to the Unified Government would be outweighed by the increase in tax base created by this development.

THE POSSIBLE IMPACT ON THE ENVIRONMENT, INCLUDING BUT NOT LIMITED TO, DRAINAGE, SOIL EROSION AND SEDIMENTATION, FLOODING, AIR QUALITY AND WATER QUALITY

All required erosion control and stormwater management measures will be implemented on the development to meet ACC and State of Georgia standards and ensure no adverse impacts on the environment.

WHETHER THE PROPOSED ZONING AMENDMENT WILL BE A DETERRENT TO THE VALUE OR IMPROVEMENT OF DEVELOPMENT OF ADJACENT PROPERTY IN ACCORDANCE WITH THE EXISTING REGULATIONS

We do not believe the proposed development would decrease adjacent property values. The property would provide a much needed transition between commercial and single-family properties.

WHETHER THERE ARE SUBSTANTIAL REASONS WHY THE PROPERTY CANNOT BE USED IN ACCORDANCE WITH EXISTING ZONING; PROVIDED, HOWEVER, EVIDENCE THAT THE ECONOMIC VALUE OF THE PROPERTY, AS CURRENTLY ZONED, IS LESS THAN IS ECONOMIC VALUE IF REZONED AS REQUESTED WILL NOT ALONE CONSTITUTE A SIGNIFICANT DETRIMENT

The property is currently zoned RS-25. The parcel is not large enough to do an RS subdivision and does not have adequate street frontage to even subdivide lots along existing streets, therefore it would be very difficult to ever develop the property as an RS-25 development.

THE AESTHETIC EFFECT OF EXISTING AND FUTURE USE OF THE PROPERTY AS IT RELATES TO THE SURROUNDING AREA

The property will be developed similar to other newer condo developments and also provide a buffer from adjacent single-family residential lots.

WHETHER THERE ARE OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY WHICH GIVE SUPPORTING GROUNDS FOR EITHER APPROVAL OR DISAPPROVAL OF THE ZONING PROPOSAL

There is currently a large need for housing for young professionals and families in Athens. This project would help to alleviate that need by providing a development that is walkable to retail and restaurants. It will also provide a much needed transition between the adjacent commercial and single-family uses.

Non-Binding

REPRESENTATIVE ARCHITECTURE





Non-Binding

PROPOSED TREES

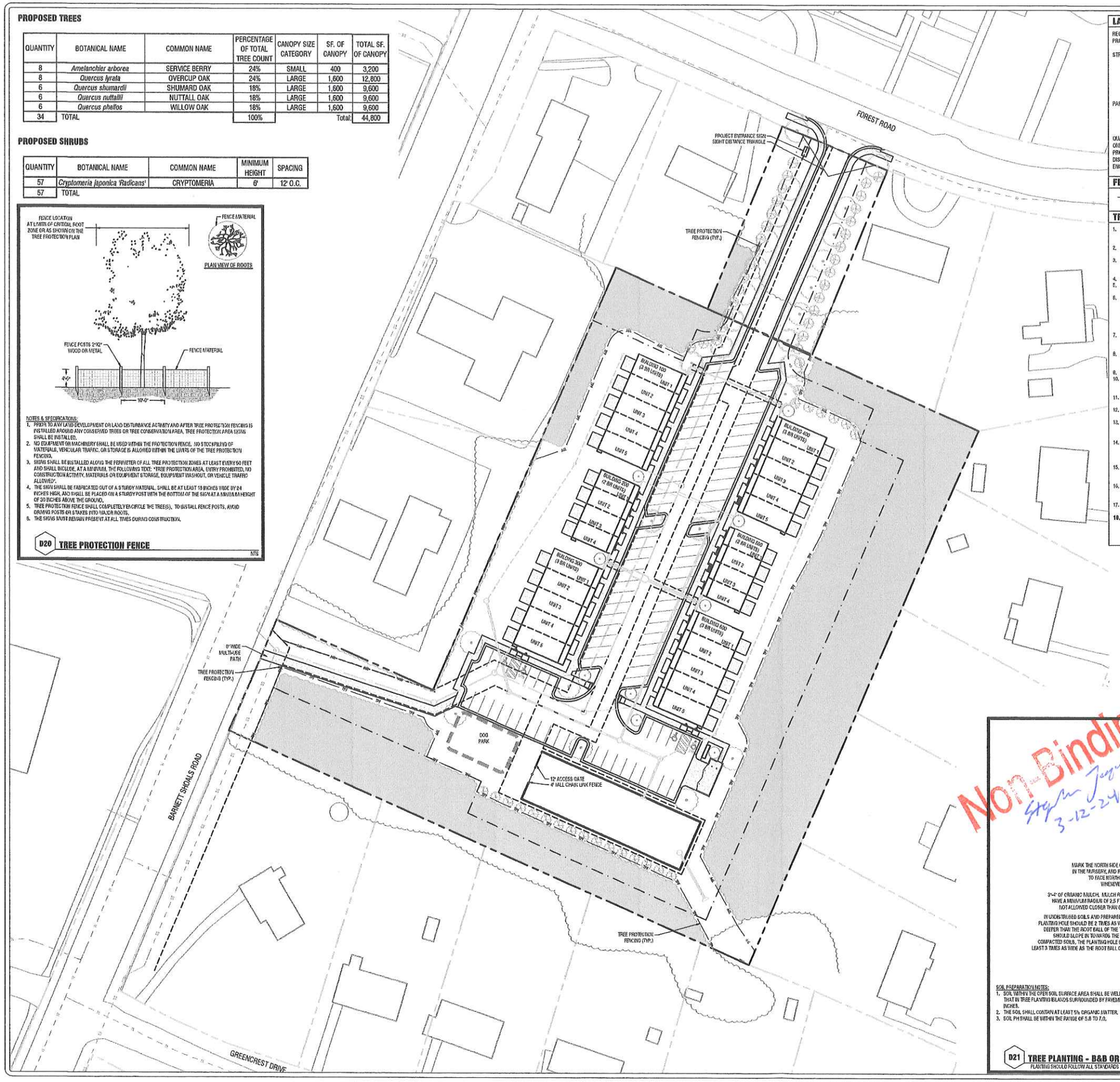
QUANTITY	BOTANICAL NAME	COMMON NAME	PERCENTAGE OF TOTAL TREE COUNT	CANOPY SIZE CATEGORY	SF. OF CANOPY	TOTAL SF. OF CANOPY
8	*Amelanchier arborea*	SERVICE BERRY	24%	SMALL	400	3,200
8	*Quercus lyrata*	OVERCUP OAK	24%	LARGE	1,600	12,800
6	*Quercus shumardii*	SHUMARD OAK	18%	LARGE	1,600	9,600
6	*Quercus nuttallii*	NUTTALL OAK	18%	LARGE	1,600	9,600
6	*Quercus phellos*	WILLOW OAK	18%	LARGE	1,600	9,600
34	TOTAL		100%		Total:	44,800

PROPOSED SHRUBS

QUANTITY	BOTANICAL NAME	COMMON NAME	MINIMUM HEIGHT	SPACING
57	*Cryptomeria japonica 'Radicans'*	CRYPTOMERIA	6'	12' O.C.
57	TOTAL			

NOTES & SPECIFICATIONS:
1. PRIOR TO ANY LAND DEVELOPMENT OR LAND DISTURBANCE ACTIVITY AND AFTER TREE PROTECTION FENCING IS INSTALLED AROUND ANY CONSERVED TREES OR TREE CONSERVATION AREA, TREE PROTECTION AREA SIGNS SHALL BE INSTALLED.
2. NO EQUIPMENT OR MACHINERY SHALL BE USED WITHIN THE PROTECTION FENCE. NO STOCKPILING OF MATERIALS, VEHICULAR TRAFFIC, OR STORAGE IS ALLOWED WITHIN THE LIMITS OF THE TREE PROTECTION FENCING.
3. SIGNS SHALL BE INSTALLED ALONG THE PERIMETER OF ALL TREE PROTECTION ZONES AT LEAST EVERY 50 FEET AND SHALL INCLUDE, AT A MINIMUM, THE FOLLOWING TEXT: "TREE PROTECTION AREA, ENTRY PROHIBITED, NO CONSTRUCTION ACTIVITY, MATERIALS OR EQUIPMENT STORAGE, EQUIPMENT WASHOUT, OR VEHICLE TRAFFIC ALLOWED".
4. THE SIGN SHALL BE FABRICATED OUT OF A STURDY MATERIAL, SHALL BE AT LEAST 18 INCHES WIDE BY 24 INCHES HIGH, AND SHALL BE PLACED ON A STURDY POST WITH THE BOTTOM OF THE SIGN AT A MINIMUM HEIGHT OF 30 INCHES ABOVE THE GROUND.
5. TREE PROTECTION FENCE SHALL COMPLETELY ENCIRCLE THE TREE(S). TO INSTALL FENCE POSTS, AVOID GRAVING POSTS ON STAKES INTO MAJOR ROOTS.
6. THE SIGNS MUST REMAIN PRESENT AT ALL TIMES DURING CONSTRUCTION.

D20 **TREE PROTECTION FENCE** NTS



LANDSCAPE CALCULATIONS

REQUIRED TOTAL LANDSCAPED AREA: 45%
PROPOSED TOTAL LANDSCAPE AREA: 137,681.04 SF. (65.67% OF NET SITE)

STREET TREES:
REQUIRED: 1 TREE PER 30' FRONTAGE PER SECTION 8-7-15.K
FOREST ROAD: 160.0 LF. FRONTAGE = 3.33 REQUIRED
4 PROPOSED
BARNETT SHOALS ROAD: 105.0 LF. FRONTAGE = 3.5 REQUIRED
4 EXISTING

PARKING LOT TREES:
REQUIRED: 1 PER 7 STANDARD PARKING SPACES
85 PROPOSED SPACES/7 = 12.14 REQUIRED TREES
13 PROPOSED TREES

QUANTITIES AND PERCENTAGES ARE PROVIDED FOR PERMITTING PURPOSES ONLY. CONTRACTOR SHALL VERIFY ALL QUANTITIES BEFORE PROVIDING A PROPOSED PRICE FOR SCOPE OF WORK TO BE PERFORMED. IF ANY DISCREPANCIES ARE FOUND, PLEASE REPORT TO PITTMAN & GREER ENGINEERING P.C. IMMEDIATELY.

FENCING LEGEND

PROPOSED 6' TALL CHAIN LINK SECURITY FENCE, SEE DETAILS SHEET FOR ADDITIONAL INFORMATION.

TREE MANAGEMENT PLAN NOTES

1. ALL EXISTING UTILITIES ARE SHOWN AS LOCATED ON ALL SURVEY FOR: ATHENS REAL ESTATE GROUP BY JAMES E. FLANDERS, ETAL. LOCATIONS SHOULD BE VERIFIED BY CONTRACTOR AT TIME OF CONSTRUCTION.
2. SEE TREE CANOPY CALCULATIONS FOR EXISTING ON SITE TREE GROUPS OR INDIVIDUAL TREES TO BE CONSERVED.
3. TREE PLANTINGS SHALL BE IN ACCORDANCE WITH ALL A-CC TREE ORDINANCES AS WELL AS ANY THAT MAY BE REQUIRED BY STATE & FEDERAL AUTHORITIES AT THIS TIME.
4. NO TREES WITH A DBH GREATER THAN 2" ARE LOCATED IN THE RIGHT-OF-WAY.
5. TREES PLANTED OR CONSERVED TO MEET CODE REQUIREMENTS SHALL NOT BE REMOVED WITHOUT PRIOR APPROVAL OF THE A-CC ARBORIST OR FORESTER.
6. THE A-CC ARBORIST OR FORESTER MUST INSPECT THE INSTALLATION OF TREE PROTECTION FENCING PRIOR TO COMMENCEMENT OF CONSTRUCTION ACTIVITY, INCLUDING DEMOLITION (WHERE PROPOSED). TREE PROTECTION FENCING SHALL REMAIN IN PLACE UNTIL CONSTRUCTION ACTIVITIES END OR A CERTIFICATE OF OCCUPANCY IS ISSUED, WHICHEVER IS LATER. CONTRACTOR TO COORDINATE INSPECTION.
7. NO VEHICLE OR EQUIPMENT TRAFFIC, PARKING OR STORAGE OF MATERIALS IS ALLOWED WITHIN THE TREE PROTECTION AREA FOR WITHIN 10' OF THE TRUNK ANY CONSERVED TREE.
8. TREES PLANTED TO MEET DEVELOPMENT REQUIREMENTS SHOULD BE WATERED THROUGHOUT THE GROWING SEASON TO THE EQUIVALENT OF 1" OF WATER PER WEEK.
9. STAKING MATERIALS SHOULD BE REMOVED WITHIN ONE YEAR OF PLANTING.
10. BURLAP (AND ALL OTHER MATERIALS) MUST BE REMOVED FROM AT LEAST THE TOP 12" OF THE ROOT BALL AND TREE SHOULD BE PLANTED SO THAT TRUNK FLARE IS VISIBLE ABOVE THE GROUND.
11. PLANTED TREES SHOULD BE MULCHED IMMEDIATELY AFTER PLANTING. MULCH IS NOT ALLOWED CLOSER THAN 6" TO THE TRUNK FLARE.
12. ALL PLANTINGS SHALL BE INSTALLED ACCORDING TO SECTION 8-7-19 OF THE ATHENS-CLARKE COUNTY CODE OF ORDINANCES.
13. ALL EXISTING TREES THAT HAVE BEEN DESIGNATED FOR CONSERVATION MUST BE PROTECTED IN ACCORDANCE WITH 8-7-15. **ALL TREE PROTECTION FENCING TO BE INSTALLED PRIOR TO ANY DEMOLITION ACTIVITIES.**
14. FORESTED AREAS CONTRIBUTING TOWARDS CONSERVED TREE CANOPY AND CONSERVATION CREDIT MUST REMAIN IN THEIR NATURAL, UNDISTURBED CONDITION. CLEARING OF UNDERBRUSH IS NOT PERMITTED, EXCEPT FOR THE REMOVAL OF INVASIVE SPECIES.
15. THIS SHEET SHOWS PROPOSED TREES, BUT NOT ALL PROPOSED LANDSCAPING. SEE THE PLANT LISTS ON THE LANDSCAPE PLAN FOR TOTAL REQUIRED ONSITE PLANTINGS, INCLUDING REQUIRED LANDSCAPE BUFFERS AND SCREENING.
16. THERE ARE EXISTING FORESTED AREAS ON THIS SITE, NO INDIVIDUAL TREES HAVE BEEN INVENTORIED AND THEREFORE ARE NOT COUNTED AS SUCH IN THE CALCULATIONS.
17. THERE ARE NO AREAS ON SITE DESIGNATED FOR FOREST RESERVATION OR FUTURE FOREST(S).
18. **ALL TREES GREATER THAN 2" DBH WHICH FALL OUTSIDE OF THE DEVELOPMENT AREAS WILL BE SAVED ON THE SITE. THE DEVELOPMENT AREAS WILL BE FURTHER DEFINED BY CONSTRUCTION PLANS.**

TREE CANOPY CALCULATIONS

TOTAL PROJECT ACREAGE: 4.7919 ACRES (208,730.91 SF.)
FUTURE ROW: 0 ACRES (0.00 SF.)
NET SITE ACREAGE: 4.79 ACRES (208,730.91 SF.)

ZONING: RS-25

EXISTING TREE CANOPY: 164,493.43 SF, OR 93.18% OF NET SITE
TREE GROUP: 104493.43 SF.
INDIVIDUAL TREES: 0 SF.

REQUIRED CONSERVED TREE CANOPY: 35% OF NET SITE (73,057.92 SF.)

PROPOSED CONSERVED TREE CANOPY: 73,450.77 SF, OR 35.19% OF NET SITE

TOTAL INDIVIDUAL PLANTED TREE CANOPY: 44,800 SF, OR 21.46% OF NET SITE

REQUIRED TOTAL TREE CANOPY (CONSERVED & PLANTED): 55% OF NET SITE

TOTAL TREE CANOPY (CONSERVED & PLANTED):
118,250.77 SF, OR 56.65% OF NET SITE

QUANTITIES AND PERCENTAGES ARE PROVIDED FOR PERMITTING PURPOSES ONLY. CONTRACTOR SHALL VERIFY ALL QUANTITIES BEFORE PROVIDING A PROPOSED PRICE FOR SCOPE OF WORK TO BE PERFORMED. IF ANY DISCREPANCIES ARE FOUND, PLEASE REPORT TO PITTMAN & GREER ENGINEERING P.C. IMMEDIATELY.

FOR SITE COVERAGE PERCENTAGES, SEE CALCULATIONS ON SITE PLAN.

PLANT MATERIALS NOTE

ALL TREE SIZES TO BE AS FOLLOWS:
DECIDUOUS TREES - 2" CALIPER
MULTI-TRUNK TREES - 1" CALIPER PER TRUNK
EVERGREEN TREES - 8' IN HEIGHT

PLANTINGS AND PLANT SUBSTITUTIONS

ALL PLANTINGS SHALL BE INSTALLED ACCORDING TO APPROVED PLANS.

SUBSTITUTIONS IN PLANT MATERIAL ARE NOT PERMITTED WITHOUT PRIOR APPROVAL FROM THE DESIGN PROFESSIONAL OR A-CC PLANNING DEPARTMENT.

PLANT LEGEND

- WILLOW OAK
- NUTTALL OAK
- OVERCUP OAK
- SHUMARD OAK
- SERVICE BERRY
- CRYPTOMERIA

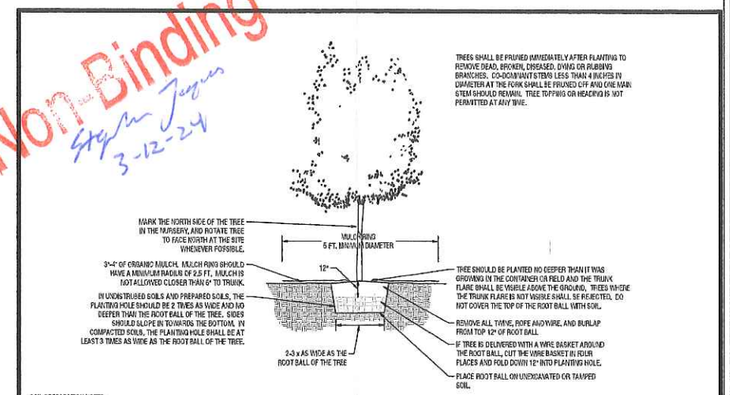
A-CC TREE SEPARATION

MINIMUM DISTANCES IN FEET REQUIRED BETWEEN TREES & STRUCTURES OR INFRASTRUCTURE BY TREE CANOPY SIZE CATEGORY

STRUCTURE/ INFRASTRUCTURE DESCRIPTION	TREE CANOPY SIZE CATEGORY FROM THE A-CC TREE SPECIES LIST			
	LARGE	MEDIUM	SMALL	VERY SMALL
STREET INTERSECTION, MEASURED FROM THE ROW BOUNDARY	35	35	35	35
TRAFFIC SIGNS	20	20	20	20
LIGHT POLES	20	20	15	15
OVERHEAD UTILITIES	20	20	0	0
BUILDINGS	15	10	5	5
UNDERGROUND UTILITIES	5	5	5	5
MAILBOXES	5	5	5	5
FIRE HYDRANTS, ELECTRICAL BOXES, WATER METERS	5	5	5	5
CURB, SIDEWALK, EDGE OF PAVEMENT	2	2	1.5	1.5

Non-Binding

Non-Binding
Stephen Tuggle
3-12-24



SOIL PREPARATION NOTES:
1. SOIL WITHIN THE OPEN SOIL SURFACE AREA SHALL BE WELL AERATED TO A DEPTH OF EIGHT INCHES, EXCEPT THAT IN TREE PLANTING ISLANDS SURROUNDED BY PAVEMENT, IT SHALL BE WELL AERATED TO A DEPTH OF 18 INCHES.
2. THE SOIL SHALL CONTAIN AT LEAST 5% ORGANIC MATTER.
3. SOIL PH SHALL BE WITHIN THE RANGE OF 5.8 TO 7.0.

D21 **TREE PLANTING - B&B OR CONTAINER GROWN TREES**
PLANTING SHOULD FOLLOW ALL STANDARDS FOUND IN SECTION 8-7-19 OF THE ATHENS-CLARKE COUNTY UNIFIED CODE OF ORDINANCES NTS

REVISIONS	
DATE	DESCRIPTION
- - -	- - -

PITTMAN & GREER ENGINEERING P.C.
1050 BARBER CREEK DRIVE - BLDG. 400
WATKINSVILLE GA 30677
P. 706.419.9244 - WWW.PITTMANGREER.COM

GEORGIA REGISTERED PROFESSIONAL LANDSCAPE ARCHITECT WILLIAM J. GREER 01.29.2024

ISSUE PURPOSE
FOR REVIEW ONLY

2295 BARNETT SHOALS RD.
4.7919 AC.
2295 BARNETT SHOALS RD. & 170 FOREST RD.
ATHENS-CLARKE COUNTY, GEORGIA

SCALE 1" = 40'
0 20 40

PROJECT NUMBER
2023-065

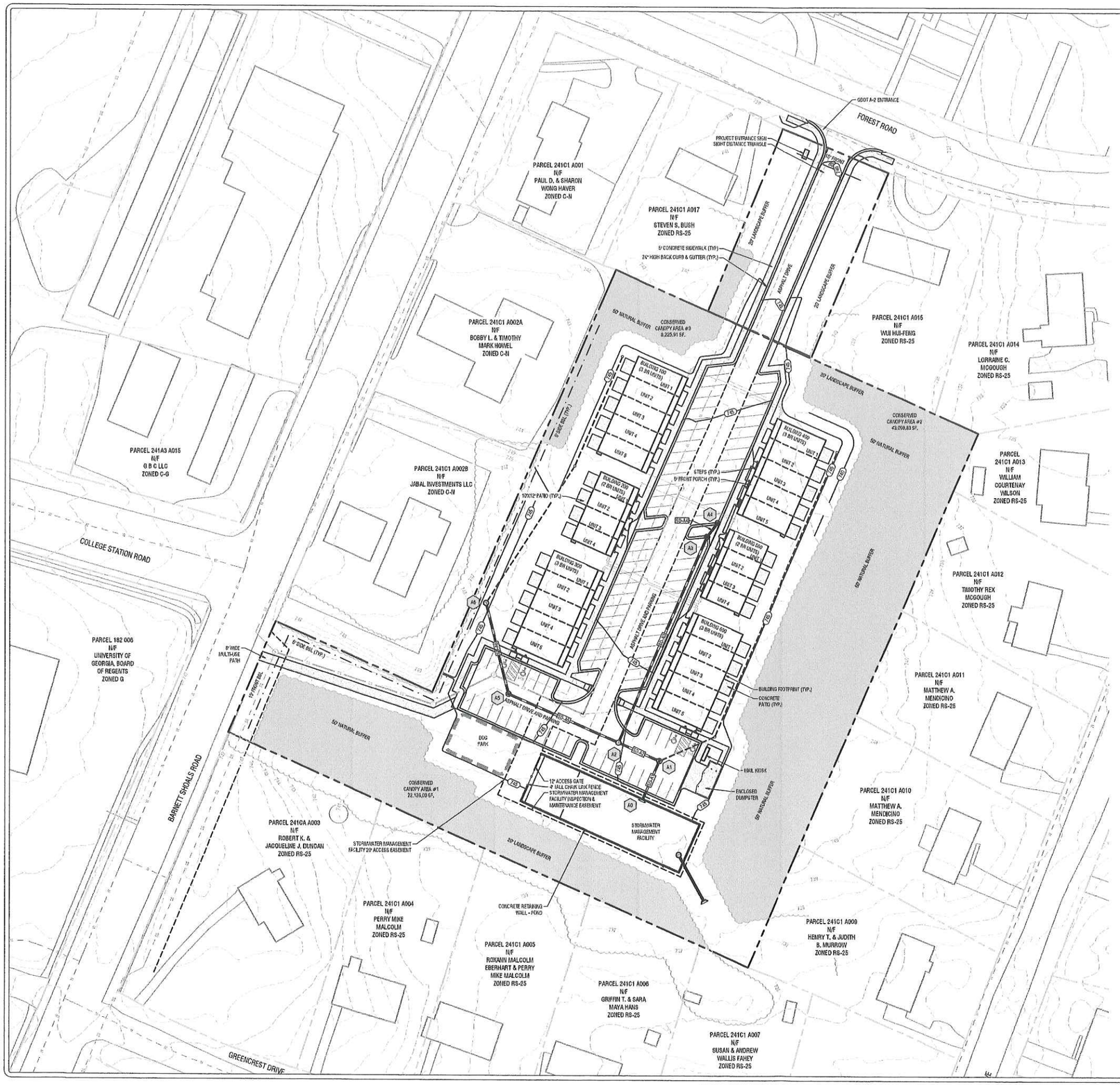
811 Know what's below. Call before you dig.

DATE
01.29.2024

TREE MANAGEMENT PLAN

02

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Non-Binding

Stephen Jaques
3-12-24

DEVISIONS	
DATE	DESCRIPTION
-	-
-	-
-	-
-	-
-	-
-	-

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GEORGIA REGISTERED PROFESSIONAL ENGINEER
B. FRANK PITTMAN
01.29.2024

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CLARKE COUNTY, GEORGIA

SCALE 1" = 40'
0 20 40

PROJECT NUMBER
2023-065

811 Know what's below. Call before you dig.

DATE
01.29.2024

PRELIMINARY GRADING & DRAINAGE PLAN

03

\\PE-DC\Projects\2023-065 Redmond-2295 Barnett Shoals Rd\Drawings\BZONE.dwg 1-26-24 @11:45 PM Frank Pittman



Non-Binding
Stephen Jaques
3-12-24

REVISIONS

DATE	DESCRIPTION
-	-
-	-
-	-
-	-
-	-

PITTMAN & GREER ENGINEERING P.C.
1050 BARBER CREEK DRIVE - BLDG. 400
WATKINSVILLE GA 30677
P. 706.419.9244 - WWW.PITTMANGREER.COM

GEORGIA REGISTERED PROFESSIONAL ENGINEER
BI FRANK PITTMAN
01.29.2024

ISSUE PURPOSE
FOR REVIEW ONLY

2295 BARNETT SHOALS RD.
4.7919 AC.
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CLARKE COUNTY, GEORGIA

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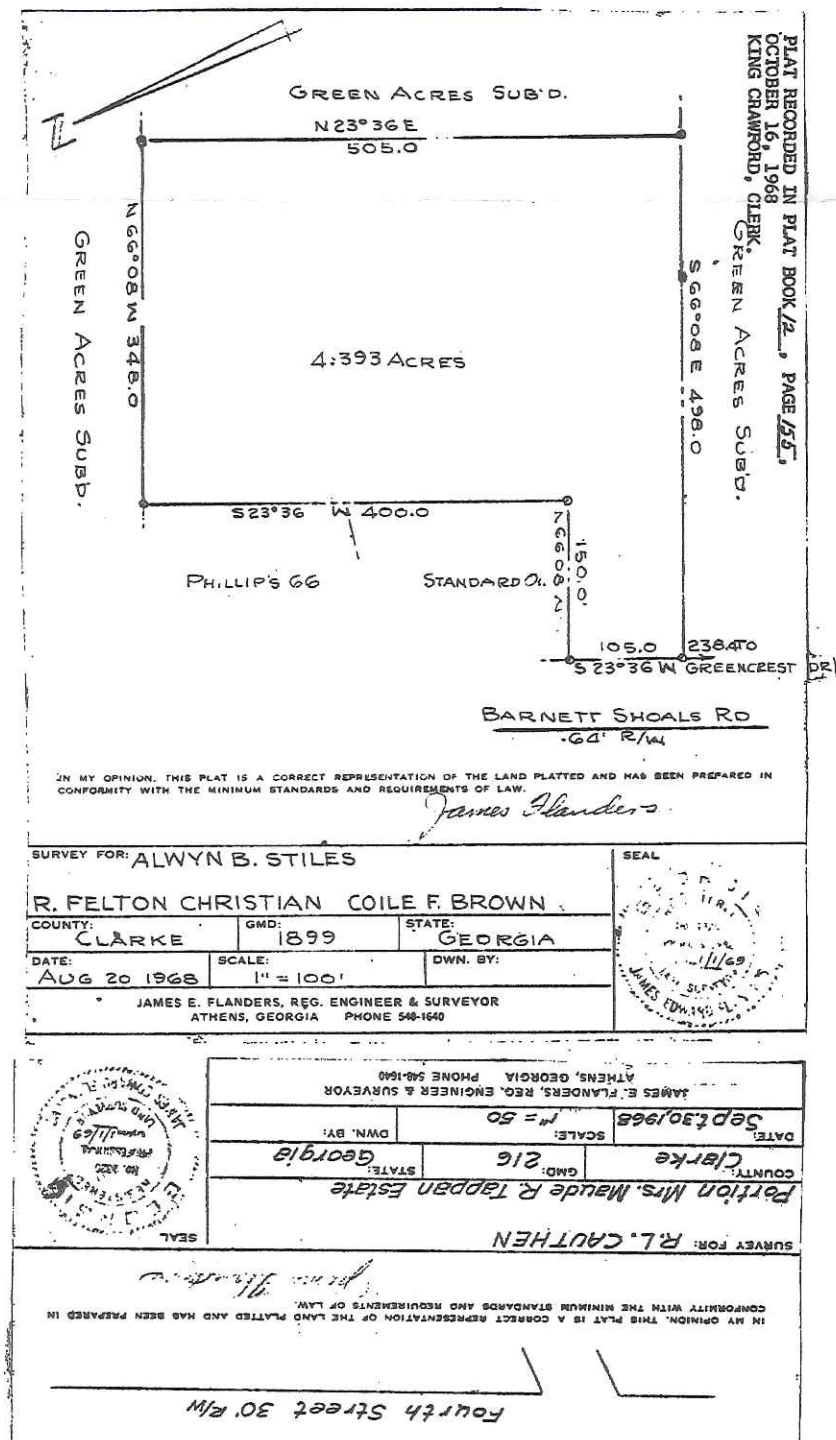
811 Georgia Utilities Call before you dig.

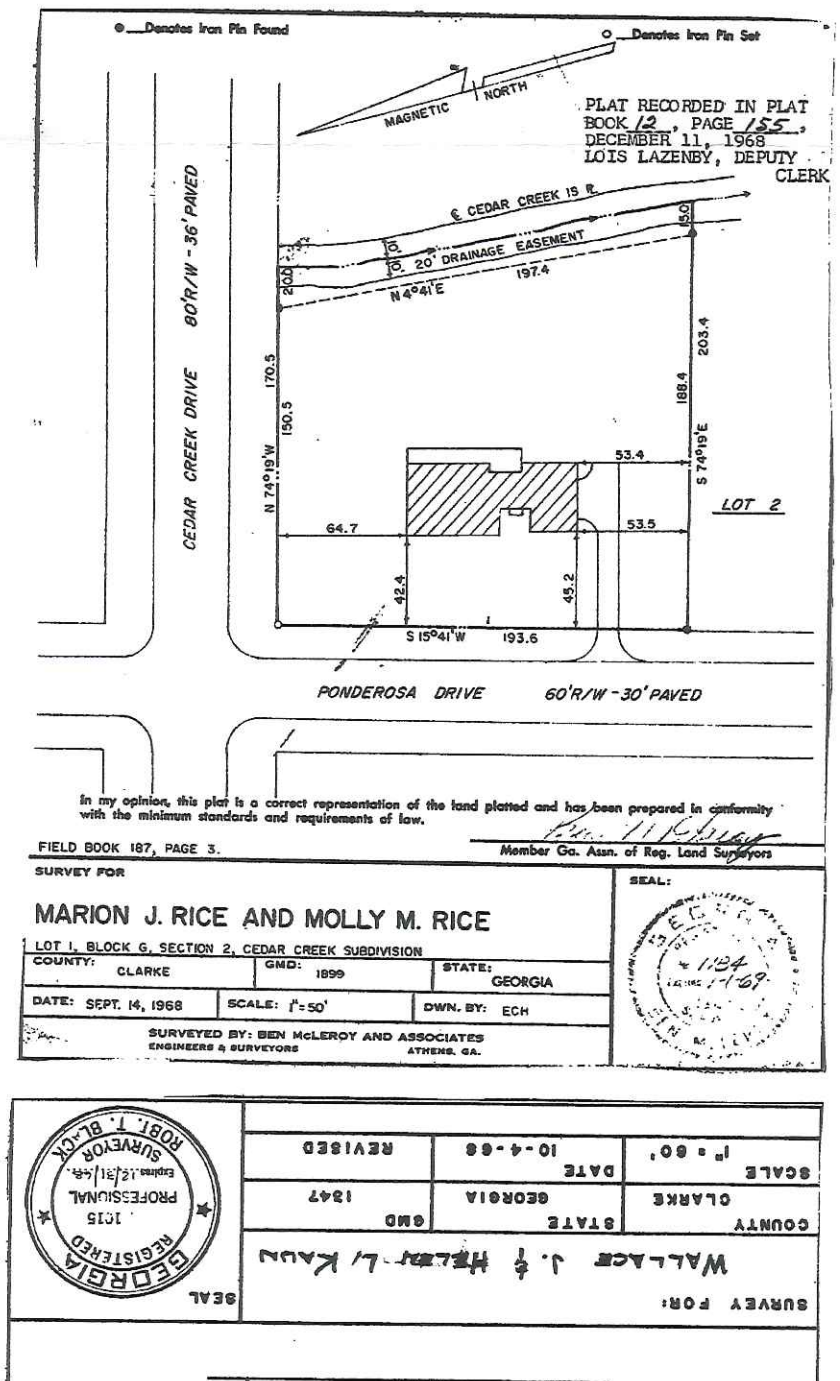
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01.29.2024

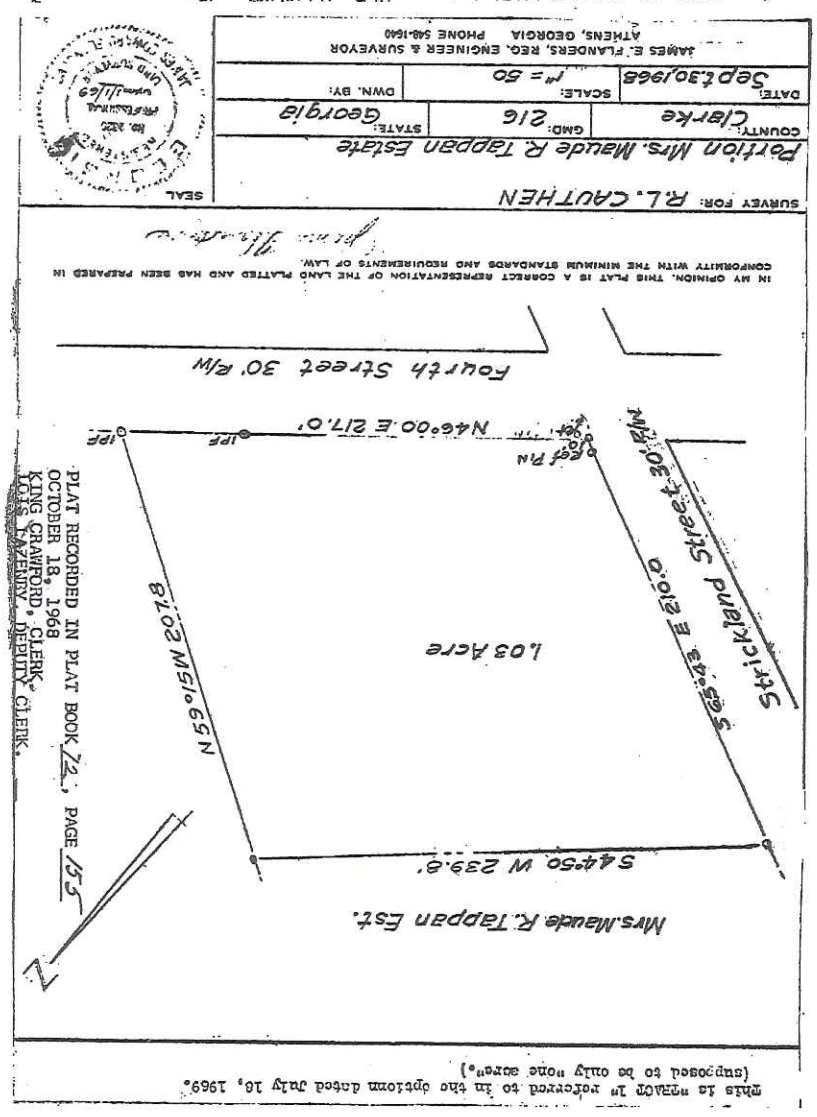
PRELIMINARY UTILITY PLAN

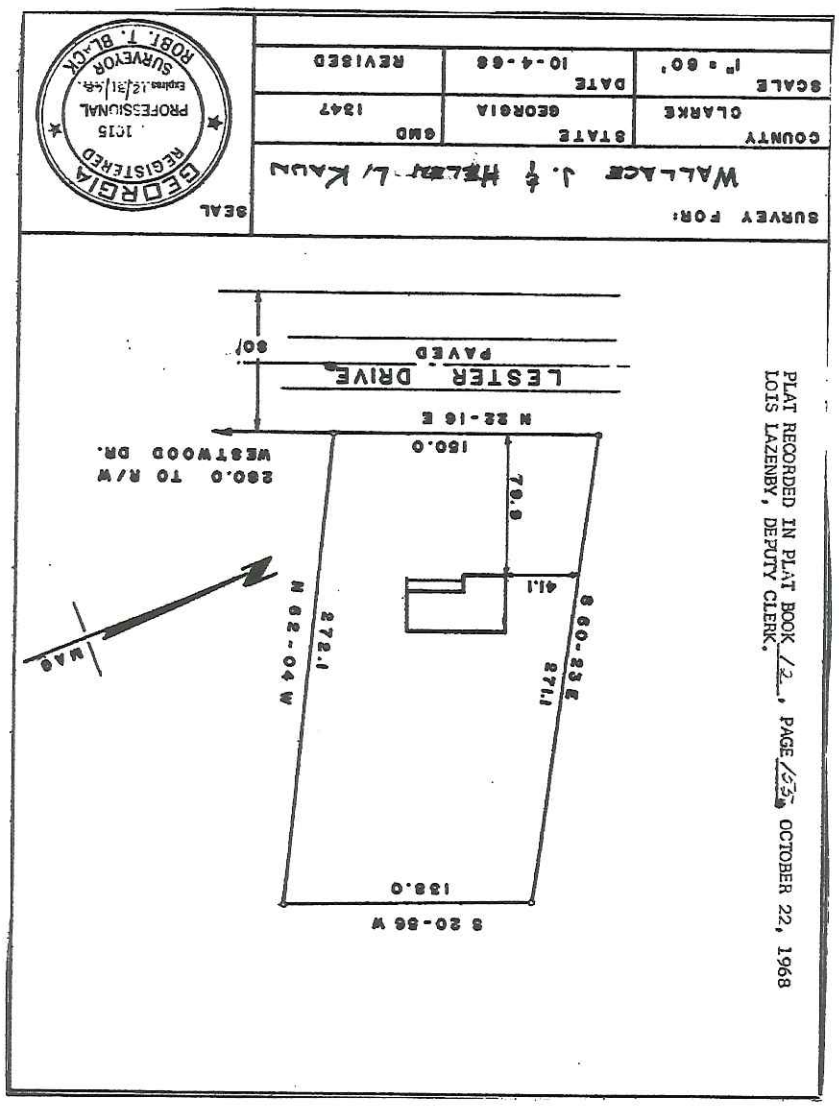
04

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GREEN ACRES SUB'D.
N 23° 36 E
505.0
N 66° 08 W 348.0
GREEN ACRES SUBD.
4.393 ACRES
S 66° 08 E 498.0
GREEN ACRES SUB'D.
S 23° 36 W 400.0
PHILLIP'S 66
STANDARD OIL
150.0
105.0
238.4 TO
S 23° 36 W GREENCREST DR.
BARNETT SHOALS RD
.64' R/W
IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW.
James Flanders
SURVEY FOR: ALWYN B. STILES
R. FELTON CHRISTIAN COILE F. BROWN
COUNTY: CLARKE
GMD: 1899
STATE: GEORGIA
DATE: AUG 20 1968
SCALE: 1" = 100'
DWN. BY:
JAMES E. FLANDERS, REG. ENGINEER & SURVEYOR
ATHENS, GEORGIA PHONE 548-1640
SEAL
PLAT RECORDED IN PLAT BOOK 12, PAGE 155, OCTOBER 16, 1968
KING CRAWFORD, CLERK.
GREEN ACRES SUB'D.


● Denotes Iron Pin Found
o Denotes Iron Pin Set
MAGNETIC NORTH
PLAT RECORDED IN PLAT BOOK 12, PAGE 155, DECEMBER 11, 1968
LOIS LAZENBY, DEPUTY CLERK
℄ CEDAR CREEK 19 ft.
20' DRAINAGE EASEMENT
N 4°41'E 197.4
200
150.5
170.5
N 74°19'W
S 74°19'E
203.4
188.4
53.4
53.5
64.7
42.4
45.2
S 15°41'W 193.6
LOT 2
CEDAR CREEK DRIVE 80'R/W - 36' PAVED
PONDEROSA DRIVE 60'R/W - 30' PAVED
In my opinion, this plat is a correct representation of the land platted and has been prepared in conformity with the minimum standards and requirements of law.
Member Ga. Assn. of Reg. Land Surveyors
FIELD BOOK 187, PAGE 3.
SURVEY FOR
MARION J. RICE AND MOLLY M. RICE
LOT 1, BLOCK G, SECTION 2, CEDAR CREEK SUBDIVISION
COUNTY: CLARKE
GMD: 1899
STATE: GEORGIA
DATE: SEPT. 14, 1968
SCALE: 1"=50'
DWN. BY: ECH
SURVEYED BY: BEN McLEROY AND ASSOCIATES
ENGINEERS & SURVEYORS ATHENS, GA.
SEAL:


Mrs.Maude R. Tappan Est.
S 42°50 W 239.8'
N 59°15W 207.8'
1.03 Acre
S 36°43 E 210.0'
Fourth Street 30' R/W
N 46°00 E 217.0'
IPF
IPF
Set PK
Mrs.Maude R. Tappan Estate
COUNTY: Clarke
GMD: 216
STATE: Georgia
DATE: Sept 30,1968
SCALE: 1" = 50
DWN. BY:
JAMES E. FLANDERS, REG. ENGINEER & SURVEYOR
ATHENS, GEORGIA PHONE 548-1640
SEAL
SURVEY FOR: R.L. CAUTHEN
IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW.
PLAT RECORDED IN PLAT BOOK 12, PAGE 157
OCTOBER 18, 1968
KING CRAWFORD, CLERK.
LOIS LAZENBY, DEPUTY CLERK.
This is "MAJOR" referred to in the option dated July 16, 1969.
(supposed to be only "one acre")


SURVEY FOR:
Wallace J. & Helen L. Kaun
COUNTY CLARKE
STATE GEORGIA
GMD 1247
SCALE 1" = 60'
DATE 10-4-68
REVISED
SEAL
GEORGIA REGISTERED
1015
PROFESSIONAL
Expires 12/31/69
ROBT. T. BLACK
SURVEYOR
LESTER DRIVE
PAVED
80'
N 22-16 E
150.0
280.0 TO R/W
WESTWOOD DR.
79.8
41.1
N 62-04 W
272.1
S 60-33 E
271.1
S 20-56 W
133.0
MAG
PLAT RECORDED IN PLAT BOOK 12, PAGE 155 OCTOBER 22, 1968
LOIS LAZENBY, DEPUTY CLERK.

Marc Beechuk

From: Martha Rodriguez [redacted]
Sent: Thursday, February 8, 2024 9:50 PM
To: Marc Beechuk; Stephen Jaques; Carol Myers
Subject: [EXT]2295 Barnett Shoals Rd support

EXTERNAL SENDER: This email originated from outside of the organization.
Do not click links or open attachments unless you recognize the sender and know the content is safe.

I wanted to reach out to express my support of the rezone of the property at 2295 Barnett Shoals Road. We certainly need more housing in Athens and this looks like a nice community in a walkable location. I hope that it is approved as currently that site is of no benefit to anyone and seems to breed criminal activity in its unkempt state. The church also pays no property tax and it needs to be returned to the property tax rolls so this helps to pay for city services for the rest of us. Unfortunately, there seems to be a vocal small group against any progress on the east side though everyone I actually know would like to see it grow and prosper.

Thanks for your consideration,

Martha Rodriguez
360 Piccadilly Sq, Athens

JOINER
& ASSOCIATES REALTORS, INC.

1490 Prince Ave
Athens GA 30606

[redacted]
www.GoJoiner.com

March 4, 2024

Attn: Planning Commission
Re: 2295 Barnett Shoals and 170 Forest Rd

Planning Commissioners,

I'm Chris Joiner with Joiner and Associates, a Property Management and Real Estate company here in Athens. I'm writing in support of the proposed development at 2295 Barnett Shoals and 170 Forest Rd.

I'd be there in person but am out of town with my family. I also spoke in favor of the development last time it was up for a vote.

I grew up on the Eastside in Brookstone and currently live in Ashton Place off Old Lexington Rd. Our company manages around 300 units on the Eastside. I also serve on the Hearings Board for ACC.

More than anything, I want to convey that there is a "wind of change" on the Eastside and many of us would like to see positive changes happen on our side of town.

For years our side of town has been overlooked for development opportunities, and, even when presented with good developments, the Eastside has pushed back against change. If anything, we've just leaned more into being of a corridor of fast-food restaurants and retail strip centers. Now, with the Kroger redevelopment, there is a chance to capture this wave of new energy and have the whole area rise with the tide. That said, the Eastside doesn't want to develop like the Space Kroger Area. We want to develop our own distinct "Eastside style".

Recently, Green Acres Baptist Church began hosting a group of business and property owners on the Eastside for monthly discussions. By no means is this an endorsement by the group in favor of the project, but what I can tell you is that there are many people that would like to see change happen on the Eastside.

I'm in favor of this land being developed into residential homes, with higher density, and a transitional product type. That said, the common feedback I hear is that people would like to see a product built that brings more character to the area and creates more community.

Here are my points:

1. We are in a housing crisis and need more stock. Also, this fits what ACC is asking for in the future land use map. This development is walkable and in an area with commercial shopping. It's also in an area with existing infrastructure for development.
2. This is not "Student Housing". I don't think the proposed development is geared towards the party-going undergrad community. There are no large pools, club houses, or 4-bedroom units. It's a relatively small-scale development. I imagine that Vet students, grad students, or retirees would be the demographic here. Even if it were student housing, it adds to our housing stock, which helps alleviate our housing crisis.
3. NIMBY-ism. I don't think Green Acres wants to see anything developed on this property. At the very least, there has been nothing proposed that they agree with, and many projects have been proposed over the years. Could the neighborhood tell us what they would support?
4. Scaring aware small-scale local/regional developers. Developers take on a lot of risk to create housing for our citizens. Currently, the economies of scale and the local needs to drastically increase our housing stock are creating a scenario where local developers who do small scale development can't compete with national developers. The result is getting "big wins at one time" by allowing massive new apartment complexes, owned by National groups where the money leaves our local economy. This also creates issues for our town over time. From a management perspective, managing 100 units at 1 property is very different than managing 700-1500 units at one property. If a massive apartment complex turns sideways and starts having heavy crime or gang elements, it's extremely

difficult to turn these size complexes around. They become their own little towns.

I think the planning commission has a tough decision to make. I think the right decision is approving this development, even if it goes against a small portion of the Green Acres' neighborhood. I ask that the planning commission think about the needs of our towns, over the preferences of a few neighbors.

Thank you

Chris Joiner

Stephen Jaques

From: Stephen Wright [redacted]
Sent: Monday, March 4, 2024 2:26 PM
To: Stephen Jaques
Subject: [EXT]March Planning Meeting

EXTERNAL SENDER: This email originated from outside of the organization.
Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Stephen, below are my comments for the items under consideration for the Mar. 7 planning meeting:

180 Moss Rd: The development of a gas station has no business sharing frontage to one of the largest non-vehicular transit projects the county has ever embarked on. The current plan might meet the future land use map and zoning guidelines, but we are in the process of developing a new future land use map and I do not think a new gas station is what our community needs. Imagine if Atlanta finished a new section of the Beltline and allowed a greenfield gas station to be built right along it. That would be crazy, right?

With multiple other gas stations within a 5 minute drive of this address, there is no reason to add an additional potential source of potential fuel and chemical leaks that could lead to soil contamination and groundwater pollution. According to an article regarding gas stations on grist.com, the cost to remediate the land where a former gas station stood could cost more than a $1 million dollars and in some states it isn't clear who is financially liable in some situations.

2295 Barnett Shoals/170 Forest Rd:

I personally support this development, as it would provide housing in an area that does not currently provide it and would return land back to the tax rolls of ACC.

Stephen Jaques

From: Max Doty
Sent: Tuesday, March 5, 2024 11:07 AM
To: Stephen Jaques; Marc Beechuk
Cc: Planning Internet Email
Subject: FW: [EXT]2295 Barnett Shoals Road & 170 Forest Road – ZONE-2024-02-0207

From: Linda VanSickle [redacted]
Sent: Tuesday, March 5, 2024 11:06 AM
To: Planning Internet Email <Planning@accgov.com>
Cc: Carol Myers <Carol.Myers@accgov.com>
Subject: [EXT]2295 Barnett Shoals Road & 170 Forest Road – ZONE-2024-02-0207

EXTERNAL SENDER: This email originated from outside of the organization.
Do not click links or open attachments unless you recognize the sender and know the content is safe.

TO: Athens Clarke County Planning Commission
FROM: Linda VanSickle
DATE: March 5, 2024
Re: 2295 Barnett Shoals Road & 170 Forest Road – ZONE-2024-02-0207

My name is Linda VanSickle. I live in Green Acres Subdivision at 480 Brookwood Dr., Athens, GA 30605. I do NOT support the proposed zoning change at 170 Forest Road and the proposed development of 2295 Barnett Shoals Road.

I object to the development plan for the reasons specified in the staff report recommendation to deny. In addition, there is no guarantee that the units would not be sold and then rented to more occupants than the design accounts for. That would increase all issues of light, noise, traffic, water runoff, street parking, etc., and negatively impact the neighborhood, especially those nearest to the development.

I encourage the Planning Commission to deny the request to rezone as outlined.

Thank you.

Stephen Jaques

From: Riner Gay [redacted]
Sent: Tuesday, March 5, 2024 1:13 PM
To: Stephen Jaques; Marc Beechuk
Subject: [EXT]2295 Barnett Shoals Rezone.

EXTERNAL SENDER: This email originated from outside of the organization.
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Good Afternoon,
I am not able to make the planning commission meeting in person, so I wanted to offer my support on the above re-zone. I lived in East Athens from 2003-2016 and I have worked in East Athens from 2007-present on Gaines School Rd in Tower Place Plaza.
I drive past this property each day….

There have been many improvements to East Athens since 2003, but none lately, so things feel a bit stale.
The Kmart demo and Kroger redevelopment is much needed and I hope it adds a needed spark to our community.

Similarly, I think granting the re-zone to allow for a higher end rental/sales community would be favorable to this part of town. It doesn't seem like the intention is to pack a bunch of students in the spaces (which I know is always the fear of Athens residents), but instead attract professionals who will utilize the surrounding businesses in a positive way. Businesses will never thrive without bringing in fresh faces. From looking at the plans, there will be ample greenspace and walkways that would seem attractive as you come into the Eastside down Barnett Shoals or down College Station.

Just wanted to throw my two cents in.

Thank you for your time.

Riner Gay
Broker/Principal
Carriage House Realty, Inc
855 Gaines School Rd, ste N, Athens Ga 30605.
Residential/Commercial Sales & Leasing
[redacted]
carriagehouseathens.com

CARRIAGE HOUSE REALTY, INC.
WWW.CARRIAGEHOUSEATHENS.COM
855 GAINES SCHOOL RD, SUITE N
ATHENS, GA 30605
706-353-1750 (OFFICE)
706-353-7365 (FAX)

Stephen Jaques

From: Max Doty
Sent: Tuesday, March 5, 2024 1:56 PM
To: Stephen Jaques; Marc Beechuk
Cc: Planning Internet Email
Subject: FW: [EXT]2295 Barnett Shoals Road & 170 Forest Road – ZONE-2024-02-0207

From: Ronald L Vansickle [redacted]
Sent: Tuesday, March 5, 2024 1:49 PM
To: Planning Internet Email <Planning@accgov.com>
Cc: Carol Myers <Carol.Myers@accgov.com>
Subject: [EXT]2295 Barnett Shoals Road & 170 Forest Road – ZONE-2024-02-0207

EXTERNAL SENDER: **This email originated from outside of the organization.**
Do not click links or open attachments unless you recognize the sender and know the content is safe.

TO: Athens Clarke County Planning Commission
FROM: Ronald VanSickle

DATE: March 5, 2024

Re: 2295 Barnett Shoals Road & 170 Forest Road – ZONE-2024-02-0207

My name is Ronald VanSickle. I live in Green Acres Subdivision at 480 Brookwood Dr., Athens, GA 30605. I do NOT support the proposed zoning change at 170 Forest Road and the proposed development of 2295 Barnett Shoals Road.

I object to the development plan for the reasons specified in the staff report recommendation to deny. In addition, there is no guarantee that the units would not be sold and then rented to more occupants than the design accounts for. That would increase all issues of light, noise, traffic, water runoff, street parking, etc., and negatively impact the neighborhood, especially those nearest to the development.

I encourage the Planning Commission to deny the request to rezone as outlined.

Thank you.

Ronald VanSickle

Marc Beechuk

From: Molly DePriest
Sent: Wednesday, March 6, 2024 8:07 AM
To: Marc Beechuk; Stephen Jaques
Cc: Planning Internet Email
Subject: FW: [EXT]2295 Barnett Shoals & 170 Forest Road

Follow Up Flag: Follow up
Flag Status: Flagged

From: Courtenay Wilson <[redacted]>
Sent: Tuesday, March 5, 2024 5:54 PM
To: Planning Internet Email <Planning@accgov.com>
Subject: [EXT]2295 Barnett Shoals & 170 Forest Road

EXTERNAL SENDER: **This email originated from outside of the organization.**
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TO: ACC Planning Commission
FROM: W. Courtenay Wilson
DATE Tuesday, March 5, 2024
RE: rezoning request for 2295 Barnett Shoals Road & 170 Forest Road

I am the current owner/occupant of 165 Brookwood Dr, Athens, GA 30605. This property has been in my family for over 30 years. I, like all of the neighbors that I have spoken with at two Green Acres community meetings Do Not Want this proposed development for a number of reasons.

My reasons include: 1) a sincere concern about property values of the 13 one-story single family homes that surround the proposed development, of which mine is one; 2) an ongoing concern about stormwater runoff, the current undeveloped land regularly sends streams of water onto my property causing significant ponding in my back and both side yards. The construction of 28 townhomes and the associated paving can only cause increased flooding and ponding; and 3) the development will cause a total lack of privacy. These two story homes, built on ground that, according to a Topographical Survey in July 2007 by Freedland Surveyors & Engineers, is 7 feet above the grade of Brookwood Drive in front of my house. (Street-735", backyard at property line 738" (+3"), and at the property line next to the gas station 742" (another 4"). These townhomes will tower above the existing adjacent 13 single family, one-story houses; and finally, 4) the increased car traffic, and an unrealistic projection that these will not become student housing, all are reasons to not allow this project to be shoehorned into an inappropriate piece of property. In my humble opinion.

Sincerely,

W. Courtenay Wilson

Jennifer L. Frum
315 Brookwood Drive
Athens, GA 30605

March 5, 2024

Dear Planning Commissioners:

Thank you for your public service. I write in strong opposition to the planned rezoning of 2295 Barnett Shoals Rd & 170 Forest Rd from RS25 to RM1. I have lived in Green Acres since 1995.

First, my opposition is not a case of NIMBYism and I am not opposed to development on this property. We literally have high-density apartments in our backyard. We are bordered by a large apartment complex to our north east - College Glen/Tivoli apartments. Several houses on Greencrest and Brookwood Drive back right up to this large complex. My husband and I purchased our house in 1995, knowing that we could throw a stone from our backyard to the large apartment development. We have endured years of loud parties and music from College Glen residents. We stay because we love Green Acres.

The density being proposed here is too high. Green Acres is a well-established neighborhood of very modest single-family homes. This development is clearly aimed at students. The developers specialize in student/multi-family housing. The developers assert that traffic will be minimal, though they are requesting more parking than is required by Code. The proposed 76 bedroom development would add to the traffic nightmares currently experienced by residents wishing to turn left onto Barnett Shoals Road.

The developers suggest that this piece of property could serve as a transition from the commercial corridor to the neighborhood but they are suggesting that RM1 will be the best zoning to achieve this transition. We disagree. RM1 is the best zoning for making the developers the maximum amount of profit but it is not the best zoning either for the existing neighbors who have put their life savings into their homes nor for the community as a whole.

RM1 zoning would not provide the mix of housing in keeping with the neighborhood and needed by ACC. In fact, this proposal would demolish the single-family house at 170 Forest Road in order to provide an access point to the land that sits behind it and the Chevron gas station at the end of College Station Road. If 170 Forest Rd is rezoned to RM1, then the house that sits between it and Barnett Shoals Rd (140 Forest Rd) will essentially become an RS25 orphan, separated by an RM1-zoned piece of property (the former 170 Forest) that will become a driveway. There will then be increased pressure to rezone this piece of property and link it to the commercial property which it borders, opening the door to a considerable commercial project intruding into a quiet and stable neighborhood.

Finally, I am extremely disappointed by the developer's lack of consideration for the opinions of neighbors and the haughty, uncompromising attitude with which they have approached this development.

I hope you will deny this rezoning. Thank you for your consideration.

Sincerely,

Jennifer L. Frum

Marc Beechuk

From: Molly DePriest
Sent: Wednesday, March 6, 2024 8:09 AM
To: Marc Beechuk; Stephen Jaques
Cc: Planning Internet Email
Subject: FW: [EXT]2295 Barnett Shoals/170 Forest

Follow Up Flag: Follow up
Flag Status: Flagged

-----Original Message-----
From: sinclair jackson [redacted]
Sent: Tuesday, March 5, 2024 8:26 PM
To: Planning Internet Email <Planning@accgov.com>
Cc: Carol Myers <Carol.Myers@accgov.com>
Subject: [EXT]2295 Barnett Shoals/170 Forest

EXTERNAL SENDER: This email originated from outside of the organization.
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Despite the developers' revisions, I am strongly against this rezoning. These "condos" will end up as rentals, decline over time and then become a crime hub, with the only entrance/egress into a single family neighborhood. Many young families are moving into Green Acres. We all want a safe neighborhood.

It's a slippery slope when single family homes are torn down. What's next? Quadraplexes being erected in their place? Affordable housing can better be addressed by allowing ADUs.

A better use for these 4.5 acres would be a geriatric facility. Yes, occasional ambulance sirens but we can hear that already.

Thank you for soliciting input from those most affected.

Sinclair Jackson
290 Forest Rd.
[redacted]

Andrew Herod
315 Brookwood Drive
Athens, GA 30605

March 4 2024

In re 2295 Barnett Shoals Rd & 170 Forest Rd

Dear Planning Commissioners:

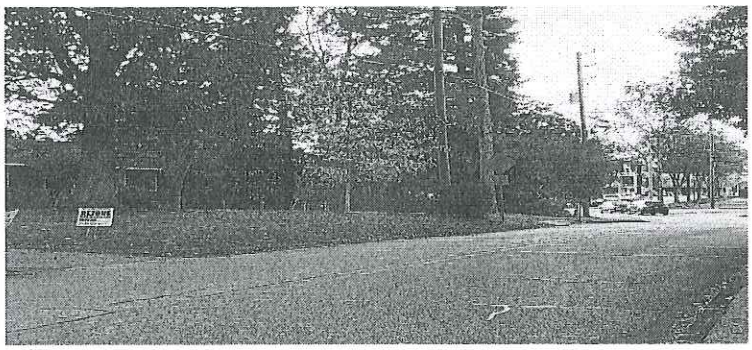
I hope that this letter finds you well. I am writing to express my opposition, once again, to the planned rezoning of 2295 Barnett Shoals Rd & 170 Forest Rd from RS25 to RM1. As you know, your professional staff are recommending that this rezoning be denied and I agree with their evaluation.

The proposal in front of you would demolish the single-family house at 170 Forest Rd so as to provide an access point to the land that sits behind it and the Chevron gas station at the end of College Station Road for the purpose of constructing a 28 building/ 76 bedroom townhouse development. There are several reasons as to why I believe that this rezoning should not be granted and why granting it would be detrimental to the Green Acres neighborhood, which is a well-established neighborhood with modest homes:

1) The plan requires demolishing a house (170 Forest Rd) and rezoning it to RM1 so as to give access to the property upon which the development will sit. This represents an egregious example of spot zoning.
2) If 170 Forest Rd is rezoned to RM1, then the house that sits between it and Barnett Shoals Rd (140 Forest Rd) will essentially become an RS25 orphan, separated by an RM1-zoned piece of property (the former 170 Forest) that will become a driveway. There will then be increased pressure to rezone this piece of property and link it to the commercial property which it borders, thereby opening the door to a considerable commercial project intruding into a quiet and stable neighborhood.
3) Rezoning this property from RS25 to RM1 will allow the units constructed on it to be purchased for use as Short-Term Rental units, which will be extremely detrimental to homeowners whose property backs up to it. As you know, the Mayor & Commission recently amended the Code of Ordinances, based upon your own recommendation, to restrict STRs on RS-zoned property by only allowing them in properties where the homeowner is resident. However, the new ordinance essentially gives STRs free reign on RM-zoned property, subject to the property owner acquiring a Special Use Permit – there is no requirement that the owner be on site to control rowdiness. If this comes to pass (and it is so close to the football stadium that at least some of the proposed units will no doubt become long-term STRs), then not only will this be a constant nuisance to homeowners whose property backs up to 2295 Barnett Shoals Rd but it will also negate one of the justifications that the developers are using to argue for this rezoning, namely that it will help with our community's housing issues – they are pitching this development of nearly $400k units as addressing the "missing middle", which has now become the apparent developer buzzword.

4) The developers claim that this is not aimed at students but it clearly will be. It is about a 3-minute walk from the Vet School and a 5-minute drive from campus. The developers' own website states that they "focus on acquisition, development and management of student and conventional multifamily assets throughout the Southeast." I have nothing against students – I make my living by teaching them – but this is not the right place for such a student development. Even though a buffer is planned, there is no doubt that the late-night noise that will undoubtedly come from such residents will be detrimental to the residents living along Brookwood Drive between Forest and Greencrest, behind the proposed multi-family development. I also suspect that some parents would likely purchase these properties for their children as they attend UGA, putting the property in their children's names so that they can claim the Homestead Exemption, thus denying ACC some of the tax revenue that the developers claim will be generated by this project. To make the mortgage they will no doubt then rent out the other bedrooms at substantial rates.

5) The developers claim that traffic will be minimal. This flies in the face of common sense and their own numbers – they are requesting more parking than required by Code!! At 28 units and a proposed 76 bedrooms, if this becomes student housing (or even if it does not) it means that there will be several dozen cars trying to get out of the neighborhood at roughly the same time in the morning to get to campus/ work. The intersection at Forest Rd and Barnett Shoals is already a nightmare to get out of because there is no left-turn light there. This means that cars wishing to turn left onto Barnett Shoals Rd to then travel down College Station Rd will have to wait for traffic coming straight out of the Kroger parking lot and traveling into Green Acres to clear the intersection before being able to turn left (see photo below of cars stacked waiting to turn left and how close this intersection is to 170 Forest). Much traffic will therefore likely divert to get out of the neighborhood, either by driving along Brookwood Drive and seeking to exit at the intersection of Greencrest and Barnett Shoals across from Fire House #7 and the Vet School (which has no traffic light) or by driving in the other direction along Brookwood Drive to come out at the intersection by the Bank of America at the other end of Greencrest (see below). That latter intersection is so heavily trafficked and so frequently run on red that ACC installed red-light cameras there a decade or so ago. Although the ACC Traffic Dept says that the additional traffic impact will be minimal, with all due respect I do not think that this will be the case. While the overall number of trips per day generated may not be that much, these will be concentrated within very short windows of time in the morning and in the late afternoon – try to travel between 8am and 9:30am along College Station Road in the first 3 weeks of the fall semester (before students have learned alternate routes to campus) and you will see what I mean.



Traffic waiting to turn left from Forest onto Barnett Shoals Rd; these cars are waiting for traffic coming out of the Kroger shopping center to cross the intersection into Green Acres



Likely traffic patterns through the Green Acres neighborhood (in red)

6) Although the developers suggest that this will be a walkable development because it is close to amenities, the fact that they are requesting 12% more parking spaces than required by code tells you that this will not be the case and that this will be, instead, an auto-centered development likely aimed at students, a large proportion of whom bring their cars to campus.

7) We do not need more multi-family housing. It is my understanding that there is something like 18,000 RM bedrooms coming on line or already constructed based upon rezonings approved by the Mayor & Commission since 2018. What we sorely lack is single-family starter homes of exactly the type that is planned for demolition to make this project work.

Please understand that we are not against this piece of property being developed. Although the church did promise that it would remain natural when they purchased it and that they would use it as a space for retreats, they appear to have changed their mind. But the density being proposed here is too high. The developers suggest that this piece of property could serve as a transition from the commercial corridor to the neighborhood and are suggesting that RM1 will be the best zoning to achieve this transition. We disagree. RM1 is the best zoning for making the developers the maximum amount of profit but it is not the best zoning either for the existing neighbors who have put their life savings into their homes nor for the community as a whole. Indeed, the Planning Department staff recognize that this does not provide the mix nor type of housing we need. A much better zoning would be for this to be rezoned from RS25 to RS15 and for a smallish cottage close-type development to be built there (think Greystone, just around the corner on Barnett Shoals Rd). This would be ideal for retirees who do not want to deal with big yards and who will not generate much traffic and thus impact on the neighbors who already live there.

Sincerely,

Marc Beechuk

From: Max Doty
Sent: Wednesday, March 6, 2024 10:21 AM
To: Marc Beechuk; Stephen Jaques
Cc: Planning Internet Email
Subject: FW: [EXT]Forest Rd development project

Follow Up Flag: Follow up
Flag Status: Flagged

From: Shannon Romano <[redacted]>
Sent: Wednesday, March 6, 2024 10:15 AM
To: Planning Internet Email <Planning@accgov.com>
Subject: [EXT]Forest Rd development project

EXTERNAL SENDER: **This email originated from outside of the organization.**
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Dear all,

I've recently purchased a home in Green Acres Community for me and my 3 kids. We've found it to be a peaceful, safe neighborhood thus far.

I have concerns about what I'm reading about the forest rd development project. My biggest concern is safety and the increase in traffic. As a mother to two new drivers, adding more complicated exits and an increase in traffic to an already busy area concerns me for the safety of my kids and fellow community members.

Additionally, adding denser housing to an area that, in my opinion, cannot support it - without any promise or commitment to provide affordable housing to local residents is really a failure in housing that East Athens doesn't need.

Please consider the greater impacts on the residents that already call this area of East Athens home.

Shannon Romano
Eastside Athens/Green Acres Resident
Sent from Yahoo Mail for iPhone

Marc Beechuk

From: Stephanie Goldstein [redacted]
Sent: Tuesday, February 13, 2024 2:53 PM
To: Stephen Jaques; Marc Beechuk
Subject: [EXT]Housing support

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I wanted to write in to express my support of the two rezones pending on the eastside at 2990 and 2295 Barnett Shoals Road. It seems crazy that we do not have more of these types of communities and all we have are the big corporate complexes. I have been looking for a place to buy for awhile now and there is not much to choose from!

How come everyone talks about promoting housing but nothing ever gets built? It seems like virtue signaling where we say one thing to look good but then do something completely opposite. Are we turning into Oconee County? At least they don't hide the fact that they don't want anyone else to move in there...

Sincerely,

Stephanie Goldstein
110 Pinyon Pine Circle, Athens

Marc Beechuk

From: Max Doty
Sent: Wednesday, March 6, 2024 11:07 AM
To: Stephen Jaques; Marc Beechuk
Cc: Planning Internet Email
Subject: FW: [EXT]Rezone: 2295 Barnett Shoals Rd & 170 Forest Rd

Follow Up Flag: Follow up
Flag Status: Flagged

From: Dan Roth <d[redacted]>
Sent: Wednesday, March 6, 2024 11:02 AM
To: Planning Internet Email <Planning@accgov.com>
Cc: Carol Myers <Carol.Myers@accgov.com>; Kelly Girtz <Kelly.Girtz@accgov.com>; Tommy Valentine <[redacted]>; Kent R Middleton <[redacted]>
Subject: [EXT]Rezone: 2295 Barnett Shoals Rd & 170 Forest Rd

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March 6, 2024

Athens-Clarke County Planning Commission
120 W Dougherty Street

Athens, Georgia 30601

(706) 613-3515

planning @accgov.com

To the Commission,

I am an Athenian of 26 years and a 19-year resident of the Green Acres neighborhood. I own and operate Athens Creative Design, a graphic and web design studio, out of my Brookwood Avenue home - a one-person operation, but nonetheless vital to my community and beyond.

I write to convey strong opposition to the proposed development of 28 units and 76 bedrooms at 2295 Barnett Shoals Rd & 170 Forest Rd in Green Acres behind the Chevron gas station at the end of College Station Road.

The development as proposed is 1) inappropriate for the scale of the neighborhood, 2) creates an entrance/egress IN BETWEEN two residential homes, devaluing both, 3) profoundly negatively impacts traffic flow in an already-congested location, 4) opens the door for additional development to come further into the neighborhood along Forest and Greencrest Roads, and, lest we forget, 5) decimates a greenspace that has

provided an empirically measurable visual and auditory buffer to neighborhood residents from the ever-growing commercial zone across Barnett Shoals Road.

Failure to reject this proposal will represent a failure on the commission's behalf to uphold the integrity and quality of development projects the City of Athens requires to move away from developer-controlled initiatives that are profit-motivated. Community building should not be profit-motivated, especially in consideration of building the housing in which that community lives.

Athens' Eastside has an identity crisis. What went up initially as a bucolic extension of downtown out of necessity to house university employees (with striking, mid-century modern aesthetics throughout the neighborhoods), soon became "The Asphalt Mile," where our best view from Google Earth draws the eye to more blacktop than greenspace.

The addition of a multi-family condo unit, (editorial: sure to be purchased in the name of university students by their parents and thus getting past any single-family zoning issues), is not what Athens Eastside needs or requires for success.

If this parcel of land must be developed, a more sentient and grounded path forward would be to rezone it RS-15 and fix the number of units at 4-6. This would maintain the integrity and sense of place many residents are striving to create and uphold. Athens requires investment in enduring projects and initiatives that make sense for the scale of the community.

I urge the Planning Commission to deny the application put forth by Pittman & Greer Engineering for the parcel at 2295 Barnett Shoals Rd & 170 Forest Rd.

With extreme concern,

Dan Roth



Dan Roth
Owner/Art Director
Athens Creative Design, LLC
athenscreativedesign.com
706.338.1783
dan@athenscreativedesign.com

Marc Beechuk

From: Rachel Gomez
Sent: Wednesday, March 6, 2024 11:54 AM
To: Marc Beechuk; Stephen Jaques
Cc: Planning Internet Email
Subject: FW: [EXT]170 Forest Rd. project

Follow Up Flag: Follow up
Flag Status: Flagged

From: Richard L Miller <r[redacted]>
Sent: Wednesday, March 6, 2024 11:38 AM
To: Planning Internet Email <Planning@accgov.com>
Subject: [EXT]170 Forest Rd. project

EXTERNAL SENDER: **This email originated from outside of the organization.**
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Regarding the proposed project at 2295 Barnett Shoals Rd. and 170 Forest Road, all Green Acres residents I've discussed it with oppose it.

One of the main issues, one that there is no denying, is the increased traffic this project will generate. There is no question that Greencrest Drive west of where Brookwood crosses it at both ends, and also of course Forest Road between Brookwood and Barnett Shoals (this segment in particular will be congested, and will be further backed up when the Kroger expansion is completed), in addition to that segment of Brookwood itself, will suffer greatly increased traffic flow. There will be increased traffic throughout the neighborhood.

There is little doubt that most of these condos will become rentals in fairly short order, further degrading the neighborhood. The developers themselves said they would rent out any unsold units, and people will be buying them for their student children and renting them out thereafter. There is no way anyone can guarantee this won't happen, and odds are strong that it will.

Overall, Athens needs a diversity of housing, no doubt. But *this neighborhood* does not. This neighborhood has always been made up of single-family dwellings, and that's how we would like it to stay. There are plenty of areas in Clarke County where condos/apartments can be built without disturbing existing single-family neighborhoods, so please do not allow this development in ours. We don't need the noise and disturbance these units will undoubtedly bring. Put them somewhere other like units exist and leave our peaceful neighborhood alone. If they want to build in this neighborhood, they can build single-family homes. Anything else should be prohibited. The neighborhood isn't broken, so don't fix it. Leave it alone.

One more note - the plan I've seen is extremely cramped. Residents of the units on the right side of the driveway will have to go to the end of the parking area and turn around to get out of the parking lot. Residents on the left will have to turn around before they can even get in their parking spaces. This is a strong indication that too many units are being crammed into too small a space.

-Richard Miller
371 Greencrest Drive

Marc Beechuk

From: Rachel Gomez
Sent: Wednesday, March 6, 2024 11:54 AM
To: Marc Beechuk; Stephen Jaques
Cc: Planning Internet Email
Subject: FW: [EXT]2295 Barnett Shoals Road & 170 Forest Road – ZONE-2024-02-0207

Follow Up Flag: Follow up
Flag Status: Flagged

From: Wanda Wright <[redacted]>
Sent: Wednesday, March 6, 2024 11:38 AM
To: Planning Internet Email <Planning@accgov.com>
Subject: [EXT]2295 Barnett Shoals Road & 170 Forest Road – ZONE-2024-02-0207

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Dear ACC Planning Commission.

Reference: 2295 Barnett Shoals Road & 170 Forest Road – ZONE-2024-02-0207

I would like to state that I do not support the proposed development referenced above. I have lived in Green Acres for many, many years and have witnessed so many changes. Some have been good...others have very negative effects.

With this type of development coming INTO the neighborhood, replacing an existing home, the negative impacts that will follow are inevitable and huge. I am happy to list them in an email or discuss them with you in person – you've probably heard most of them.

I respectfully ask that you consider and preserve the sanctity of our "single family" neighborhood and deny this type of housing project to go forward. If allowed, it will forever change the topography and aura of Green Acres as a single family dwelling neighborhood.

Thank you.
Wanda Wright
475 Greencrest Drive

Marc Beechuk

From: Rachel Gomez
Sent: Wednesday, March 6, 2024 12:05 PM
To: Marc Beechuk; Stephen Jaques
Cc: Planning Internet Email
Subject: FW: [EXT]Proposal on Barnett Shoals/Forest Road

Follow Up Flag: Follow up
Flag Status: Flagged

From: P J FITZPATRICK [redacted]
Sent: Wednesday, March 6, 2024 12:04 PM
To: Planning Internet Email <Planning@accgov.com>
Subject: [EXT]Proposal on Barnett Shoals/Forest Road

EXTERNAL SENDER: **This email originated from outside of the organization.**
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Dear Sirs:

I am a resident of Green Acres, having resided at 260 Forest Road since 1987. I wish to go on record as ADAMANTLY OPPOSING the the Mixed-Density Residential proposal that would be located at 2295 Barnett Shoals Road and 170 Forest Road. One of the most treasured features of this area is that it has maintained a "neighborhood" character. Last weekend a family moved into their newly purchased home directly across the street from my home; they stated that the "sense of neighborhood" was a big factor in their selection of the home. It is common to see walkers, joggers, bicycle riders, parents strolling their babies, etc. throughout the day and into the evening on Forest Road. It is delightful!

The addition of a 25 mixed-density residential complex would be a gross invasion of our neighborhood; the added traffic would be a safety hazard to the walkers/jogger/bicycle riders/strolling parents/etc. Added noise created by such a complex would disrupt the peaceful nature of our neighborhood. This proposal, should it be approved, would be a bold and unwelcomed invasion to the lifestyle that has been purposefully developed and treasured by the citizenship of our neighborhood.

I have been told that there is a shortage of housing in ACC. I find that extremely hard to understand, when regardless of the direction one travels, there are MEGA apartment complexes either under construction or newly constructed. BE THAT AS IT MAY ... if indeed there remains a shortage, it bears evidence that ACC has reached capacity. There are 158 other counties in the State of Georgia and 49 other states in which individuals may choose to reside. There are easily accessible bedroom counties adjacent to Clarke County in which residents can commute to Athens for employment, recreation, hospitality, etc. There should NOT be an expectation for current residents to set aside the sense of community that has been established by residents' hard work and efforts in order to accommodate a developer's efforts to make money. After all, isn't money the real issue at hand?

I cannot image that this proposal would ever make it off the Planning Department's table if the developer requested to build 25 units on streets such as Milledge Circle, Cloverhurst, Wexford Place, etc. The tax dollars of the residents of Green Acres should be on an even scale with those of the residents of "prestigious" streets in Athens. We are due the same consideration and respect. Our request for this DENIAL to the proposal should speak for itself. The answer should be a resounding and final "NO: ... not now and not ever!

Your representation of the residents of Green Acres and the support of our wishes is expected and will be greatly appreciated. Again ... please vote NO to this proposal.

Thank you for your time in reading my comments.

Very truly yours,
Jane Fitzpatrick
260 Forest Road

Marc Beechuk

From: Molly DePriest
Sent: Wednesday, March 6, 2024 3:53 PM
To: Marc Beechuk; Stephen Jaques
Cc: Planning Internet Email
Subject: FW: [EXT]2295 BARNETT SHOALS ROAD & 170 FOREST ROAD – ZONE-2024-02-0207

From: Tommy Jackson <[redacted]>
Sent: Wednesday, March 6, 2024 3:49 PM
To: Planning Internet Email <Planning@accgov.com>
Subject: [EXT]2295 BARNETT SHOALS ROAD & 170 FOREST ROAD – ZONE-2024-02-0207

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The above referenced project is on the agenda for March 7th. We have a branch on Lexington Road and our call center is on Gaines School Road, so we are very committed to East Athens. The proposed small scale infill development will bring a well-designed boutique townhome community to the area. With ongoing revitalization of nearby retail, the new project is designed to be a walkable, pedestrian friendly living option. The developers have a successful history of delivering a quality product that takes careful consideration of the surrounding environment. The project would be a positive addition to East Athens. Thanks,

Tommy Jackson
SVP - Central Market Executive

[redacted]

1081 Parkway Place
Athens, Georgia 30606

PINNACLE BANK
Member FDIC

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Marc Beechuk

From: Max Doty
Sent: Thursday, March 7, 2024 8:20 AM
To: Marc Beechuk; Stephen Jaques
Cc: Planning Internet Email
Subject: FW: [EXT]ACC Planning Commission

From: Emma-Jane Kirk <e[redacted]>
Sent: Wednesday, March 6, 2024 7:05 PM
To: Planning Internet Email <Planning@accgov.com>
Subject: [EXT]ACC Planning Commission

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Reference: 2295 Barnett Shoals Road and 170 Forest Road
ZONE-2024-02-0207

My name is Mary Elizabeth Kirk. I live at 470 Forest Road. I do not support the proposed zoning change at 170 Forest Road and the proposed development at 2295 Barnett Shoals Road.

Marc Beechuk

From: Max Doty
Sent: Thursday, March 7, 2024 8:20 AM
To: Stephen Jaques; Marc Beechuk
Cc: Planning Internet Email
Subject: FW: [EXT]Fwd: ACC Planning Commission

From: Nancy Watson <[redacted]>
Sent: Wednesday, March 6, 2024 9:56 PM
To: Planning Internet Email <Planning@accgov.com>
Subject: [EXT]Fwd: ACC Planning Commission

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Reference: 2295 Barnett Shoals Road and 170 Forest Road
ZONE-2024-02-0207

My name is Nancy Watson. I live at 470 Forest Road. I do not support the proposed zoning change at 170 Forest Road and the proposed development at 2295 Barnett Shoals Road.

Marc Beechuk

From: Max Doty
Sent: Wednesday, February 28, 2024 8:53 AM
To: Stephen Jaques; Marc Beechuk
Subject: FW: [EXT]Forest Road Rezone

From: Clint Winter [redacted]
Sent: Tuesday, February 27, 2024 9:53 PM
To: Planning Internet Email <Planning@accgov.com>
Cc: Carol Myers <Carol.Myers@accgov.com>
Subject: [EXT]Forest Road Rezone

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Good Evening,

My name is Clint Winter. My address is 194 Clyde Rd, Athens, GA 30605. I have been happily living in Green Acres since 2005 with my wife and children. I serve on the neighborhood association board and am the past GAC pool board co-president. I am writing to express my feelings on the latest rezone request by on the property that is owned by Green Acres Baptist Church. I am very concerned about the development's impact on the neighborhood. I do understand the need for affordable housing. My wife and I are both educators, and the only way we could buy our first home (where we still live because we love the people and the feel of our neighborhood) was to be very creative with our financing.

This proposed development will significantly impact the neighborhood, especially for my neighbors at the top of the neighborhood on Brookwood Drive. This multifamily development will bring much added traffic to Forest Road and the neighborhood. It will also affect our property value, property tax, and the overall feel of the neighborhood. I read the proposal, which states that it is geared toward young professionals, but it will be geared toward whoever has the money to buy the units. I remember listening to Athens News Matters years ago and learning how often student housing developers rent condos/townhomes by the bedroom. I worry that this would be a practice for the units in our neighborhood. I also worry about the environmental impact that this development would have on our neighborhood.

I would hope that our planning department and county commissioners give this submission a good thought and think about what would be best for the citizens of Green Acres. I hope everyone understands the impact this would have on a vibrant, established neighborhood. In essence, it takes away the buffer from commercial property and brings it into the neighborhood by bringing added traffic onto the residential section of Forrest Road. Also, I believe it creates spot zoning by orphaning the house closest to Barnett Shoals as it will be on the other side of the proposed driveway, which could cause another zoning issue and more development inside the neighborhood. I understand that this property will one day be developed but I would hope that it would be developed in a way to create single-family homes in our neighborhood.

For what its worth - Years ago the former pastor at Green Acres Baptist met with our Neighborhood board and told us about the acquisition of the property and what a good thing it would be for the neighborhood. He spoke of building trails and also building a pavilion for the church. Since then, no trails have been built to my knowledge and this property has been defeated for several rezoning requests for commercial business.

Thank you for your time

Take Care,
Clint

Stephen Jaques

From: Pat Leavinsworth [redacted]
Sent: Thursday, February 29, 2024 9:16 AM
To: Stephen Jaques; Marc Beechuk
Subject: [EXT]2295 Barnett Shoals Rezone

Follow Up Flag: Follow up
Flag Status: Completed

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Stephen/Marc,

I wanted to write in to support the rezone at 2295 Barnett Shoals Road. I am a single, 54 year old faculty member at UGA and there are not many quality places to live close to campus/work. It seems that everywhere that I would want to live is either fit only for undergraduate students, families with children, or have income restrictions (I am none of these). Also, I am not a fan of living in a typical apartment complex like Pointe Grand or Lullwater at Jennings Mill which seem to be mostly non-student (in addition to being far away). I currently live at the Covey Homes Lexington project on the eastside but this is way too far away from work for me. I am familiar with the development that this same builder did on Research Drive and think it turned out very nicely and hope that the proposal on Barnett Shoals would be similar - I would love to live at the Research Dr community actually as it is closer to work but they tell me that they are completely full right now but they tell me I can move into Barnett Shoals if it is approved.

Thanks for your time,

Pat

Stephen Jaques

From: Rachel Gomez
Sent: Thursday, February 29, 2024 10:24 AM
To: Marc Beechuk; Stephen Jaques
Cc: Planning Internet Email
Subject: FW: [EXT]2295 Barnett Shoals Road & 170 Forest Road

Follow Up Flag: Follow up
Flag Status: Completed

From: Robert Trevena [redacted]
Sent: Thursday, February 29, 2024 10:23 AM
To: Planning Internet Email <Planning@accgov.com>
Subject: [EXT]2295 Barnett Shoals Road & 170 Forest Road

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February 29, 2024

Reference: 2295 Barnett Shoals Road & 170 Forest Road – ZONE-2024-02-0207

My name is Rob Trevena. My wife Barb and I live at 245 Crestwood Drive. As long-time residents of the neighborhood we do not support the proposed zoning change at 170 Forest Road nor do we support the proposed high-density development of 2295 Barnett Shoals Road. The purpose of the RS district is to stabilize and protect owner-occupied housing characteristics to promote a suitable environment for family life. The RM district allows mixed-density, multifamily residential development. The rezoning from RS-25 to RM-1 sets a precedent to allow development even further into our neighborhood changing the primary characteristics that make Green Acres a great neighborhood to raise families. The proposed high-density development is too tall, too dense, and is a completely inappropriate incursion and it is our hope that the Planning Commission does not recommend this proposal to the Mayor and Commission.

Rob Trevena

Stephen Jaques

From: Rachel Gomez
Sent: Thursday, February 29, 2024 10:31 AM
To: Marc Beechuk; Stephen Jaques
Cc: Planning Internet Email
Subject: FW: [EXT]Feedback: 2295 Barnett Shoals rezone request

Follow Up Flag: Follow up
Flag Status: Completed

From: Matt DeCamp [redacted]
Sent: Thursday, February 29, 2024 10:29 AM
To: Planning Internet Email <Planning@accgov.com>
Subject: [EXT]Feedback: 2295 Barnett Shoals rezone request

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Reference: 2295 Barnett Shoals Road & 170 Forest Road – ZONE-2024-02-0207

My name is Matt DeCamp, and I live in the Green Acres neighborhood at 410 Brookwood Drive. I'm writing to let you know that I do not support the proposed zoning change at 170 Forest Road and the proposed development of 2295 Barnett Shoals Road.

Thank you for your time,

Matt

--
Matt DeCamp
[redacted]

Stephen Jaques

From: Max Doty
Sent: Thursday, February 29, 2024 1:42 PM
To: Stephen Jaques; Marc Beechuk
Cc: Planning Internet Email
Subject: FW: [EXT]2295 Barnett Shoals Road & 170 Forest Road – ZONE-2024-02-0207

From: Joe Allen [redacted]
Sent: Thursday, February 29, 2024 1:41 PM
To: Planning Internet Email <Planning@accgov.com>; Carol Myers <Carol.Myers@accgov.com>
Subject: [EXT]2295 Barnett Shoals Road & 170 Forest Road – ZONE-2024-02-0207

EXTERNAL SENDER: **This email originated from outside of the organization.**
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Good afternoon. Our names are Joe and Melanie Allen. We live at 225 Forest Road, Athens, GA 30605. We do not support the proposed zoning change at 170 Forest Road and the proposed development of 2295 Barnett Shoals Road. We respectfully ask that you deny their rezoning request.

In February 2023, we moved to Athens to be near our daughter, her husband and our new grandchild. We downsized and found the perfect home and neighborhood at Green Acres. Our home is directly across the street from the Green Acres Baptist Church and very close to the proposed entrance to this property. Our concerns center first on the increased traffic and how that will impact our and our neighbors' quality of life. We chose Green Acres for its quiet streets and walkability. I am very concerned about the traffic that will spill over into that already congested intersection and the negative impact it could have on our home. With a new granddaughter, we are taking a lot of evening walks in a community without sidewalks. The added traffic will make those walks dangerous for our shared community. Second, the development appears to be incompatible and not in keeping with the current community character of detached homes. I would ask you to encourage the developers to listen to the community, think out of the box and consider cottages or bungalows as a compromise solution. While the developers say they took into account community concerns, to the best of my knowledge, they did not proactively engage with the community. They could have held listening sessions with the property's neighbors to engage with us early on in the process. Together, we could have crafted a workable and profitable solution that would have benefited them and the overall community. They (and the church which is selling the property) did not. That was a missed opportunity. We are not opposed to density. However, this project might be more appropriate to be built as part of a redevelopment of one of the nearby shopping centers.

If you have any questions or wish to speak with either of us, please do not hesitate to contact us.

Thanks
Joe and Melanie Allen
225 Forest Road
Athens, GA 30605
[redacted]

Stephen Jaques

From: Rachel Gomez
Sent: Friday, March 1, 2024 12:08 PM
To: Marc Beechuk; Stephen Jaques
Cc: Planning Internet Email
Subject: FW: [EXT]170 Forest Drive Rezoning

Follow Up Flag: Follow up
Flag Status: Completed

From: bob williamson [redacted]
Sent: Friday, March 1, 2024 12:07 PM
To: Planning Internet Email <Planning@accgov.com>
Subject: [EXT]170 Forest Drive Rezoning

EXTERNAL SENDER: **This email originated from outside of the organization.**
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To Whom It May Concern:
As a resident of GreenAcres Subdivision I am emailing you requesting that you deny rezoning 170 Forest Road from RS-25 to Rm-1.
I attended the latest meeting with the builder and was not impressed that any significant changes have been made since his original request for rezoning: The fact that he is now offering a "binding" plan does not impress.
That he has restructured the water runoff to runoff into the county system that is there does not impress; water runoff has historically been a problem since that parcel of land has existed, and continues being a problem to this day, despite efforts to allay it. It would appear that to truly solve this problem will require a lot of money and effort, certainly more than Mr. Underwood is presently planning to do or to spend. What he will do is bulldoze the trees and plants that now help to contain the runoff and build structures and pave surfaces that will no longer allow the present level of natural absorption of water.
His 50' buffer proposal doesn't address the concerns for noise and night light pollution to any satisfaction. This will impact and marginalize all the properties abutting this site, as will his entrance at the 170 Forest Road site after demolition of that property. Homes on either side of the proposed entrance will essentially become "dead zones."
Mr. Underwood's new zoning for condominiums opens other possibilities for a complete package purchase by investment groups, which would then create even more distance and accountability to our neighborhood far into our future.
And his proposal does not solve the problem of student residents in our neighborhood on a problematic scale because of the cars that accompany them. We are a single family neighborhood with many young families with young children and children of all ages who presently have the run of the place as "theirs." Student drivers in the numbers that can be expected should this project be allowed will create dangers we presently don't face. And it can be added to this that with all the construction presently going on in our area and is projected for our area, traffic is going to be a major issue for us on and off the Barnett Shoals corridor. We simply don't need the number of cars inside our neighborhood that Mr. Underwood's project would bring. Our neighborhood does not want this project. It isn't right for who we are and how we live.
Thank you for your consideration and for allowing me to voice my opinion and request
Respectively,
Bob Williamson

198 Clyde Road
Athens, Ga. 30605
[redacted]

Stephen Jaques

From: Max Doty
Sent: Monday, March 4, 2024 10:15 AM
To: Marc Beechuk; Stephen Jaques
Cc: Planning Internet Email
Subject: FW: [EXT]Re.: 2295 Barnett Shoals Rd. and 170 Forest Rd.- ZONE 2024-02-02907

From: Pam Suskauer [redacted]
Sent: Monday, March 4, 2024 10:13 AM
To: Planning Internet Email <Planning@accgov.com>
Subject: [EXT]Re.: 2295 Barnett Shoals Rd. and 170 Forest Rd.- ZONE 2024-02-02907

EXTERNAL SENDER: **This email originated from outside of the organization.**
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ACC Planning Commission:

My name is Pamela Suskauer, and I live at 294 Greencrest Dr.

I am STRONGLY opposed to the opposed zoning change at 170 Forest Rd. and the proposed development at 2295 Barnett Shoals Rd.

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA WITH RESPECT TO **THE TYPE I TEXT AMENDMENT PROCEDURE**; AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. Section 9-4-3 of the Code of Athens-Clarke County, Georgia, entitled "*Type I Procedure—General provisions*," is hereby amended by replacing sub-paragraph (g) of paragraph (8) of sub-section (C) thereof so that said sub-paragraph (g) now reads as follows:

> g. For zoning ordinance text amendments, the mayor and commission may vote to approve the text amendment, deny the text amendment, or remand the text amendment to the planning commission with comments from the mayor and commission for the planning commission's consideration. If a text amendment is remanded to the planning commission, it must be placed on the next available regular meeting agenda of the planning commission (in compliance with all applicable procedural requirements of this Code and state law) for the planning commission's consideration. The remanded text amendment, together with the comments from the mayor and commission, must then be considered by the planning commission in accordance with the usual procedures for text amendments.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

ATHENS-CLARKE COUNTY PLANNING COMMISSION
RECOMMENDATION

DATE: March 7, 2024	**FILE NO:** N/A

PETITIONER: Athens-Clarke County Unified Government
REQUEST: Amend Sec. 9-4-3 of the Code of Ordinances regarding procedures for Type I Planning Actions

PLANNING COMMISSION MOTION AND RECOMMENDATION:

NAME	YEA	NAY	ABSTAIN	NAME	YEA	NAY	ABSTAIN
Chair: Matthew Hall Present				Kristen Morales Present	X		
Vice-Chair: Alice Kinman Present	X			Taylor Pass Absent			
Vacant Seat				Alexander Sams Present	X		
Sara Beresford Present	X			Monique Sanders Absent			
Sarah Gehring Present	X			Joey Tucker Present	X		
NOTE: Chair does not vote except in case of tie.				TOTAL VOTES:	6	0	0

For: None
Against: None

Discussion: Commissioners noted that it would allow the Mayor & Commission to rewrite text amendments recommended by the Planning Commission. They did not want that to happen and mentioned it should remain as is to preserve checks and balances. Additionally, they mentioned that their expertise in zoning amendments is more of a benefit in the existing process. Commissioners stated that they liked the current procedure, which gives priority to amendment writing by Planning Commissioners and Staff.

Motion: Mr. Tucker made a motion to recommend approval with a condition. Ms. Morales seconded the motion, which passed unanimously.

Condition:

1. The text amendment shall be modified to strike the option for the Mayor & Commission to approve text amendments with conditions or modifications.

DATE: March 12, 2024

TO: Mayor & Commission

FROM: Bruce Lonnee, Assistant Planning Director

RE: Proposed Text Amendment to Type I Planning Action Procedures

As part of the Mayor and Commission's action regarding the adoption of Short-Term Rental regulations at their regular business meeting on Tuesday, February 6, 2024, Mayor Girtz directed the Planning Commission to consider a text amendment to Section 9-4-3. The purpose for the text amendment is to provide additional options for Mayor & Commission action when considering a text amendment proposal involving Title 9 of the Code of Ordinances.

Attached is the proposed text amendment to Section 9-4-3 of the Code of Ordinances regarding procedures for Type I Planning actions, as recommended for adoption by the Planning Commission at their March 7, 2024, meeting.

Attach.

CC: Brad Griffin, ACCGov Planning Director
John Hawkins, ACCGov Attorney's Office
Marc Beechuk, ACCGov Planning Department
File

Sec. 9-4-3. Type I procedure—General provisions.

A. The following actions shall follow the Type I procedure:

1. The adoption of a zoning ordinance;
2. The adoption of an amendment to the zoning ordinance which changes the text of the zoning ordinance;
3. The adoption of an amendment to the zoning ordinance which rezones property from one zoning map classification to another, which is not in conformance with the future development map, as established in table 9.4, compatibility matrix; or
4. The adoption of an amendment to the zoning ordinance which initially zones property to be annexed into the unified government;
5. The adoption of an amendment to the zoning ordinance, either by changing the text or by rezoning property from one map classification to another, or the grant of a special use permit, which relates to or will allow the location or relocation of a halfway house, drug rehabilitation center, or other facility for treatment of drug dependency in accordance with the provisions set forth in O.C.G.A. § 36-66-4;
6. The adoption of an amendment to the Athens-Clarke County Comprehensive Plan; or
7. The adoption of an amendment to the Official Future Development Map of Athens-Clarke County, adopted under subsection 9-3-3-A2.
8. Special Uses in the Airport Overlay Zone, to be evaluated under the review criteria established in Section 9-13-4, or rezoning property in the Airport Overlay Zone, which results in an increase of maximum allowed residential density or maximum allowed building height, or a Planned Development application that includes a waiver request of a requirement of Chapter 9-13, not otherwise prohibited as a variance in said Chapter.
9. Special Uses that are not in conformance with the future development designation of the subject property.

B. Type I zoning or planning actions—Generally:

1. Scope—Every Type I application shall address the impact of the proposed change on the following as applicable:
    a. The future development map and its intended outcome, the general plans for the physical development of Athens-Clarke County, and any master plan or portion thereof adopted by the mayor and commission per Section 9-4-3;
    b. The proposed rezoning or special use will not adversely affect the balance of land uses in Athens-Clarke County.
    c. Public facility elements of the comprehensive plan and how the proposed change will affect the provision of the services anticipated in the plan.
    d. The proposed use meets all objective criteria set forth for that use provided in the zoning ordinance and conforms to the purpose and intent of the comprehensive plan and all its elements.
2. Except for special uses, which are subject to chapter 9-20, actions in subsection 9-4-3 A. shall be further evaluated under the following factors to balance the interest in promoting the public health, safety, morality, or general welfare against the right to the unrestricted use of the property in issue:
    a. The existing land use pattern surrounding the property in issue;

b. The possible creation of an isolated district unrelated to adjacent and nearby districts;

c. The population density pattern and possible increase or over-taxing of the load on public facilities, including, but not limited to, schools, utilities, and streets;

d. The cost of the Unified Government and other governmental entities in providing, improving, increasing or maintaining public utilities, schools, streets and other public safety measures;

e. The possible impact on the environment, including, but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quantity;

f. Whether the proposed zoning amendment will be a deterrent to the value or improvement of development of adjacent property in accordance with existing regulations;

g. Whether there are substantial reasons why the property cannot be used in accordance with existing zoning; provided, however, evidence that the economic value of the property as currently zoned is less than its economic value if rezoned as requested will not alone constitute a significant detriment;

h. The aesthetic effect of existing and future use of the property as it relates to the surrounding area; and

i. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

C. Type I procedure:

1. Initiation of a Type I action may be made by:

a. Recommendation of the planning commission or any department of Athens-Clarke County.

b. Recommendation of the Athens-Clarke County Mayor and Commission.

c. Application of property owner. In case of an amendment to the zoning ordinance that rezones property from one zoning classification to another, application shall be executed by all property owners, including holders of deeds to secure debt, as recorded in the official records of the superior court of Athens-Clarke County, or their authorized agents.

2. Unless initiated by one of the bodies in subsections 1.a. or 1.b. above, complete applications must be submitted at least 90 days prior to the first meeting of the planning commission at which the application is to be considered.

3. If the applicant contends that the current zoning classification of the property in issue constitutes an unconstitutional taking, written notice of such contention, and a written evaluation using the factors set forth in subsection 9-4-3 B. supporting the contention, must be filed with the application; otherwise, the applicant shall be deemed to have waived such contention. Affidavits of fact, appraisals, and related studies shall be filed with the application, in support of applicant's position.

4. A public hearing shall be held before the planning commission in accordance with its adopted rules of procedure. The planning staff shall present their report, followed by the applicant's presentation. The planning commission shall then entertain comments from other proponents or opponents. The planning commission shall adopt and publish written rules governing its hearing procedures, which shall be available for distribution at the hearing.

5. Following the public hearing before the planning commission, the planning commission shall make a report of its findings and recommendations on the proposed action. Such report shall be forwarded to the Athens-Clarke County Mayor and Commission within 15 days of the planning commission's final decision on the proposed action. Failure to timely file a report shall create no presumption either in

favor or against the proposed action. The recommendation of the planning commission shall be of an advisory nature and not be binding on the mayor and commission of Athens-Clarke County.

6. Following receipt of the planning commission report, the mayor will set the zoning action on the agenda of the mayor and commission. At the agenda setting session of the mayor and commission preceding the public hearing at the regular business session, the Athens-Clarke County Mayor and Commission shall first hear a summary of the application and relief sought, together with the recommendation of the planning commission, as related by the planning director, or his/her designee. In addition, the applicant(s) or their authorized agent may appear, and answer any questions the mayor and commissioners may have.
7. At the public hearing, all persons supporting or opposing a proposed rezoning or Special Use may take either one of two different opportunities to address the mayor and commission at the final public hearing on the proposed rezoning or Special Use, as follows:
    a. Proponents shall first present their ten-minute argument and evidence in support of the proposed rezoning, and opponents shall then present their ten-minute argument and evidence in opposition to the proposed rezoning.
    b. Neither side will be required to use all of its ten-minute argument period.
    c. Either side may allocate its ten-minute argument period among any number of speakers, provided that the presentation by all speakers for each side shall not exceed ten minutes per side.
    d. All persons wishing to speak longer than three minutes during one side's ten-minute argument period must register their intent to do so with the clerk of commission not later than the time of the meeting of the mayor and commission at which the final public hearing on the proposed rezoning is to be conducted is first called to order.
    e. In the event that all persons wishing to speak longer than three minutes as a part of one side's ten-minute argument are not able to agree how that side's ten-minute argument period shall be allocated, they shall inform the mayor of their disagreement before either side begins its ten-minute argument, in which event the mayor shall decide and announce the manner in which that side's ten-minute argument period shall be allocated. Any commissioner dissatisfied with the mayor's allocation of that side's ten-minute argument shall have the right to appeal the mayor's allocation decision to the commission before either side begins its ten-minute argument.
    f. After the supporters and opponents of the proposed rezoning or Special Use have concluded their ten-minute arguments, any person who has not yet spoken either for or against the proposed rezoning or Special Use shall be allowed to address the mayor and commission concerning the proposed rezoning or Special Use for no longer than three minutes per person.
8. After closing the public hearing, the Athens-Clarke County Mayor and Commission may:
    a. Vote to approve both the amendment to the Official Future Development Map of Athens-Clarke County and the rezoning or Special Use with conditions or without conditions; or
    b. Vote to deny the rezoning or Special Use and approve amendment to the Official Future Development Map of Athens-Clarke County; or
    c. Vote to send the rezoning or Special Use back to the planning commission and to approve the amendment to the Official Future Development Map of Athens-Clarke County; or
    d. Vote to deny both the amendment to the Official Future Development Map of Athens-Clarke County and the rezoning or Special Use; or
    e. Hold without action for no more than 40 days; or

f. Rezone the subject property to the most appropriate zoning classification consistent with the Official Future Development Map of Athens-Clarke County, pursuant to the public notice provisions found in subsection 9-4-9.E.3.a.

g. For zoning ordinance text amendments, the mayor and commission may vote to approve the text amendment, ~~approve the text amendment with conditions or modifications,~~ deny the text amendment, or remand the text amendment to the planning commission with comments from the mayor and commission for the planning commission's consideration ~~approve or deny the text amendment~~. If a text amendment is remanded to the planning commission, it must be placed on the next available regular meeting agenda of the planning commission (in compliance with all applicable procedural requirements of this Code and state law) for the planning commission's consideration. The remanded text amendment, together with the comments from the mayor and commission, must then be considered by the planning commission in accordance with the usual procedures for text amendments.

9. Approval of all Type I zoning actions shall be by ordinance only.

(Ord. of 12-5-2000, § 1; Ord. of 9-3-2002, § 1; Ord. of 7-1-2008, §§ 3—5; Ord. of 5-5-2009, § 2; Ord. of 2-7-2012, § 1; Ord. of 12-4-2012, § 2; Ord. of 2-3-2015, §§ 1—3 ; Ord. of 1-4-2022(4) , § 1)

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: SPLOST 2020 Project 26, Recovered Material Processing & Reuse Facility Project (Sub-Project #1), Professional Services Contract

DATE: February 21, 2024

EXECUTIVE SUMMARY:
The proposed action is requesting the approval of the design services contract in accordance with the ACCGov Purchasing Ordinance. The proposed is an ACCGov approved on-call design services firm. The firm will be providing Professional Design services and Construction Administration services throughout the project.

BUDGET INFORMATION:

REVENUES:	$	8,285,900	SPLOST 2020 Project 26 Sub-Project #1
	$	8,285,900	Total Revenue Available
EXPENSES:			
CAPITAL:	$	34,105	Expensed & Encumbered
	$	5,376,388	Available for Construction
	$	381,983	Designated Misc./PM Fees/ Testing Permitting
	$	51,000	Designated Public Art
	$	428,334	Designated Furniture, Fixtures, & Equipment (FF&E)
	$	1,657,180	Designated Contingency
	$	356,910	Designated for Design Services

OPERATIONAL: $(150,000)/yr

FUNDING SOURCE:
CAPITAL: SPLOST 2020 Project 26
OPERATIONAL: General Fund

COMMISSION ACTION REQUESTED ON: April 2, 2024

PURPOSE:
To request that the Mayor and Commission:

a. Approve an hourly rate, not-to-exceed Professional Services contract in the amount of $356,910 to Pond & Co. for Schematic Design, Final Design, Bidding, and Construction Administration Services in accordance with the approved Project Concept (**Attachment #1**)

for the Recovered Material Processing & Resue Facility (SPLOST 2020 Project 26, SP #1); and,

b. Authorize the Mayor and appropriate staff to execute all related documents.

HISTORY:

1. On November 16, 1976, ACC Landfill was first opened to collect municipal solid waste.

2. In June 1993, the Georgia Environmental Protection Division (GaEPD) approved ACCGov's Landfill Design and Operation Plan which allowed the landfill to expand to other areas of the property.

3. In November 1995, the Recovered Material Processing Facility (RMPF) was constructed to divert recyclable waste from the landfill, package the material, and shipped to a facility for processing.

4. On January 2, 2008, M&C approved an intergovernmental agreement with Oglethorpe County, related to the purchase of the approximately 79 acres of land for landfill purposes.

5. On May 4, 2010, M&C approved staff solicitation of proposals to finance $3,700,000 in capital cost for the landfill expansion of Phase 3 which included a new scale house, engineering costs and construction services through the Solid Waste Management Authority of Athens-Clarke County.

6. On June 1, 2010, M&C approved the final contract for issuing debt for the landfill construction of Phase 3 including the scale house.

7. In December 2011, the RMPF was converted into a single-stream processing facility to increase efficiency and increase amount of material packaged for shipping.

8. On December 19, 2012, the major modification adding the 79 acres to the current Design and Operation Plan to the permit for Phase V was approved by GaEPD.

9. On November 2015, CHaRM was opened that allowed for the collection of hard to recycle materials. Additionally, it provided a space for the Teacher Reuse Store, yard equipment rentals, and a place for residents to repair household items.

10. On June 6, 2017, the M&C adopted the FY18 Capital Budget, which included funds for the construction of Phase V (Cell 1A and 1B) along with Debt Issue for Landfill Phase V construction. The construction of previous landfill phases has been funded by bonds or government bank loans. The landfill enterprise fund repaid the debt through fees charged for disposal.

11. On October 18, 2018, a contract with Cooper, Barnette and Page, for construction of Landfill Phase V was executed and the notice to proceed with construction was issued. Construction was completed in the fall of 2019.

12. On February 26, 2019, at the request of the SPLOST Citizen's Advisory Committee (CAC), staff submitted a reduced Project Submission based on the assumption of having the building and utilities completed with SPLOST 2020 funds, if selected, and then leverage the building to attract a private company to supply the processing equipment (capital costs) and all of the operational costs.

13. On March 26, 2019, the SPLOST Citizen's Advisory Committee presented their recommended Candidate Projects to the M&C in a special called work session. As part of that presentation, the CAC received comments and direction from the M&C. M&C requested the CAC combine two recommended projects: (the ACC Recycling Creative Reuse Space & Facility Relocation and the New Recovered Material Processing Facility) into a single project and reduce the budget by 7.5%.

14. On July 10, 2019, the M&C held a Special Called Work Session to review the proposed SPLOST 2020 Initial Project Statements and finalize project costs ahead of the vote on Final Projects for the referendum. The M&C did not vote, but consensus was reached through a Commission-generated spreadsheet for the projects and budgets to be included in the referendum. The combined Recovered Material Processing & Reuse Facility Project budget was reduced by an additional 5% but no with specific direction on reducing the scope of the project.

15. On August 6, 2019, M&C approved the SPLOST 2020 Project 06 and budget; adopted a resolution calling for a referendum on November 5, 2019.

16. On November 5, 2019, Athens-Clarke County (ACC) voters approved the SPLOST 2020 Program Referendum. This Referendum included the combined Recovered Material Processing & Reuse Facilities Project (SPLOST 2020 Project 06).

17. On February 2, 2021, M&C approved, by Commission Defined Option, the SPLOST 2020 Project Funding Schedule. The Recovered Material Processing & Reuse Facilities Project (SPLOST 2020 Project 26) funding was programmed for Tiers 4-7 (FY 24 – FY 27).

18. On May 12, 2021, ACAC recommended SPLOST 2020 Project 26, Project 06 Recovered Material Processing & Reuse Facilities Project be designated as appropriate for public art with a budget amount of 1% of the proposed construction budget.

19. In December 2022, ACCGov Manager Williams selected the User Group Members to help ensure ACCGov long term goals are promoted during the Project Development process. The User Group Members are:
    - Suki Janssen

- Joe Dunlop
- Brad Rickard

20. On December 18, 2023, the SPLOST 2020 Oversight Committee confirmed the Proposed Project Concept was in accordance with the Initial Project Statement.

21. On January 2, 2024, M&C approved the Proposed Project Concept (**Attachment #1**) and designated the Project appropriate for Public Art with a proposed budget of $51,000.

22. On January 26, 2024, a request for proposals from current ACCGov On-call Professional Design Firms with the experience and qualifications for this type of work were requested.

23. On February 16, 2024, proposals were received from two on-call firms:
    - Prime Engineering, Inc.; and
    - Pond & Co.

24. On February 22, 2024, the User Group reviewed the proposal submissions for Design Services and selected Pond & Co. as the most responsive and highest scoring firm.

FACTS & ISSUES:

1. The Initial Project Statement for SPLOST 2020 Project 26, Recovered Material Processing Facility reads as follows:

   Project 26 - Recovered Material Processing Facility: *This project will provide funding for design, construction, and/or equipping of a new Recovered Material Processing Facility (RMPF). The proposed RMPF will be located on the ACC Landfill property and include an approximate 40,000 square feet facility with space for covered material management floors, bale storage to maximize potential revenues from end-markets and modern sorting technology and equipment to better sort incoming tonnage. To the extent permitted by law, the facility is envisioned to be built as a public-private partnership with the Unified Government providing funding for the design and construction of the building, and the private partner providing the facility equipment and operational expense. Depending upon costs and funding availability, this project may also provide for the renovation of the existing Recovered Material Processing Facility (RMPF) at 699 Hancock Industrial Way, once a new facility has been constructed at the ACC landfill. Renovation may include, but not be limited to, providing space for relocating the existing Center for Hard to Recycle Materials (CHaRM), Teacher Reuse Store, Special event collection (Bulky Waste, tire amnesty collection, Chipper Christmas tree collection), and Keep Athens-Clarke County Beautiful Toolshed from their current location at 1005 College Ave. Additionally, to the extent allowed by law, funds may be used as matching funds for leveraging grant opportunities.*

2. The current ACCGov Recovered Materials Processing Facility (RMPF), located at 699 Hancock Industrial Way, is operated in partnership with a private contractor. ACCGov owns the

property and currently contracts with Republic Services for operation of the facility. The facility is nearly 25 years old, 22,000 square feet on just over five acres and owned by ACCGov. The facility currently processes approximately 19,000 tons per year of recyclables - residential and commercial single stream, pre-sorted cardboard, and pre-sorted shredded paper. The current facility was constructed to handle paper (specifically, increased newsprint, mixed paper and cardboard), bottles, and cans.

3. M&C approved the Project Concept (**Attachment #1**) and authorized staff to advance the Project to the Schematic Design Phase. Pond & Co., is one of ACCGov's on-call design engineers and provided the highest scoring proposal from the on-call design firms (History #19 & #20). Pond would provide the following, but not limited to, major tasks in accordance with the ACCGov Project Delivery Process:

    - Environmental Studies & Permitting
    - Geotechnical Investigations
    - Schematic Design, Final Designs, specifications, bid alternates
    - Cost estimates

4. In keeping with the Sustainable Building Design and Construction Policy (SUST-002), the Proposed Project Concept includes the Project being designed to meet Section II.G. of the policy; which applies to the Procedure for Applying the Policy to Non-certified Building Projects. This building would not be required under the SUST-002 Policy achieve certification because it will not have more than 5,000 square feet of conditioned space. This is in keeping with the way the previous version of the policy (SUST-001) was interpreted for similar spaces (e.g., the Solid Waste Maintenance Building is not a certified building but the Solid Waste Administration Building is certified).

5. Even though the building will not seek such certification, the design RFP and the ultimate facility design will be design in accordance with the SUST-002 guiding principles as outlined in Section II. E. & F., as required. Additionally, the building will be designed to support solar panels as part of the original build or can be added a future date when additional funding sources are identified and appropriated by M&C.

6. The Sustainability Office will review the facility as it progresses through the schematic design phase. Recommendations by the Sustainability Office for potential funding of renewable energy systems will be forwarded to the SPLOST 2020 Renewable Energy Project User Group, the SPLOST 2020 Oversight Committee and then to M&C for consideration at the Proposed Schematic Design Approval Phase.

7. If approved, the following would be the proposed implementation schedule for the next key milestones:
    - Schematic Design for M&C consideration – Spring 2024
    - Construction & Bid Documents Completed – Winter 2024
    - Construction Services presented for M&C consideration – Winter 2024

- Construction Completion – Winter 2025

8. This recommendation supports the following ACCGov Strategic Plan Goal & Strategy:
   - Built and Natural Infrastructure, Goal 6: Strategy D – *Provide the community with a processing facility that diverts waste from the landfill, sorts the diverted material, packages the recyclable material for future reuse, and reduces the creation of hazardous emissions.*

OPTIONS:

1. Mayor and Commission:

   a. Approve an hourly rate, not-to-exceed Professional Services contract in the amount of $356,910 to Pond & Co. for Schematic Design, Final Design, Bidding, and Construction Administration Services in accordance with the approved Project Concept (**Attachment #1**) for the Recovered Material Processing & Resue Facility (SPLOST 2020 Project 26, SP #1); and,

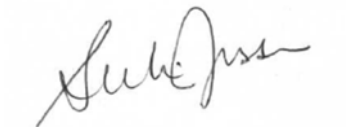
   b. Authorize the Mayor and appropriate staff to execute all related documents.

2. Mayor and Commission deny the Award of a Professional Services contract for the Recovery Material Processing & Reuse Facilities Project (SPLOST 2020 Project #26) to Pond & Co.

3. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option #1 a & b

DEPARTMENT: Prepared by: Daniel Garren for Solid Waste Department



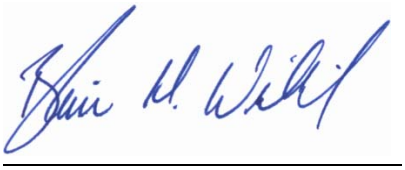
Suki Janssen, Solid Waste Department Director — March 7, 2024 Date:



Keith D. Sanders, SPLOST Program Administrator — March 6, 2024 Date:

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1 a & b



Manager

March 14, 2024
Date:

ATTACHMENTS:

Attachment 1: M&C Approved Project Concept

Attachment 1

M&C Approved Project Concept (January 2, 2024)

SPLOST 2020 Project 26: Recovered Material Processing & Reuse Facility

Initial Project Statement:

This project will provide funding for design, construction, and/or equipping of a new Recovered Material Processing Facility (RMPF). The proposed RMPF will be located on the ACC Landfill property and include an approximate 40,000 square feet facility with space for covered material management floors, bale storage to maximize potential revenues from end-markets and modern sorting technology and equipment to better sort incoming tonnage. To the extent permitted by law, the facility is envisioned to be built as a public-private partnership with the Unified Government providing funding for the design and construction of the building, and the private partner providing the facility equipment and operational expense. Depending upon costs and funding availability, this project may also provide for the renovation of the existing Recovered Material Processing Facility (RMPF) at 699 Hancock Industrial Way, once a new facility has been constructed at the ACC landfill. Renovation may include, but not be limited to, providing space for relocating the existing Center for Hard to Recycle Materials (CHaRM), Teacher Reuse Store, Special event collection (Bulky Waste, tire amnesty collection, Chipper Christmas tree collection), and Keep Athens-Clarke County Beautiful Toolshed from their current location at 1005 College Ave. Additionally, to the extent allowed by law, funds may be used as matching funds for leveraging grant opportunities.

Must Have: The items under this list are required to be constructed for the project to function as defined by the Initial Project Statement.

- Facility to be constructed on ACC Landfill Site.
- Litter fencing around perimeter of the RMPF facility.
- 35,000 SQFT building to house the sorting equipment and operational offices.
- Minimum of 26’ in building height to accommodate for tipping trucks.
- Building to include recycling education room, break room, operations room, restrooms, and staff offices.
- Office and education center to be conditioned space.
- Minimum two openings at the tipping facility for trucks.
- Minimum three openings at the loading facility for trucks.
- Trench drains at tipping and loading openings.
- Install necessary water, electrical, sewer, storm water, and internet infrastructure for the building.
- 4’ elevation drop at the end of the facility to allow loading of packaged material.
- Provide 12 of parking spaces for facility staff.

Highly Wanted: This is list of items that would have a beneficial operational or functional impact on the project if it was implemented into design and construction.

- Single sloped roof with 26’ peak height
- Hose bibs and compressed air at various stations in the building.
- Skylights along the tops of the perimeter walls for sunlight.
- Outbound truck weighing scale located at the existing scale station.
- 40,000 sqft building to house the sorting equipment and operational offices
- Minimum three openings at the tipping facility for trucks.
- Minimum four openings at the loading facility for trucks.

Nice to Have: This is a list of items that would benefit the operational and functional needs if the project had an unlimited budget.

- Approximately 5000 SQFT exterior covered area for bale storage.
- 45,000 sqft building to house the sorting equipment and operational offices
- Minimum four openings at the tipping facility for trucks.
- Minimum five openings at the loading facility for trucks.

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: FY25 Community Partnerships Program (CPP) Funding Recommendations

DATE: February 28, 2024

EXECUTIVE SUMMARY:

As facilitators for the Vision Committee, HCD is presenting funding recommendations for the FY25 Community Partnership Program. 11 out of 16 agency applicants are recommended for funding to support priority community services and homeless services activities with general funds totaling $550,000.

BUDGET INFORMATION:

REVENUES:

	FY25 Community Partnership Program (CPP) General Funds
$550,000	FY25 Community Partnership Program General Funds
$550,000	**Total Estimated FY25 CPP Allocation**

EXPENSES:

	FY25 CPP Funding Recommendations
$38,800	Bigger Vision of Athens – Abundant Life Program
$46,850	Sparrow's Nest – Breaking the Cycle Program
$16,500	Acceptance Recovery Center – ARC Indigent Funds Program
$91,428	Project Safe – High Risk Team Advocates
$35,129	Georgia Conflict Center – Restorative Justice Diversion Program
$33,000	Athens Area Diaper Bank – Diaper Distribution Program via Healthcare Related Organizations
$120,000	Athens Area Homeless Shelter – Athens Area Homeless Shelter Programs
$24,400	United Way of Northeast GA – 211 Program
$50,000	Divas Who Win – School Dayz Ambassador Enrichment Program for Marginalized Young Women and Girls
$40,000	Juvenile Offender Advocate, Inc. – Juvenile Offender Advocate Program
$53,893	Athens Model Neighborhood Health Center, Inc. – ANHC Behavioral Health Program
$550,000	**Total FY25 CPP Allocation**

FUNDING SOURCE: FY25 HCD General Operating Budget

COMMISSION ACTION REQUESTED ON: April 2, 2024

PURPOSE:

To request that the Mayor and Commission:

a. Approve the proposed FY25 Community Partnership Program funding recommendations listed in **Attachment #1**; and
b. Authorize the Mayor and appropriate ACCGov staff to execute all related contracts and documents.

HISTORY:

1. In January and May 2023, during M&C review and discussion of the FY24 Budget, ACCGov Manager Williams proposed a new Community Partnership Program to provide General Fund funding to community partner agencies through a competitive grant process with funding beginning in FY25.

2. On June 6, 2023, the M&C adopted the FY24 Budget through a Commission Defined Option. The approved FY24 Budget did not include advance funding for the FY25 Community Partnership Program. The FY24 Budget included $542,902 in the General Fund for "community service agencies."

3. On August 8, 2023, a contract was executed with ZoomGrants software for full, online grant management of all HCD funding, including General Funds awards.

4. On August 12, 2023, HCD conducted an orientation training meeting for all Vision Committee members to prepare them for updated and new review responsibilities for upcoming RFP application releases.

5. On September 1, 2023, HCD recorded an online ZoomGrants application training session for agencies to reference when applying for available funding and posted the video on HCD's website at https://accgov.com/5553/HOME-Program.

6. In September 2023, the Housing and Community Development Department (HCD) submitted a competitive process proposal draft for the Community Partnership Program, including a draft application, evaluation criteria, and timeline.

7. In October 2023, HCD updated draft documents that created a notification letter to advise all interested partners of the proposed RFP process.

8. On November 6, 2023, the Manager's Office distributed a Notice of Proposed Administrative Action (NOPAA) to advise the M&C of its proposal to authorize HCD's facilitation of the CPP Program.

9. On December 5, 2023, at their regular voting meeting, the M&C unanimously approved the Community Partnership Program annual competitive process.

10. In December 6, 2023, the ACCGov Finance Department sent out a formal letter notification, via email, to all current agency recipients of General Funds to make them aware of the change to this annual funding process. Agencies that received notification included:
    a. Athens Neighborhood Health Center
    b. Athens Tutorial Program
    c. Envision Athens
    d. United Way of Northeast Georgia
    e. Athens Land Trust
    f. Athens Area Homeless Shelter

11. On December 10, 2023, ZoomGrants provided online application review training to Vision Committee members, and the recorded video was posted on the ACCGov YouTube website at https://www.youtube.com/watch?v=hzCFQgccUHY&ab_channel=Athens-ClarkeCounty.

12. From December 31, 2023, to January 28,2024, HCD advertised the availability of FY25 CPP funding by newspaper ad (ABH), via radio ads (WXAG), through Newsflash and ListServ emails, and by posting on the HCD and ACCGov websites.

13. On January 8, 2024, HCD hosted a virtual public application release meeting for FY25 CPP funds and posted a recording of that video on HCD's website at https://accgov.com/10888/Community-Partnership-Program.

14. From January 9, 2024, through January 28, 2024, HCD staff provided comprehensive technical support and assistance to agencies interested in applying for CPP funding.

15. On January 29, 2024, the FY25 CPP applications were due to HCD through ZoomGrants and the acceptance process was closed after 11:59pm.

16. From January 30, 2024, to February 14, 2024, Vision Committee members were provided reviewer access to ZoomGrants to complete evaluations and scoring of all submitted FY25 CPP applications.

17. On February 16, 2024, HCD met with the Vision Committee in a public, livestreamed meeting at the ACCGov Snipes Water Resources Center for the purpose of discussing and reviewing final scores and rankings for all submitted FY25 CPP applications. A recording of this meeting was posted on the Vision Committee website at https://accgov.com/3551/Vision-Committee.

FACTS & ISSUES:

1. Annually, ACCGov has funded a number of outside agencies as a part of the budget process. These agencies can be categorized into two groups: 1) Community Service Agencies and 2) Quasi-Governmental Agencies. Quasi-Governmental Agencies are generally established in state law, and ACCGov has some legally required and shared responsibilities, while Community Service Agencies provide contracted services, but ACCGov is not compelled by state law to support these agencies.

2. General funds totaling approximately $550,000 have previously been awarded on an annual basis to nonprofit organizations ("Community Service Agencies") carrying out M&C supported public service activities in Athens-Clarke County. These recipient agencies were fixed from year to year with no competitive process to award funds. Agencies included:
    a. Athens Neighborhood Health Center
    b. Athens Tutorial Program
    c. Envision Athens
    d. United Way of Northeast Georgia
    e. Athens Land Trust
    f. Athens Area Homeless Shelter

3. Beginning with FY25 funding, outside agencies that are not Quasi-Governmental Agencies were invited to submit funding proposals through the new Community Partnership Program to provide a more transparent and competitive funding process. Current Quasi-Governmental Agencies will continue the current budget submission and review process.

4. Eligible applicants for the FY25 CPP must be a legally formed nonprofit entity located within Athens-Clarke County and must provide services directly benefitting residents of ACC. Eligible applicants must provide proof of legal formation through the Secretary of State, federal tax exemption status, completed audits or financial statements prepared by an independent auditor or certified public accountant (certified profit and loss statement is acceptable for agencies expending less than $100,000 in the prior fiscal year), meet minimum insurance requirements, and must be in good standing with ACCGov.

5. ACCGov funding is subject to the State of Georgia's gratuities clause. Recipients of agency direct assistance using Community Partnership Program funds must be at 30% or below Area Median Income (AMI).

6. ACCGov funding is intended to secure programs and services that support and achieve goals and strategies outlined in the FY23-25 Strategic Plan. It is not intended to support general operating and overhead costs unassociated with the program or services being funded.

7. The FY25 Community Partnership Program competitive performance period covers activities from July 1, 2024, through June 30, 2025. Competitive allocation of general funds in support of Community Services and Homeless Continuum of Care (CoC) projects include:

a. Community Services, including neighborhood revitalization activities, poverty reduction and economic strength activities, and intervention and prevention activities.
b. Homeless CoC projects that support case management services for persons experiencing homelessness, and assist with completing the annual Point in Time (PIT) count, and agree to active participation as a member of the homeless coalition.

8. HCD's Vision Committee completed the review and recommendation of funding process. HCD staff facilitated the process by providing training to committee members for the evaluation process, supplying rating criteria tools needed for evaluation, coordinating review and recommendation meetings for the Vision Committee, drafting agenda and final funding recommendation materials, and conducting the work session presentation.

9. The FY25 CPP and funding outlined in **Attachment #1**, or as modified by the Mayor and Commission, will represent the Professional Services budget for the Housing and Community Development FY25 Operating Budget, and contacts will be managed by HCD staff.

10. Upon HUD's acceptance of the FY25 Community Partnership Program funding recommendations, HCD staff will initiate contract execution for each agency's allocated FY25 CPP funding. HCD staff will begin implementation of CPP activities by July 1, 2024.

11. These recommendations support the following ACCGov Strategic Plan Goals, Strategies, and/or initiatives:
    a. Strategy 1F: Examine, understand, and improve public safety policies and processes to enhance public trust.
    b. Strategy 2C: Identify ways to address unaddressed community needs and develop programs, policies and processes to facilitate community transformation.
    c. Strategy 2D: Ensure existing resources reach marginalized people and those most in need through effective and accessible social service delivery, nonprofit capacity building, and problem solving with connected community partners.
    d. Strategy 2E: Support diverse, innovative, and creative economy.
    e. Strategy 3C: Improve programs, processes, policies and communication, external and internal, assess how resources are allocated to meet existing and future needs for better service delivery and what we deliver.
    f. Strategy 3D: Increase resident engagement in the decision-making process to give greater emphasis to information and power sharing, mutual respect, and reciprocity between residents and their government.
    g. Strategy 4A: Support home ownership by increasing opportunities for low-and middle-income people to own a home and help people retain and remain in homes.
    h. Strategy 4D: Prevent and reduce homelessness by enabling supportive housing options that meet a variety of needs.
    i. Strategy 4E: Improve equitable housing opportunities in identified disinvested or underinvested areas.

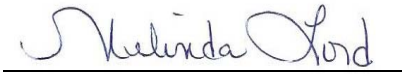
j. Strategy 4F: Provide support to tenants to improve quality of life.

OPTIONS:

1. Mayor and Commission:
   a. Approve the proposed FY25 Community Partnership Program funding recommendations listed in **Attachment #1**; and
   b. Authorize the Mayor and appropriate ACCGov staff to execute all related contracts and documents.
2. Mayor and Commission deny approval of the proposed FY25 Community Partnership Program funding recommendations.
3. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option #1 a & b

DEPARTMENT: Housing & Community Development
Prepared by: Melinda Lord



Melinda Lord, Assistant Director

03/12/2024
Date:

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1 a & b



Manager

March 14, 2024
Date:

ATTACHMENTS:

Attachment#1 FY25 CPP Award Recommendations
Attachment#2 FY25 CPP Recommendations Summary
Attachment#3 FY25 CPP Scoring

Attachment #1

Athens-Clarke County
Housing & Community Development Department
FY25 Community Partnerships Program Funding Recommendations

FY25 Community Partnership Program (CPP) General Funds: $550,000.00

FY25 CPP Funding Recommendations:

Community Services

1. Acceptance Recovery Center……. $16,500.00
   ARC Indigent Funds Program
2. Project Safe……. $91,428.00
   High Risk Team Advocates
3. Georgia Conflict Center…….. $35,129.00
   Restorative Justice Diversion Program
4. Athens Area Diaper Bank……..... $33,000.00
   Diaper Distribution Program via Healthcare Related Organizations
5. United Way of Northeast Georgia……..…. $24,400.00
   2-1-1 Program
6. Divas Who Win…….……...… $50,000.00
   School Dayz Ambassador Enrichment Program for Marginalized Young Women and Girls
7. Juvenile Offender Advocate, Inc…….. $40,000.00
   Juvenile Offender Advocate Program
8. Athens Model Neighborhood Health Center, Inc…….…. $53,893.00
   Athens Neighborhood Health Center Behavioral Health Program

Total Community Services Activities……. $344,350.00

Homeless Continuum of Care Services

9. Bigger Vision of Athens……. $38,800.00
   Abundant Life Program
10. Sparrow's Nest……..... $46,850.00
    Breaking the Cycle Program
11. Athens Area Homeless Shelter…….……..... $120,000.00
    Athens Area Homeless Shelter Programs

Total Homeless Continuum of Care Services Activities……..... $205,650.00

TOTAL FY25 Community Partnership Program Funding……$550,000.00

Attachment #2

Athens-Clarke County Unified Government Vision Committee supported by the Housing and Community Development Department

July 1, 2024 – June 30, 2025

Summary of

FY25 Community Partnership Program Proposals

The Athens-Clarke County
Housing and Community Development Department (HCD)
375 Satula Avenue
Athens, GA 30601
706.613.3155
www.accgov.com/hcd

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Homeless Services
Application Summaries

Community Partnership Program Inception

In January and May of 2023, during the Mayor and Commission review and discussion of the FY24 budget process, the Manger's Office proposed a new Community Partnership Program (CPP) idea to provide General Fund grants to eligible partner agencies through a competitive process. In September 2023, a competitive process proposal draft for the CPP, including a draft application, evaluation criteria and timeline was submitted to the Mayor and Commission for consideration. On December 5, 2023, the Mayor and Commission approved the Community Partnership Program process for the FY25 budget year.

Approximately $550,000 in general funds is available to support eligible CPP activities. There is no minimum threshold request for funding at this time, but all applications must address an eligible ACCGov FY23-25 Strategic Plan goal. Only legally formed not-for-profit/nonprofit entities located within Athens-Clarke County that have proof of nonprofit legal formation, are currently in good standing with ACCGov and provide services directly benefitting ACC residents are eligible to apply.

The Vision Committee (Resident Advisory Board)

The Vision Committee is a ten-member resident advisory group that, for purposes of the Community Partnership Program, are responsible for the review and funding recommendations of this program. Committee members are appointed by the mayor and serve three-year terms. All Vision Committee meetings are public, livestreamed and posted on ACC's official government calendar.

HCD will annually release CPP applications and provide support and facilitation to the Vision Committee as they review applications and meet to deliberate and gain consensus once application reviews have been completed. The Vision Committee reviews application criteria, including an equity assessment, to determine the level of priority for each application, allocating up to 100 points per project. Rankings for funding recommendations are based on the total points from Vision Committee reviews. The Vision Committee meets publicly as a group, with HCD staff serving as facilitators, to discuss all proposals for potential funding recommendations to be presented to Mayor and Commission for consideration. The Mayor and Commission reserve the right to accept, modify, or reject Vision Committee funding recommendations.

On April 2, 2024, the Mayor and Commission will hold a public hearing to approve Community Partnership Program activities and funding for Fiscal Year 2025 (July 1, 2024 – June 30, 2025).

Eligible Strategic Plan Goal Activities

Eligible strategic plan goal activities include: <u>Community Services and Homeless Services</u>
Community Services include:

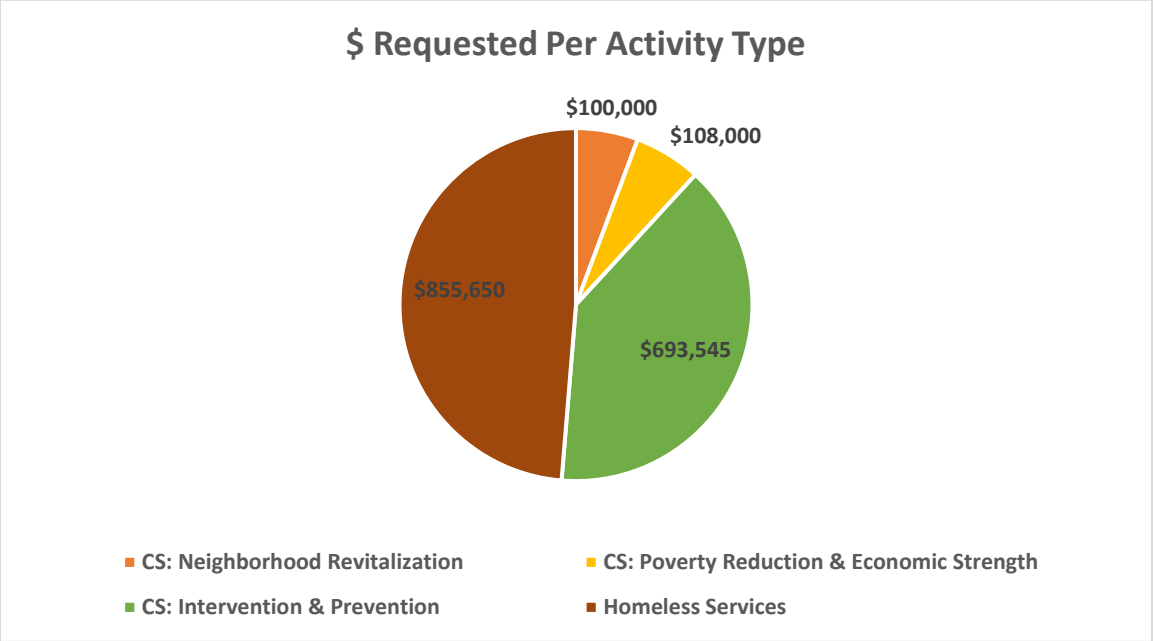
- Neighborhood Revitalization Activities **OR**
- Poverty Reduction and Economic Strength Activities **OR**
- Intervention and Prevention Activities

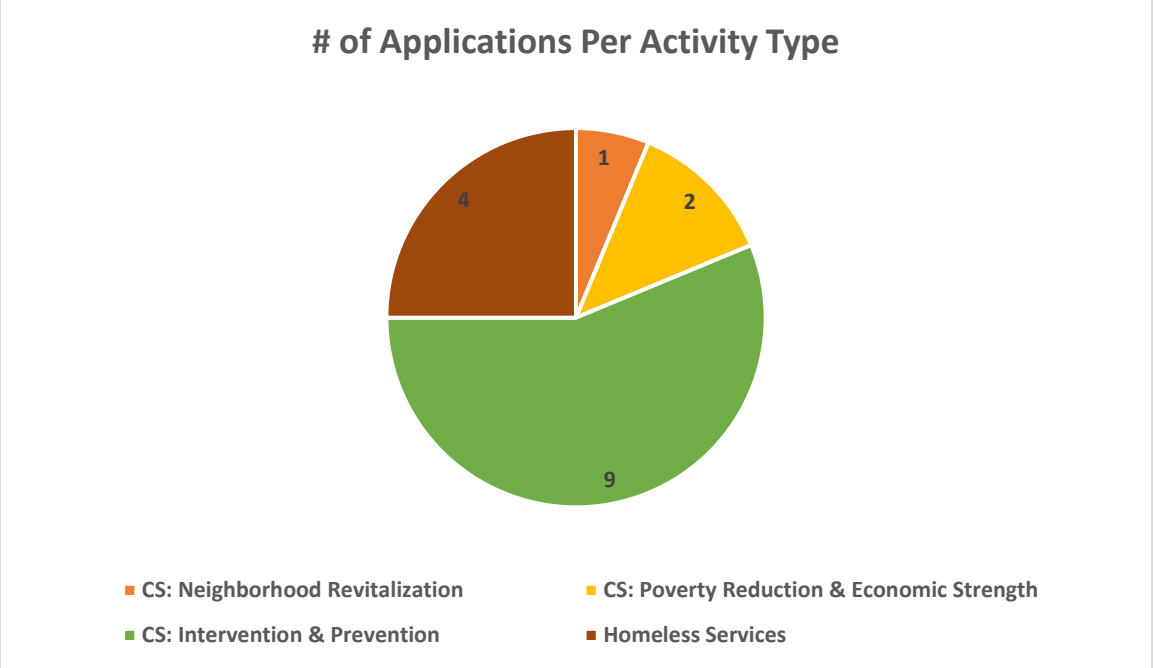
Homeless Services include:

- Case Management **AND**
- Assistance with annual PIT count **AND**
- Active participation in the Athens Homeless Coalition as a member

Community Partnership Program Funding Trend

Approximately **$550,000** in general funds is available to support eligible CPP activities.
This year, **16** CPP applications were submitted requesting **$1,757,195.00**.
The **gap** between application requests and available CPP funds is **$1,207,195.00**.





FY25 Community Partnership Program Recommended Funding Summary

CPP Application Summaries					
Agency	**Activity**	**Total App Score**	**Ranking**	**FY25 Funding Request**	**FY25 Funding Recommendation**
The Bigger Vision of Athens	Homeless Services: Abundant Life Program	88.60	1	$38,800	$38,800
The Sparrow's Nest	Homeless Services: Breaking the Cycle Program	87.40	2	$46,850	$46,850
Acceptance Recovery Center	Intervention & Prevention: ARC Indigent Funds Program	87.20	Tie: 3/4	$16,500	$16,500
Project Safe	Intervention & Prevention: High Risk Team Advocates	87.20	Tie: 3/4	$91,428	$91,428
Georgia Conflict Center	Intervention & Prevention: Restorative Justice Diversion Program	84.80	5	$35,129	$35,129
Athens Area Diaper Bank	Poverty Reduction & Economic Strength: Diaper Distribution via Healthcare Related Organizations	83.00	6	$33,000	$33,000
Athens Area Homeless Shelter	Homeless Services: Athens Area Homeless Shelter	82.80	7	$220,000	$120,000
United Way of NEGA	Intervention & Prevention: 211	81.75	8	$24,400	$24,400
Divas Who Win	Intervention & Prevention: School Dayz Ambassador Enrichment Program	79.40	9	$75,720	$50,000
Juvenile Offender Advocate, Inc.	Intervention & Prevention: Juvenile Offender Advocate Program	77.00	10	$80,000	$40,000
Athens Model Neighborhood Health Center, Inc.	Intervention & Prevention: Athens Neighborhood Health Center Behavioral Health Program	76.80	11	$100,000	$53,893
Envision Athens, Inc.	Poverty Reduction & Economic Strength: Envision Athens	69.20	Tie: 12/13	$75,000	$0
East Georgia Cancer Coalition	Intervention & Prevention: ACC Community Health Worker and Community Navigation, Education, Outreach Program	69.20	Tie: 12/13	$160,000	$0
Athens Land Trust	Neighborhood Revitalization: Young Urban Builders Workforce Development Program	67.00	14	$100,000	$0
About Face International Corp.	Intervention & Prevention: the NOW Program	47.00	15	$112,000	$0
The Twin Angels, Inc.	Homeless Services: Homeless Relief Program	38.40	16	$550,000	$0
			TOTALS:	**$1,757,195**	**$550,000**

Community Services Application Summaries

Goal: Community Services
Community Services eligible applications include projects that support neighborhood revitalization, poverty reduction & economic strength, and intervention & prevention activities that are aligned with ACCGov FY23-25 Strategic Plan goals.

12 Community Services applications were submitted for FY25 CPP funding consideration:

Community Services Application Summary					
Agency	**Activity**	**Total App Score**	**Ranking**	**FY25 Funding Request**	**FY25 Funding Recommendation**
Acceptance Recovery Center	Intervention & Prevention: ARC Indigent Funds Program	87.20	Tie: 3/4	$16,500	$16,500
Project Safe	Intervention & Prevention: High Risk Team Advocates	87.20	Tie: 3/4	$91,428	$91,428
Georgia Conflict Center	Intervention & Prevention: Restorative Justice Diversion Program	84.80	5	$35,129	$35,129
Athens Area Diaper Bank	Poverty Reduction & Economic Strength: Diaper Distribution via Healthcare Related Organizations	83.00	6	$33,000	$33,000
United Way of NEGA	Intervention & Prevention: 211	81.75	8	$24,400	$24,400
Divas Who Win	Intervention & Prevention: School Dayz Ambassador Enrichment Program	79.40	9	$75,720	$50,000
Juvenile Offender Advocate, Inc.	Intervention & Prevention: Juvenile Offender Advocate Program	77.00	10	$80,000	$40,000
Athens Model Neighborhood Health Center, Inc.	Intervention & Prevention: Athens Neighborhood Health Center Behavioral Health Program	76.80	11	$100,000	$53,893
Envision Athens, Inc.	Poverty Reduction & Economic Strength: Envision Athens	69.20	Tie: 12/13	$75,000	$0
East Georgia Cancer Coalition	Intervention & Prevention: ACC Community Health Worker and Community Navigation, Education, Outreach Program	69.20	Tie: 12/13	$160,000	$0
Athens Land Trust	Neighborhood Revitalization: Young Urban Builders Workforce Development Program	67.00	14	$100,000	$0
About Face International Corp.	Intervention & Prevention: the NOW Program	47.00	15	$550,000	$0
			TOTALS:	**$1,341,177**	**$344,350**

FY25 CPP Community Services Proposal Summary

Agency Name: Acceptance Recovery Center	
Project Name: ARC Indigent Funds Program	
Goal: Intervention and Prevention	
FY25 CPP Requested: $16,500.00	**CPP Recommendation:** $16,500.00
VC Application Ranking: #3/4 Tie (of 16)	

Project Summary:
Acceptance Recovery Center, Inc. (ARC) is a 501(c)(3) non-profit organization located in Athens, Georgia, dedicated to providing evidence-based peer-support services to individuals recovering from substance use disorders. Our mission is to lead those displaced by addiction through care, support, and education into long-term recovery. To achieve this vision, ARC offers residential support programs designed to be accessible regardless of financial or other hardships. ARC serves all of Northeast Georgia, but enrolled residents must reside within Athens-Clarke County as they undergo treatment.

ARC seeks funding to support its Indigent Funds Program, which assists current and incoming residents with substance use recovery program fees, childcare/housing costs, medical bills, and workplace documentation/support (e.g., securing social security cards, driver's licenses, work uniforms, boots, etc.). The Indigent Funds Program is available year-round to ARC residents. It supports qualifying recipients as needed, whether they reside in ARC housing facilities or receive recovery services off-site, but still within Athens-Clarke County.

ARC is requesting CPP funds totaling $16,500 for direct service costs to support program operations. The ARC CPP budget includes:

- $16,500.00 Direct admission fees financial support

The Indigent Funds Program supports low-income or unemployed individuals and families who are newly enrolled or currently participating in ARC's programs who are facing significant financial or other hardships that impact their ability to afford admission or residential fees.

While ARC has provided support to low-income and unemployed individuals since its inception, the Indigent Funds Program has been operating in its current capacity since 2020 in response to the COVID-19 pandemic.

FY25 CPP Community Services Proposal Summary

Agency Name: Project Safe	
Project Name: High Risk Team Advocates	
Goal: Intervention and Prevention	
FY25 CPP Requested: $91,428.00	**CPP Recommendation:** $91,428.00
VC Application Ranking: #3/4 Tie (of 16)	

Project Summary:
Project Safe is a 501c3 nonprofit organization working to end domestic violence through crisis intervention, ongoing supportive services, systems change advocacy, and prevention and education. Project Safe's primary service area is Madison County, Oconee County, Clarke County, and Oglethorpe County, but provides services to people from all over Georgia. Project Safe believes that everyone deserves to be safe in their home and safe in their relationships.

Project Safe seeks funding to support expansion of its domestic violence advocacy program. As high-risk cases in the community increase, it is imperative that Project Safe meets this increase with proactive engagement with victims as soon as possible. They are currently at capacity with one advocate dedicated to high-risk cases. They aim to continue effectively providing the comprehensive services required to reduce risk and increase safety. An improvement can be further enhanced by leveraging the additional capacity provided by a second position. This expansion will allow for more frequent in-person contact at the victims' residences, potentially increasing their services' reach and impact and ultimately expanding the extent of individualized services. This increased rate would be most prevalent amongst victims of severe violence, who are traditionally the least likely to seek services.

Project Safe is requesting CPP funds totaling $91,428 for direct service costs to support personnel salaries. The Project Safe CPP budget includes:

- $91,428.00 Direct service staff salaries and fringe benefits (2 positions)

This program focuses on high-risk domestic violence cases in Athens-Clarke County. Identified survivors experiencing complex and dangerous domestic violence will receive early outreach and follow-up contact from trauma-informed advocates.

Since the opening of the Family Protection Center in 2006, Project Safe has performed case review and outreach to survivors. Over the years, they have increased their staff and collaborative efforts with ACCPD and other organizations to improve their efforts with high-risk cases.

FY25 CPP Community Services Proposal Summary

Agency Name: Georgia Conflict Center	
Project Name: Restorative Justice Diversion Program	
Goal: Intervention and Prevention	
FY25 CPP Requested: $35,129.00	**CPP Recommendation:** $35,129.00
VC Application Ranking: #5 (of 16)	

Project Summary:
Georgia Conflict Center (GCC) is a small nonprofit organization with large reach and impact. It was founded in 2011 in Athens, Georgia. Their work in the criminal legal system has emerged from nearly 10 years of supporting schools in Clarke and Gwinnett (GCPS) counties and throughout the state of Georgia with restorative practices (RP) implementation, as well as several years providing restorative program support in the ACC Jail. GCC recently completed 5 years of pilot implementation at three CCSD Schools and are now planning to work with CCSD to provide RP training and implementation support to all schools in the district.

GCC seeks funding to support the Restorative Justice Diversion (RJD) program, in partnership with Juvenile Offender Advocate, to reduce the criminalization of young people ages 11 through 17, and particularly youth of color who are disproportionately represented in the juvenile justice system in the Western Judicial Circuit (WJC) of Georgia, which includes Athens-Clarke County (ACC). The innovative partnership further strengthens the positive outcomes that RJD has demonstrated around the country by providing case management and connecting program participants with a community-based, trained mentor to accompany the youth in their efforts to complete the restorative justice plan, maintain school and community connectedness and learn the skills needed for academic achievement and future success.

GCC is requesting CPP funds totaling $35,129 for administrative and direct service costs to support program operations. The GCC CPP budget includes:

- $13,900.00 Administrative operating costs (insurance, rent)
- $21,229.00 Direct service staff salary and fringe benefits

GCC receives referrals from the DAO and aims to serve youth beneficiaries, with at least 70% of them identified as low-to-moderate income clientele. In addition, GCC aims to begin to pilot restorative justice diversion with CCSD Behavior and Discipline Office for serious disciplinary infractions, aiming to receive RJD case referrals from CCSD.

GCC began to receive Restorative Justice Diversion (RJD) case referrals from the Western Judicial Circuit District Attorney's Office (DAO) in February, 2023.

FY25 CPP Community Services Proposal Summary

Agency Name: Athens Area Diaper Bank	
Project Name: Diaper Distribution Program via Healthcare Related Organizations	
Goal: Poverty Reduction and Economic Strength	
FY25 CPP Requested: $33,000.00	**CPP Recommendation:** $33,000.00
VC Application Ranking: #6 (of 16)	

Project Summary:
The Athens Area Diaper Bank was first started in 2015 under fiscal sponsorship of the Food Bank of NEGA and became an independent registered 501(c)3 nonprofit in 2018. Athens Area Diaper Bank (AADB) provides diapers to low-income families in the Athens area (Clarke, Barrow, Oconee, Jackson, Madison, and Oglethorpe counties). AADB distributes diapers through partner agencies, which include nonprofits, schools, churches, and government agencies. Our partner agencies then provide diapers directly to families in a wide range of circumstances including homelessness, medical need, domestic violence, addiction recovery, financial emergency, and generational poverty.

AADB seeks funding to support to expand diaper distribution via healthcare-related organizations. These organizations include public agencies like WIC and public health departments, as well as private not-for-profit institutions such as neighborhood clinics. Families within ACC can request diapers while receiving medical care, vaccinations, screenings, and information. In addition, select healthcare partner agencies will have diapers available for “walk-in” requests for help. These “walk-in” requests may open the door for families to receive other important services.

AADB is requesting CPP funds totaling $33,000 for administrative and direct service costs to support program operations. The AADB CPP budget includes:

- $4,000.00 Administrative operations (facility)
- $7,000.00 Direct service personnel salary and fringe benefits
- $22,000.00 Direct services costs (materials/supplies)

AADB partners with organizations that all serve low-income families, yet each partner agency has their own eligibility criteria, recruitment, vetting, and tracking. In 2023, AADB disturbed about 440,000 diapers to 9,700 children in ACC through partnerships with over 30 organizations, agencies, schools, and churches.

The Athens Area Diaper Bank was first started in 2015, and is a member of the National Diaper Bank Network, which connects 250+ diaper banks nationwide for logistical guidance, mentorship, grant opportunities, and access to low-cost diaper purchasing.

FY25 CPP Community Services Proposal Summary

Agency Name: United Way of Northeast Georgia	
Project Name: 211	
Goal: Intervention and Prevention	
FY25 CPP Requested: $24,400.00	**CPP Recommendation:** $24,400.00
VC Application Ranking: #8 (of 16)	

Project Summary:
United Way of Northeast Georgia has been serving the Northeast Georgia region since 1954 and is a local 501(c)3 nonprofit organization. Located in Athens, UWNG operates in 12 counties throughout the region: Clarke, Banks, Barrow, Elbert, Franklin, Greene, Hart, Jackson, Madison, Morgan, Oconee, and Oglethorpe. UWNG's mission is to make positive, sustained, and measurable change through: identifying regional needs; collecting, sharing, and removing barriers to local resources; and building nonprofit capacity. UWNG envisions a united Northeast Georgia region where everyone has the opportunity to grow, succeed, and thrive. UWNG collaborates with communities, invests in impactful programs, and connects individuals to local resources to improve lives throughout the Northeast Georgia region.

UWNG seeks funding to support its 211 programs, which connects those in need to the resources through phone calls, texts, and online searches. 211 is a free and confidential health and human services referral line. These services may include transitional housing, eviction prevention services, financial assistance, or food pantries, and calls are offered in English and Spanish, with access to translation services for over 100 other languages. There are currently over 200 agencies in the database with details of each one's information, including what services are offered, intake process, hours, eligibility requirements & any other relevant information.

UWNG is requesting CPP funds totaling $24,400 for administrative and direct services costs to support program operations. The UWNG CPP budget includes:

- $5,400.00 Administrative operating costs
- $19,000.00 Direct service operating costs

211 provides centralized information and referral services to assist individuals and families of Athens-Clarke County and of the Northeast Georgia region in critical need of housing, food, clothing, mental health services, and emergency financial assistance.

United Way of Northeast Georgia operates the 211 Information and Referral Program in Northeast Georgia. Following a merger with Community Connection of Northeast Georgia in 2016, United Way of Northeast Georgia has been providing 211 services for almost 8 years.

FY25 CPP Community Services Proposal Summary

Agency Name: Divas Who Win	
Project Name: School Dayz Ambassador Enrichment Program	
Goal: Intervention and Prevention	
FY25 CPP Requested: $75,720.00	**CPP Recommendation:** $50,000.00
VC Application Ranking: #9 (of 16)	

Project Summary:
DIVAS Who Win, a 501(c)(3) non-profit organization, offers pathways to wellness predominantly for Black women and young girls overcoming the harrowing challenges of sex trafficking, sexual exploitation, prostitution, and addiction. Their mission is rooted in creating a safe sanctuary that not only addresses their physical and emotional needs but also eradicates the stigmatization that often accompanies these adversities. DWW envisions a world where Black women and young girls overcoming sex trafficking, and exploitation have access to unwavering support, comprehensive resources, and a nurturing community.

DWW seeks funding to support the School Dayz Ambassador Program, an enrichment program designed to empower young women through engaging activities that prevent them from becoming victims of sex trafficking or substance users. By reaching out early, DWW provides the tools and support needed to shape a positive and resilient path forward. The main components of the program includes Leadership Development, Entrepreneurship Training, Skills Training (in fields like fashion, shoe design, set design, event planning, sound design, etc.), Tutoring & Literacy Support, Anti-Substance/Violence/Trafficking Education, Mental Health Awareness and Mindfulness, and Restorative Justice through engaging activities, field trips, and peer mentoring.

DWW is requesting CPP funds totaling $75,720 for administrative and direct costs to support program activities. The DWW CPP budget includes:

- $5,000.00 Administrative operating costs, personnel salaries and fringe benefits
- $25,120.00 Direct personnel salary and fringe benefits
- $5,000.00 Direct contract services/professional consultants
- $40,600.00 Direct services operating supplies

The School Dayz Ambassador program is designed for marginalized young women and girls aged 12-18 in Athens-Clarke County, specifically representing the BIPOC community.

DIVAS Who Win, established in 2018, offers several services and programs to support girls and women overcoming sex trafficking, exploitation, and addiction: Freedom Center, Freedom Boutique, SHE Works Program, faith-based programs, Way of a Diva program, and their Youth Enrichment Program.

FY25 CPP Community Services Proposal Summary

Agency Name: Juvenile Offender Advocate, Inc.	
Project Name: Juvenile Offender Advocate Program	
Goal: Intervention and Prevention	
FY25 CPP Requested: $80,000.00	**CPP Recommendation:** $40,000.00
VC Application Ranking: #10 (of 16)	

Project Summary:
Juvenile Offender Advocate Inc. (JOA) advocates for juvenile offenders to lower the recidivism rate by holding all parties accountable while fostering positive relationships through community collaboration. This mission underscores JOA's commitment to serving the best interests of juvenile offenders by providing advocacy, accountability, and fostering positive relationships within the community.

Juvenile Offender Advocate Inc. (JOA) seeks funding to support its comprehensive program that advocates for juvenile offenders and reduces recidivism rates, thereby alleviating poverty in the Athens-Clarke County community. The proposed services encompass a multifaceted approach designed to address the unique needs of juvenile offenders. Trained Advocates will be paired with participants, offering nonjudgmental support throughout the court process, helping navigate trauma, and fostering positive relationships. Participants will engage in goal-setting guided by their Advocates, undergo essential soft skills and job readiness training, and access various educational classes, including Anger Management, Character Development, Moral Reconation Therapy (MRT), Financial Literacy and Parenting. Job placement assistance and free counseling services will also be provided.

JOA is requesting CPP funds totaling $80,000 for direct service costs to support program operations. The JOA CPP budget includes:

- $80,000.00 Direct personnel salaries and fringe benefits

JOA addresses the challenges faced by African American and Hispanic youth and individuals from low-income backgrounds, both males and females. By offering guidance, mentorship, and resources over the years, JOA has effectively contributed to these young individuals' growth, development, and success, underlining its vital role in the community.

Since its inception in 2020, the Juvenile Offender Advocate (JOA) program has been unwavering in its commitment to providing critical programming to the youth it serves.

FY25 CPP Community Services Proposal Summary

Agency Name: Athens Model Neighborhood Health Center, Inc.	
Project Name: Athens Neighborhood Health Center Behavioral Health Program	
Goal: Intervention and Prevention	
FY25 CPP Requested: $100,000.00	**CPP Recommendation:** $53,893.00
VC Application Ranking: #11 (of 16)	

Project Summary:
Athens Neighborhood Health Center, Inc., (ANHC), established in 1971, is a private not-for-profit Community Health Center (CHC) and Public Housing Primary Care (PHPC) grantee. ANHC received designation as a Federally Qualified Health Center (FQHC) by the Health Resources & Services Administration (HRSA) in 2012, and was designated by the National Committee for Quality Assurance (NCQA) as a Patient Centered Medical Home in 2018. Health Center Program Award Recipients are community-based health care providers that receive funds from the HRSA Health Center Program to provide primary care services in underserved areas.

AMNHC seeks funding to support its Behavioral Health program, and funding will target the services provided by their onsite Licensed Clinical Social Worker (LCSW), which include counseling, evaluation, intervention, and case management services to those who are suffering mental, social, familial and/or medical issues. Indigent patients will not be charged for services provided by the program, and services will be provided at the McKinley Drive location. Athens-Clarke County can expect for the underserved populations to have access to timely, affordable, and easily accessible behavioral health services through a primary care provider offering the full complement of health care services.

AMNHC is requesting CPP funds totaling $100,000 for direct service costs to support program activities. The AMNHC CPP budget includes:

- $77,889.00 Direct service personal salaries and fringe benefits
- $22,110.00 Direct service materials/supplies

The ANHC service area, in addition to the lack of primary health care resources, has a large low-income population, a disproportionate Black population, a large Hispanic/Latino population, a significant uninsured population, and a substantial number of patients best served in a language other than English.

ANHC received designation as a Federally Qualified Health Center (FQHC) by the Health Resources & Services Administration (HRSA) in 2012, and was designated by the National Committee for Quality Assurance (NCQA) as a Patient Centered Medical Home in 2018.

FY25 CPP Community Services Proposal Summary

Agency Name: Envision Athens, Inc.	
Project Name: Envision Athens	
Goal: Poverty Reduction and Economic Strength	
FY25 CPP Requested: $75,000.00	**CPP Recommendation:** $0.00
VC Application Ranking: #12/13 Tie (of 16)	

Project Summary:
In the fall of 2021, Envision Athens gained designation as a 501(c)(3), non-profit organization and serves as the catalyst, convener, and champion of progress in addressing Athens Clarke County's most pressing needs and optimizing opportunities for collaborative community development. Envision Athens is responsible for bringing together agencies, individuals, and teams of people to combat issues that are the most complex social issues that Athens is faced with at any given time. Envision Athens is a community-wide effort to develop a common vision for the future of the Athens-Clarke County community.

Envision Athens seeks funds to support the continued convening of people, agencies, and communities involved in the subject area of the five program focus pillars to move the needle on creating change by discussing gaps in services and how to collectively fill those gaps. In the fall of 2022, Envision Athens concluded their strategic plan process with the assistance of the Athens Well-Being Project. The five pillars of focus are as follows: Healthy Athens, Abundance Athens, Create Athens, Educate Athens, and House Athens. The direct service that Envision Athens staff provides brings many types of people together. Connecting those through common interests and expertise within the issues facing Athens is the direct service provided by Envision Athens.

Envision Athens is requesting CPP funds totaling $75,000 for direct service costs to support program activities. The Envision Athens CPP budget includes:

- $75,000.00 Direct personnel salaries and fringe benefits

Envision Athens is a community-wide effort to develop a common vision for the future of the Athens-Clarke County community. This process has resulted in a visionary, yet achievable multidimensional strategy to guide community and economic development for the next 20 years.

In 2017, hundreds of Athenians were called together for two days to create Envision Athens through a strategic plan of how to have the best Athens possible by bringing the community together. In 2018, work on the Action Agenda began with 14 different work topics in the categories of People, Place, and Prosperity. In May 2018, a 23-member implementation and oversight Committee (IOC) was formed to guide the work of Envision Athens and its Action Plan.

FY25 CPP Community Services Proposal Summary

Agency Name: East Georgia Cancer Coalition	
Project Name: ACC Community Health Worker & Community Navigation, Education, Outreach Program	
Goal: Intervention and Prevention	
FY25 CPP Requested: $160,000.00	**CPP Recommendation:** $0.00
VC Application Ranking: #12/13 Tie (of 16)	

Project Summary:
The East Georgia Cancer Coalition is a nonprofit organization that aims to ensure those in the region receive cancer prevention education, screenings, healthcare system navigation, family and survivor support and information about the latest cancer research discoveries. Additionally, the EGCC helps prepare future leaders for the workforce by offering volunteer opportunities, internships and graduate assistantships.

EGCC seeks funding to support expansion of the CHW/navigator program. The EGCC's experience in successfully implementing CHW interventions for screening hesitancy and behavior change utilizes the same evidence-based practices that are recommended by the CDC, public health agencies, and studies for vaccine hesitancy. These strategies reach people where they live, work, learn, pray, play, gather and through existing programs. This includes utilizing CHWs that reflect the communities they serve to combat myths, overcome barriers and foster the development of a culture of health.

EGCC is requesting CPP funds totaling $160,000 for direct services costs to carry out program activities. The EGCC CPP budget includes:

- $130,000.00 Direct service personnel salaries and fringe benefits
- $30,000.00 Direct service operations (marketing)

EGCC will conduct outreach and engagement to identified priority populations and communities within the region, focusing on neighborhoods and populations at high risk for chronic diseases and cancers, low levels of vaccination, high levels of cancer burden, and low scores for health factors and outcomes, to ensure the CHW's efforts have the greatest impact. Although these populations will have an emphasized priority, all Athens-Clarke County residents will be eligible for services.

As part of Hamilton Jordan's and Governor Roy Barnes' vision for cancer care in Georgia, the East Georgia Cancer Coalition (EGCC) was one of the first coalitions identified & designated in the state of Georgia in 2003.

FY25 CPP Community Services Proposal Summary

Agency Name: Athens Land Trust	
Project Name: Young Urban Builders: Youth Workforce Development Program	
Goal: Neighborhood Revitalization	
FY25 CPP Requested: $100,000.00	**CPP Recommendation:** $0.00
VC Application Ranking: #14 (of 16)	

Project Summary:
Athens Land Trust (ALT) was founded in 1994 in response to the impact that booming development was having on the local housing market and the environment. The mission of Athens Land Trust is to improve quality of life for all by preserving, protecting, and strengthening the fabric of the community through education and the stewardship of land for affordable housing, conservation, agriculture, and economic development. We respond to community-identified needs and build individual and collective power among historically marginalized people.

ALT seeks funding to support the continued implementation of the YUB program by employing six youth (ages 18 - 24) to train and work an average of 25 hours per week for a 40-week annual term; and by delivering weatherization, repair, and rehabilitation services to enrolled homeowners in Qualified Census Tracts in ACC. This funding will allow ALT to continue to deliver neighborhood revitalization services to the West Broad community. This neighborhood, established around many of the community's historic African American schools, churches and cultural institutions, occupies some of Athens' most at-risk real estate, with many of these institutions threatened by new development.

ALT is requesting CPP funds totaling $100,000 for administrative and direct services costs to carry out program activities. The ALT CPP budget includes:

- $21,494.00 Administrative personnel salaries and fringe benefits
- $87,578.00 Direct service personnel salaries and fringe benefits
- $34,928.00 Direct service operations (marketing, training materials, education, other)

The current threshold eligibility requirements to receive repairs through the program are that applicants own and reside in their home, that they reside in a Qualified Census Tract, and that they meet the HUD definition of low-to-moderate income (below 80% AMI).

For more than 20 years Athens Land Trust has built credibility with communities in Athens-Clarke County by developing adaptive resources for more equitable paths to opportunity, especially for those who have been excluded from traditional systems of education, housing, economic development, and financing.

FY25 CPP Community Services Proposal Summary

Agency Name: About Face International Corp.	
Project Name: The NOW Program	
Goal: Intervention and Prevention	
FY25 CPP Requested: $112,000.00	**CPP Recommendation:** $0.00
VC Application Ranking: #15 (of 16)	

Project Summary:
Founded in 2016, About Face International Corporation (AFIC) initially operated in the streets and personal care homes of Atlanta, Georgia. In 2023, the organization underwent a significant transition, relocating to Athens and fostering collaborations with local organizations to enhance its programming. About Face International Corporation (AFIC) is unwavering in its commitment to offering formerly incarcerated individuals, the Jewels, a second chance through transformative opportunities. The organization's mission centers around cultivating alliances with practitioners and stakeholders in diverse fields, ranging from counseling to specialized program assistance, to enhance job readiness.

AFIC is seeking funds to support the comprehensive NOW Program to empower and assist formerly incarcerated individuals, the Jewels and those living with mental health concerns. The services provided include a Family Reunification Program, addressing strained relationships, a Basic Needs Program collaborating with NGOs for food, housing, and employment resources, Restorative Counseling for mental health support, Strength and Weakness Assessment for personalized counseling, GED classes, Salary Reinsurance to ensure stable housing, and Financial Literacy.

AFIC is requesting CPP funds totaling $112,000 for direct services costs to carry out program activities. The AFIC CPP budget includes:

- $112,000.00 Direct service personnel salaries and fringe benefits

AFIC addresses a pressing community need in Athens-Clarke County, recognizing the stark impact of mass incarceration, particularly on poor communities of color. AFIC's proposed program aims to break this cycle by offering comprehensive support to formerly incarcerated individuals or Jewels, fostering family reunification, providing mental health assistance, and offering job readiness programs.

AFIC with the NOW Program, founded in 2016 and officially providing services since then, has demonstrated a commitment to providing specialized programs for formerly incarcerated individuals and those living with mental health concerns, referred to as "Jewels."

Homeless Services Application Summaries

Goal: Homeless Services
Homeless Services eligible applications include projects that support case management for homeless-driven projects that are aligned with the ACCGov FY23-25 Strategic Plan goals. Any agency requesting funding for this category must also support the annual Point In Time (PIT) count and be an active participant in the Athens Homeless Coalition.

4 Homeless Services applications were submitted for FY25 CPP funding consideration:

Community Services Application Summary					
Agency	**Activity**	**Total App Score**	**Ranking**	**FY25 Funding Request**	**FY25 Funding Recommendation**
The Bigger Vision of Athens	Homeless Services: Abundant Life Program	88.60	1	$38,800	$38,800
The Sparrow's Nest	Homeless Services: Breaking the Cycle Program	87.40	2	$46,850	$46,850
Athens Area Homeless Shelter	Homeless Services: Athens Area Homeless Shelter	82.80	7	$220,000	$120,000
The Twin Angels, Inc.	Homeless Services: Homeless Relief Program	38.40	16	$550,000	$0
			TOTALS:	**$855,650**	**$205,650**

FY25 CPP Homeless Services Proposal Summary

Agency Name: The Bigger Vision of Athens	
Project Name: Abundant Life Program	
Goal: Homeless Services	
FY25 CPP Requested: $38,800.00	**CPP Recommendation:** $38,800.00
VC Application Ranking: #1 (of 16)	

Project Summary:
Bigger Vision of Athens began operation in 1998 as a winter shelter, taking in overflow guests from the Salvation Army and sheltering them at St. James Methodist Church. In 2001, Bigger Vision expanded its operation to remain open throughout the winter, sheltering up to 22 individuals each night. After a fire at St. James in 2004, Bigger Vision partnered with a number of different churches in the area to continue providing winter shelter services until saving enough money to purchase the agency's current location outside downtown Athens in 2012.

The Bigger Vision seeks funding to support hiring an Abundant Life Program Coordinator who will oversee the Abundant Life Program and those participating. This will include any expansion of services deemed necessary and possible within the scope of available resources to bolster the program and increase the number of successful graduates. While in the program, Abundant Life participants receive up to six months of shelter without the need for reservation, including access to showers, laundry machines, and basic necessities at no cost to the participants. Participants can enter and exit the shelter as needed to accommodate their employment hours, medical needs, housing searches, and other areas critical to securing stable housing.

The Bigger Vision is requesting CPP funds totaling $38,800 for direct costs to support program operations. The Bigger Vision CPP budget includes:

- $36,500.00 Direct service salary and fringe benefits
- $2,300.00 Direct service assistance

The Abundant Life Program provides up to five individuals with up to six months of shelter without needing daily reservations, while guests actively participate in the Abundant Life Program. These participants must be on a program pathway that includes employment, workforce training, or waiting for military enlistment, and they must engage in case management meetings with staff members.

In 2017, Bigger Vision expanded to a year-round shelter and started the Abundant Life Program to provide individuals experiencing homelessness with more opportunities to restabilize their lives and get back on track toward getting stable housing and accomplishing their personal goals.

FY25 CPP Homeless Services Proposal Summary

Agency Name: The Sparrow's Nest	
Project Name: Breaking the Cycle Program	
Goal: Homeless Services	
FY25 CPP Requested: $46,850.00	**CPP Recommendation:** $46,850.00
VC Application Ranking: #2 (of 16)	

Project Summary:
The Sparrow's Nest dates back to the early 1990s when it emerged as an outreach ministry affiliated with Christ Life Church, formerly known as Athens Covenant Community. Following the closure of Christ Life Church, The Sparrow's Nest transitioned into an independent ministry, establishing its operations within the premises of various local churches. A significant milestone occurred in 2005 when the ministry acquired its present facility at 745 Prince Avenue. This location underwent a transformative remodeling process, made possible through the collaborative efforts of numerous local churches and individuals. The culmination of these efforts resulted in the official opening of the ministry center in September 2006.

The Sparrow's Nest seeks funding to support its therapeutic, evidence-based courses, namely "Breaking the Cycle," "Getting It Right," and "Accomplishing Your Goals." The mission of our Breaking the Cycle Class is to help participants address their thinking, behavior, and substance use disorders. Participants will set goals for their future, learn 4 key skills for overcoming substance use & criminal behavior, and develop a Recovery Maintenance Plan (RMP). Additionally, the participants will journal their experience throughout the course. This is a 14-week process of learning that includes employment skills, decision making skills, healthy relationship skills, communication skills, and much more.

The Sparrow's Nest is requesting CPP funds totaling $46,850 for administrative and direct costs to support program operations. The Sparrow's Nest budget includes:

- $800.00 Administrative operations
- $16,250.00 Direct service salary and fringe benefits (facilitator)
- $29,800.00 Direct service operations (materials, services, food, other)

The Sparrow's Nest programs are strategically tailored to address the needs of the homeless and lower-income demographic. Participants engaging in our courses stand to gain profound advantages, including triumph over substance abuse disorders, restoration of relationships, securing stable housing, and achieving gainful employment.

Since 2016, The Sparrow's Nest has been administering Breaking the Cycle Classes, introducing a second course in 2019 and a third in 2023. In 2021, recognizing the program's growth, an Educational Coordinator Position was established to complement the Sparrow's Nest staff providing diverse services to clients.

FY25 CPP Homeless Services Proposal Summary

Agency Name: Athens Area Homeless Shelter	
Project Name: Athens Area Homeless Shelter	
Goal: Homeless Services	
FY25 CPP Requested: $220,000.00	**CPP Recommendation:** $120,000.00
VC Application Ranking: #7 (of 16)	

Project Summary:
Athens Area Homeless Shelter (AAHS) began as a grassroots effort in 1986, was officially incorporated in the early 1990s, and has adapted over time to fit the unique needs of Athens Clarke County (ACC), specifically serving the "unseen" majority of those experiencing homelessness: families with children. Over the past 38 years of operations, AAHS has never once shut its doors or reduced capacity, and always exceeded goals; in fact, though ACC is the smallest county in Georgia, AAHS receives the maximum amount of state funding in homeless services (which accounts for roughly 1/3 of our budget) due to our efficacy, capacity and superb professional standards. During the pandemic spanning 2020-2021, AAHS tripled capacity via hotel shelter in order to address increased need, and was named Nonprofit of the Year in 2021 for our exceptional programs, fiscal management and leadership.

AAHS is seeking funding to support three shelter programs for families with children: Almost Home Emergency Shelter, Bridge to Home Educational Shelter, and Strengthening Home Family Enrichment. This proposed programming directly addresses ACC Homeless Services Continuum of Care needs. The proposed programming is holistic in nature, providing both immediate emergency relief and long-term solutions that will lead to decreased poverty, increased economic strength, which in turn lead to the prevention of future generations remaining vulnerable and increased neighborhood revitalization.

AAHS is requesting CPP funds totaling $220,000 for administrative and direct costs to support program operations. The AAHS budget includes:

- $97,000.00 Administrative operations (rent)
- $123,000.00 Direct service salaries and fringe benefits

AAHS has been providing emergency shelter in ACC for nearly 40 years, and specifically to homeless families with children since the 1990s. All families with dependent children who are experiencing homelessness are eligible for services.

Since 2011, AAHS has been providing 90-day, low barrier emergency shelter and Rapid Rehousing assistance, and the Bridge to Home academic program was initiated in 2019. Strengthening Home has been informal programming for 13 years; in 2022 AAHS, with support from ACC, was able to hire a dedicated staff position to formalize and expand this program.

FY25 CPP Homeless Services Proposal Summary

Agency Name: The Twin Angels, Inc.	
Project Name: Homeless Relief Program	
Goal: Homeless Services	
FY25 CPP Requested: $550,000.00	**CPP Recommendation:** $550,000.00
VC Application Ranking: #16 (of 16)	

Project Summary:
The Twin Angels, Inc. (a non-profit organization) started its operations in 1996 and became a 501(c)3 with the IRS in 2022. The organization was founded by twin sisters Sheila Hill and Sharon Barrett. Not only have the sisters founded and operated The Twin Angels, Inc., but they have also successfully operated and are running True Comfort Personal Care Home, Inc. (a 501(c)3 non-profit) founded in 2006. This non-profit focuses on providing personal care homes with a 24/7 service for elderly individuals and the mental health community.

The Twin Angels seek funding to support development of a 4800-square-foot building that will be divided into areas for both male and female participants. Twin Angels will use some of the funds to purchase beds, towels, and other items needed to accommodate the homeless. The building will include a learning center, fitness center, garden and outside living area, and kitchen. The program will support transportation assistance to provide holistic programming that helps the efforts of reducing and taking care of the homeless, which reduces the need for emergency services, hospitalizations, and criminal justice interventions.

The Twin Angels is requesting CPP funds totaling $550,000 for administration and direct costs to support program operations. The Twin Angels CPP budget includes:

- $53,881.00 Administrative operations
- $117,558.00 Direct service staff salaries and fringe benefits
- $329,350.00 Direct construction materials and supplies
- $49,211.00 Direct services (materials, food, other)

The Twin Angels is a street ministry servicing not only their community of Athens-Clarke County but also the surrounding communities. Their community outreach stretches from giving supplies for back to school to giving out shoes, clothes, haircuts, and accessories to serving the homeless population. The Twin Angels provides food, clothing, and temporary shelter to the homeless community throughout the year.

ACC FY25 Community Partnership Program [Grand Totals]

Organization Name / Application Title	Requested Amount	Financial Ability	Community Involvement & Collaboration	Outcomes & Performance	Organization & Staff Ability	Committee Score	Total Score	Ranking
About Face International Corp. The NOW Program: Opportunities for today - tomorrow may be too late!	112,000.00	14.3	7.2	20.7	4.8	47.00	47.00	15
Acceptance Recovery Center, Inc. ARC Indigent Funds Program	16,500.00	26.2	12.6	39.0	9.4	87.20	87.20	3/4 (tie)
Athens Area Diaper Bank Diaper Distribution via Healthcare-Related Organizations	33,000.00	25.2	14.0	34.4	9.4	83.00	83.00	6
Athens Area Homeless Shelter Athens Area Homeless Shelter	220,000.00	23.2	12.2	37.6	9.8	82.80	82.80	7
Athens Land Trust Young Urban Builders: Youth Workforce Development and Home Repair and Rehabilitation	100,000.00	19.5	10.8	28.8	8.0	67.00	67.00	14
Athens Model Neighborhood Health Center, Inc. Athens Neighborhood Health Center Behavioral Health Program	100,000.00	18.6	12.8	37.4	8.0	76.80	76.80	11
Divas Who Win Freedom Center Inc 'School Dayz Ambassador' Enrichment Program for Marginalized Young Women and Girls	75,720.00	23.2	12.0	35.2	9.0	79.40	79.40	9
East Georgia Cancer Coalition East Georgia Cancer Coalition Athens-Clarke County Community Health Worker and Community Navigation, Education, Outreach Program	160,000.00	23.0	11.0	26.0	9.2	69.20	69.20	12/13 (tie)
Envision Athens, Inc. Envision Athens	75,000.00	18.0	11.6	32.2	7.4	69.20	69.20	12/13 (tie)
Georgia Conflict Center Restorative Justice Diversion Program	35,129.00	21.6	14.6	40.6	8.0	84.80	84.80	5

Juvenile Offender Advocate INC. (JOA) Juvenile Offender Advocate	80,000.00	21.0	13.8	34.6	7.6	77.00	77.00	10
Project Safe, Inc. High Risk Team Advocates	89,796.00	23.0	13.4	41.2	9.6	87.20	87.20	3/4 (tie)
The Bigger Vision of Athens, Inc. Abundant Life Program	38,800.00	25.0	13.2	41.4	9.0	88.60	88.60	1
The Sparrow's Nest Mission Church, Inc. Breaking the Cycle Program	46,850.00	24.0	14.6	40.2	8.6	87.40	87.40	2
The Twin Angels, Inc. The Twin Angel's Homeless Relief Project	550,000.00	9.2	8.0	16.6	4.6	38.40	38.40	16
United Way of Northeast Georgia 211	24,400.00	22.3	13.3	36.5	9.8	81.75	81.75	8
16 displayed 0 not included	1,757,195.00							

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: Approval for Additional ARPA Funding for Eviction Prevention Program

DATE: February 27, 2024

EXECUTIVE SUMMARY:

Staff seeks recommending the amendment to the Eviction Prevention Program contract with Family Promise of Athens, specifically through the provision of an additional $102,349 in funding which will help support an additional 35 households (total 300 households served through the contract period). The $102,349 represent the remaining funding from M&C's original allocation toward eviction prevention programming.

REVENUES:	$2,425,000	ARPA SLFRF Allocation to the Eviction Prevention Program (EPP)
EXPENSES:	$1,422,651	2022 EPP: AFDC approved payments & HCD direct assistance to pre-approved participants
	$ 900,000	2023 EPP: Contract with Family Promise of Athens
	$ 102,349	Recommended additional funding for 2023 EPP program implemented by Family Promise of Athens
	$ 0	Remaining balance in ARPA allocation to EPP

FUNDING SOURCE: American Rescue Plan Act State and Local Fiscal Recovery Funds

COMMISSION ACTION REQUESTED ON: April 2, 2024

PURPOSE:

To request that the Mayor and Commission:

a. Approve an amendment to the Eviction Prevention Program contract with Family Promise of Athens, specifically through the provision of an additional $102,349.00 in ARPA funding to the original contract of $900,000 that will help support an additional 35 households (total 300 households served through the contract period) (**Attachment #1)**; and
b. Authorize the Mayor and appropriate ACCGov staff to execute all related documents

HISTORY:

1. On March 11, 2020, the World Health Organization declared COVID-19 a global pandemic.

2. On March 13, 2020, President Donald Trump declared a National Emergency in the United States in response to COVID-19.

3. On March 14, 2020, Governor Brian Kemp declared a Public Health Emergency in the State of Georgia.

4. On March 25, 2020, the U.S. Congress passed the CARES Act in response to COVID-19. This act initiated a nation-wide eviction moratorium and established supplemental funding through the CDBG-CV program.

5. On August 10, 2020, Housing and Urban Development (HUD) published guidance on eligible CDBG-CV activities. All activities must prevent, prepare for, and respond to coronavirus.

6. On September 1, 2020, the Centers for Disease Control (CDC) extended the eviction moratorium originally established by the CARES Act.

7. On September 15, 2020, HUD notified Housing and Community Development (HCD) of a second allocation of $893,937 of CDBG-CV funding.

8. In March of 2021, the Georgia Department of Community Affairs initiated the Georgia Rental Assistance Program to provide up to 18 months of rent and utility assistance to income-qualified individuals impacted by COVID-19.

9. In mid-March 2021, ACCGov was granted $57.6 million of ARPA Coronavirus State and Local Fiscal Recovery Funds (CSLFRF) funding to allocate across defined categories by virtue of being both a city and a county.

10. On June 21, 2021, the Department of Treasury released the Interim Final Guidance for ARPA CSLFRF.

11. On August 3, 2021, the CDC issued a new order temporarily halting evictions in counties with heightened levels of community transmission in order to respond to recent, unexpected developments in the trajectory of the COVID-19 pandemic, including the rise of the Delta variant. The order was intended to target specific areas of the country where cases are rapidly increasing, which likely would be exacerbated by mass evictions.

12. On August 17, 2021, the Mayor and Commission (M&C) approved a Commission Defined Option that included an action to "*direct ACCGov staff to issue a Request for Proposals (RFP) by September 3, 2021 to select an agency partner to coordinate with the Magistrate Court, landlords, and tenants to prevent evictions and to provide rental assistance to households in need. A vote to approve the selected agency partner will be held by September 21, 2021*."

13. On August 30, 2021, HCD released a Request for Proposals (RFP) for a community partner to administer an Eviction Prevention Program (EPP) to "offer a mutually beneficial solution that not only prevents homelessness, but also addresses the significant economic impact COVID-19 has had on both landlords and tenants in Athens-Clarke County."

14. On September 9, 2021, the Mayor executed the grant agreement for CDBG-CV (Allocation II) funding.

15. On September 13, 2021, one proposal was submitted by the deadline by the Athenian First Development Corporation (AFDC).

16. Following the September 21, 2021, Agenda Setting Meeting, staff met with a representative from AFDC.

17. On September 27, 2021, staff had a lunch meeting with a representative from AFDC to discuss the proposal, gain clarity on several of their responses and discuss some of the RFP hurdles from the perspective of the applicant. Those hurdles were as follows:
    a. Quick turnaround
    b. Complicated formula for negotiated settlement
    c. Lack of prospective payment option
    d. Requirement to work with DCA

    At the conclusion of meeting, both sides agreed that additional dialogue and research was needed. AFDC noted that there was potential for additional funding from the State of Georgia, which required further research from staff. Staff noted that a required risk assessment needed to be completed and everyone decided to meet again the following week.

18. On Monday, October 4, 2021, staff met with the AFDC representative again to further discuss the RFP hurdles, the potential new funding source (from State of Georgia) for eviction prevention, and the risk assessment.

19. At the special called session on October 19, 2021, staff recommended rejecting AFDC's proposal and releasing an amended request for proposals with modification to content, process, and timeline. The M&C voted to deny staff's request:
    - Do not approve funding for the September 13, 2021 proposal submitted by the Athenian First Development Corporation based upon evaluation criteria; as the Commission directed that a vote to approve a selected agency partner would be held by September 21, 2021;
    - Authorize ACCGov staff to issue a revised Request for Proposals (RFP) to select an agency partner to coordinate with the Magistrate Court, landlords, and tenants to prevent evictions and to provide rental assistance to households in need.

    The M&C instead approved a Commission Defined Option to approve the proposal submitted by Athenian First Development Corporation as an agency partner to coordinate with the Magistrate Court, landlords, and tenants to prevent evictions and to provide rental assistance to households in need; and authorized the Manager to negotiate the scope and budget with a return to Mayor and Commission at the November 2, 2021 meeting.

20. On October 29, 2021, staff met with a representative from AFDC and discussed the need for a defined programmatic scope, various policies and procedures, insurance requirements, and performance measures.

21. On November 2, 2021, the EPP contract review was deferred to the November 16, 2021 M&C Agenda Setting Session at staff's request for further refinement.

22. On November 16, 2021, the EPP contract review was deferred to the December 7, 2021 M&C Voting Session at staff's request for further refinement.

23. On December 7, 2021, the M&C approved a contract with AFDC for the EPP. The total value of this contract was $2,425,000.

24. On January 6, 2022, the Department of the Treasury released the Final Guidance for ARPA SLRF.

25. On January 28, 2022, ACCGov executed an agreement with AFDC for the EPP.

26. On February 3, 2022, AFDC submitted the first monthly report for the EPP for the month of January.

27. On March 1, 2022, the Mayor and Commission approved a budget allocating ARPA State and Local Recovery Funds to various programs including a budget of $5,000,000 for Homelessness. This action included a strategic planning process, followed by an RFP, and the associated timeline. The M&C also designated the existing the Athens Homeless Coalition as the advisory committee for the homelessness allocation.

28. In May of 2022, HCD staff observed reporting inconsistencies in the EPP direct financial assistance bank account managed by AFDC and thus made a request for AFDC to submit monthly bank statements for both project bank accounts.

29. On June 7, 2022, HCD staff again requested bank statements for the EPP operating bank account from AFDC.

30. On June 10, 2022, the Manager's Office distributed a Notice of Proposed Administrative Action to the M&C regarding CDBG-CV (Allocation II). This memo outlined a staff proposal to deploy remaining CDBG-CV funds with a limited focus to address homeless services.

31. On June 13, 2002, HCD staff again requested bank statements for the EPP operating bank account from AFDC.

32. On June 17, 2022, HCD staff again requested bank statements for the EPP operating bank account from AFDC.

33. On June 27, 2022, the Interim Director of HCD notified AFDC that monthly prepayments for the EPP would not be made until AFDC provided HCD with the requested bank statements.

34. On July 5, 2022, AFDC submitted monthly reporting for the EPP, which included the requested bank statements.

35. On July 10, 2022, HCD released a request for applications for CDBG-CV (Allocation II) funding to address homeless emergency service activities.

36. On July 15, 2022, HCD sent AFDC a letter asking for clarification and corresponding documentation for $24,141.94 in previously unreported transactions within the EPP operating account.

37. On July 28, 2022, at the request of AFDC, HCD met with a representative of AFDC. At this meeting, AFCD stated that the majority of previously unreported expenses were associated with an AFDC representative's "fee" to manage the program as a contractor for AFDC. At this meeting, HCD stipulated that it would need a copy of the contract, project invoices, and proof of payment for all related expenses.

38. On August 9, 2022, AFDC provided a written response to HCD's July 15, 2022, letter. This response included a statement of work between the contractor and AFDC and a record of the contractor's hours of service to the project. At this time, AFDC was notified that this was not sufficient documentation to address expenses incurred prior to August 1, 2022. This determination was based on the dates of the presented contract and the incomplete documentation provided to address prior project expenses.

39. On August 10, 2022, at HCD's request, an in-person meeting was held with the Executive Director of AFDC to ensure the organization was familiar with the situation regarding the previously unreported expenses. At this meeting, HCD again reiterated that it would need a copy of the contract, project invoices, and proof of payment for all related expenses.

40. On August 12, 2022, AFDC reimbursed the EPP operating account for $1,141.94 to address other ineligible expenses.

41. On August 22, 2022, HCD sent an additional letter to AFDC to notify the organization of ACCGov's action to reduce September direct assistance payments (for an unrelated issue) and to again request supporting documentation for previously unreported program operating expenses. This letter requested a response by no later than September 15, 2022.

42. On September 6, 2022, the M&C approved $803,937 in CDBG-CV awards to address homelessness and housing insecurity. These awards included:

Agency	**Award**	**Purpose**
Project Safe	$92,076	Financial assistance for individuals/households experiencing domestic violence.

Acceptance Recovery Center	$100,005	Admission fees and housing support for individuals participating in an addiction recovery program.
The Ark UMOC	$100,000	Financial assistance to low-income individuals/households.
Advantage Behavioral Health Systems	$291,866	Hotel/motel vouchers for homeless individuals.
Advantage Behavioral Health Systems	$100,000	Rehousing assistance for homeless individuals.
Family Promise of Athens	$120,000	Financial assistance for low-income family units.

43. On September 15, 2022, HCD received a response from AFDC addressing the previously unreported expenses. This response was again rejected because it included an improperly signed statement of work, a single invoice, and a single paystub for the previously unreported expenses. At this time, HCD notified AFDC that the documentation was insufficient and that HCD would not be accepting documentation after 8:00 AM on September 16, 2022.

44. On September 16, 2022, AFDC submitted a revised statement of work, series of invoices, and series of paystubs for the previously unreported expenses.

45. On September 28, 2022, HCD notified AFDC that it was disallowing $37,895 in EPP operating expenses because AFDC had failed to submit satisfactory documentation. This letter included a number of risk-mitigating measures that HCD would be applying to the project. This determination was based on concerns regarding:
    - Inconsistent invoicing;
    - The lack of a properly executed contract;
    - A contract that was written in past tense; and,
    - Inconsistent payroll records.

46. In October 2022, as a result of a competitive RFP, Cloudburst Consulting Group, Inc. was awarded a contract with HCD to create a Strategic Plan to Reduce and Prevent Homelessness, to include the HOME-ARP Allocation Plan, for the ARPA Homelessness Initiative.

47. On October 6, 2022, AFDC called HCD to update them on their progress in pursuing the project reimbursement and implementing the risk mitigating measures.

48. On October 20, 2022, at AFDC's request, HCD met with AFDC to discuss their progress in pursuing the project reimbursement and implementing the risk mitigating measures. While some progress was evident, HCD immediately had concerns regarding AFDC's ability to reimburse the project for the disallowed expenses.

49. On October 21, 2022, HCD met with the Manager's Office, the Attorney's Office, and Safety and Risk to discuss the status of the EPP. Resulting from this meeting, a review of the project was referred to the Athens-Clarke County Police Department.

50. On October 24, 2022, HCD notified AFDC that it was suspending the EPP for federal non-compliance.

51. During the week of October 24, 2022, AFDC remained in regular contact with HCD to provide project documentation needed to complete monthly reporting. AFDC also provided HCD with detailed records on individuals who were approved for EPP funding because they met all program requirements.

52. On October 28, 2022, a representative from AFDC notified HCD that they were in the process of depositing $37,895 into the EPP operating account to reimburse for expenses disallowed by HCD.

53. On October 24, 2022, the Georgia Department of Community Affairs stopped accepting new applications to the Georgia Rental Assistance Program.

54. On October 31, 2022, AFDC provided ACCGov with $87,388.66 in reimbursement for prior pre-payments to the EPP. This accounted for the majority of funding held within the EPP direct assistance and operating bank accounts.

55. On November 7, 2022, AFDC notified ACCGov of additional program participants who were not included in the original list of approved participants, as shared by AFDC during the week of October 24, 2022. At this meeting, AFDC provided ACCGov with an additional $12,000 reimbursement for prior pre-payments to the EPP.

56. On November 15, 2022, under suspension of rules, M&C authorized the use of $150,000 of existing Eviction Prevention Program funding to provide financial assistance to program participants who were approved at the time of the project suspension.

57. On December 13, 2022, the M&C directed staff to create and release an RFP structured around the previous eviction prevention program that will utilize at least $800,000 of the remaining ARPA funds previously allocated to the program administered by the Athens First Development Corporation.

58. Between November 16, 2022 and December 31, 2022, HCD staff had to facilitate direct financial assistance to previously approved program participants because they were not being assisted by AFDC due to their challenges related to program administration.

59. In January 2023, as part of the project close-out procedures, HCD completed a program account reconciliation and found that AFDC has over-reimbursed ACCGov for $16,444.30. On January 17,

2023, HCD used certified mail to send AFDC a check for this amount and a reminder to complete a Single Audit by an independent CPA as outlined in their contract.

60. On February 3, 2022, HCD released an RFP for a second eviction prevention program based on direction from M&C (History #57).

61. Between February 10 and March 10, 2023, HCD provided technical assistance to interested parties.

62. On February 27 and March 13, 2023, HCD released two Q&A Addenda to address questions received from agencies.

63. On March 7, 2023, M&C approved the proposed HOME-ARP Allocation Plan that designated $625,000 toward supportive services to help prevent and reduce homelessness.

64. On March 17, 2023 at 4:30pm, the RFP closed for proposals. Only one proposal from Family Promise of Athens, in partnership with The Ark UMC, was received.

65. Between March 20-27, 2023, the RFP Review Team evaluated the single proposal received and finalized recommendations for contract award.

66. On May 2, 2023, M&C passed a motion (9-1) that:
    - Approved the 2023 Eviction Prevention Program contract to Family Promise of Athens in the amount of $800,000 from the ARPA SLFRF Allocation to EPP, as shown in Attachment #1 of the agenda report dated March 28, 2023;
    - Approved an additional $100,000 from the ARPA SLFRF Allocation to EPP for use by subawardee for additional direct financial assistance to program participants, if needed; and
    - Authorize the Mayor and appropriate ACCGov staff to execute all related document.

67. On August 28, 2023, the Eviction Prevention Program contract between ACCGov and Family Promise of Athens was fully executed.

68. Since August 2023, Family Promise of Athens has successfully implemented its contracted scope of work and remained in full compliance with the contract and relevant ARPA regulations. Fact & Issues #7-8 outline key performance metrics.

69. On October 3, 2023, the Strategic Plan to Reduce & Prevent Homelessness was accepted by the M&C with Commission defined options.

70. On January 31, 2024, HCD staff met with Family Promise of Athens to discuss a necessary budget revision to utilize the additional $100,000 awarded (History #66) to continue serving households facing, or at risk of, eviction. In that conversation, Family Promise of Athens

shared that these $100,000 would allow them to continue supporting households through June 2024.

71. During the same January 31, 2024 meeting, staff asked if Family Promise of Athens would be interested in receiving approximately $100,000 in additional funding from the M&C's original ARPA allocation toward eviction prevention programs. The agency expressed an interest in pursuing this opportunity, and that it would help them serve additional households.

72. On February 28, 2024, Family Promise of Athens shared with staff via email that they would be able to dedicate the full $102,349 of additional ARPA funding for direct financial assistance to an estimated 35 additional households (thus increasing total program goals to approx. 300).

FACTS & ISSUES:

1. The EPP is modeled after Project RESET which has operated in Gwinnett County, Georgia. The EPP provides rental and utility assistance to income-qualified individuals facing an eviction as a result of the COVID-19 pandemic. Gwinnett County discontinued accepting new applications to Project RESET on November 8, 2022.

2. In 2023, HCD collaborated with ACCGov's Manager's Office, Attorney's Office, Human Resources and Safety & Risk to successfully close out the Eviction Prevention Program managed by AFDC in 2022. A total of $1,422,651 of ARPA funding was expended for the original version of the EPP, preventing 425 evictions, but leaving $102,349 unspent and contractually unobligated dollars remaining that were previously allocated to the AFDC for eviction prevention activities.

3. As part of its proposal to M&C on November 15, 2022 (History #56), staff did not recommend the EPP be continued into 2023 given the amount of time since the pandemic originated and the amount of time that has passed since the eviction moratorium was lifted. The concept is not fiscally sustainable and as time progresses, it becomes increasingly difficult to meet the Treasury Department's requirements that assistance be tied to impacts from the COVID-19 pandemic. Staff are concerned that an extended implementation of the EPP creates a financial incentive for a landlord to accelerate an eviction on a case they might normally work with resolving with the tenant directly. Any court-ordered eviction, including those settled using the EPP, can have long-lasting consequences on an individual's ability to secure housing and credit moving forward potentially causing homelessness. This recommendation is consistent with the actions taken by State of Georgia and Gwinnett County to discontinue other similar programs.

4. The HOME-ARP Allocation Plan, which was informed by a robust community and stakeholder consultation process, identified direct financial assistance (including short- and medium-term rental assistance) as one of the top 3 gaps in existing supportive services designed to prevent and reduce homelessness (History #63).

5. During technical assistance offered to parties interested in the 2023 EPP RFP, agencies shared a desire to provide direct financial assistance and wrap-around services to households unable to

cover housing costs *before* landlords file for eviction. This approach, they shared, would not only minimize disruption to Athenians' housing situations at present but would also prevent long-lasting consequences on their ability to secure housing and credit in the future.

6. As part of its EPP contract, Family Promise of Athens has collaborated with The Ark to provide direct financial assistance to households who are currently in eviction proceedings *and* households who are at risk of facing eviction proceedings (e.g., difficulty paying rent). The agency also provides wrap-around case management to participants, including assistance finding better employment, more affordable housing, and more.

7. Below are some key performance indicators from the EPP program implemented by Family Promise in collaboration with The Ark UMC between August 2023 and January 2024. A publicly available dedicated dashboard with these metrics (updated monthly) is accessible to the public via www.accgov.com/arpa and directly through https://arpa-funding-and-outcomes-tracker-athensclarke.hub.arcgis.com/apps/960542692bd440e0ade712be1e18c398/explore.
   - The program has served a total of 226 households, 95 of whom had been served eviction notices and 131 were *at risk* of receiving eviction notices. This represents 26 more households than the original program goal of 200.
   - The program has prevented an average of 16 active evictions per month, and helped 22 households/month on average avoid formal eviction processes.
   - The average amount of arrears (i.e., financial assistance) is $2,700 for households served eviction notices, and $1,400 for households who were *at risk* of eviction
   - Approximately 72% of households served were considered extremely low income (<40% AMI), and the remaining 23% had very low income (40-65% AMI).

8. Family Promise of Athens has also conducted a three-month follow up with households who received EPP financial assistance. As of January 31, 2024:
   - A total of 13 households that were facing formal eviction at the time of assistance were contacted for follow-up. Of the seven that responded, six reported they were still housed at the time of follow-up (85% positive, among respondents)
   - A total of 73 households *at risk* of formal eviction at the time of assistance were contacted for follow-up. Of the 66 that responded, 64 reported they were still housed at the time of follow-up (95% positive outcome, among respondents)

9. Of the $570,763.10 in ARPA funds expended by the current EPP program through January 31, 2024, 95% ($540,263.08) were direct financial assistance to households.

10. Family Promise of Athens shared with staff that with the additional $102,349 requested through this agenda, the agency:
    - Will dedicate 100% of the additional funds toward direct financial assistance to households facing, or at risk of, evictions.
    - Estimates they will serve an additional 35 households, increasing their total goal of households served through the program to 300.

- Estimates the total awarded funding will run through October 2024 (vs. June 2024, if no additional funding is granted).

11. Staff recommends this additional award to Family Promise of Athens in order to help ensure that all remaining ARPA funding is adequately obligated and contracted prior to the US Treasury's ARPA obligation deadlines (December 31, 2024).

12. These recommendations meet the following ACCGov Strategic Plan Goals, Strategies, and/or initiatives:
    - Quality, Stable, Affordable Housing Goal, Strategy F: *Partner with the Magistrate Court to prevent tenant evictions.*

    Additionally, these recommendations meet Goal 4: Increase Access to Permanent Housing, Key Strategy 9: *Engage in Landlord-Focused Initiatives* from the Strategic Plan to Reduce & Prevent Homelessness.

OPTIONS:

1. Mayor and Commission:
    a. Approve an amendment to the Eviction Prevention Program contract with Family Promise of Athens, specifically through the provision of an additional $102,349.00 in ARPA funding to the original contract of $900,000 that will help support an additional 35 households (total 300 households served through the contract period) (**Attachment #1)**; and
    b. Authorize the Mayor and appropriate ACCGov staff to execute all related documents.

2. Mayor and Commission deny the request.

3. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option #1 a & b

DEPARTMENT: Housing and Community Development
Prepared by: Alejandra Calva

Roderick Wallace — 2/28/2024

Roderick Wallace
Director of HCD

Date

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1 a & b



Manager

March 14, 2024
Date:

ATTACHMENTS:

Attachment #1 – Summary of Request for Additional ARPA Funding to Family Promise of Athens' Eviction Prevention Program

Attachment #1

Athens-Clarke County Housing & Community Development Department
ARPA 2023 Eviction Prevention Program – Contract Amendment Recommendation

Budget:

REVENUES:	$2,425,000	ARPA SLFRF Allocation to the Eviction Prevention Program
EXPENSES:	$1,422,651	2022 EPP: AFDC approved payments & HCD direct assistance to pre-approved participants
	$ 900,000	2023 EPP: Contract with Family Promise of Athens
	$ 102,349	Remaining in ARPA SLFRF Allocation to EPP

Recommended Activities:

1. Increase funding to Family Promise of Athens …….. $102,349
   Amend current contract to support low-income households in eviction proceedings and those at risk of eviction. This would increase total contract budget from $900,000 to $1,002,349.

Since August 2023, Family Promise of Athens (formerly the Interfaith Hospitality Network) has partnered with The Ark UMC to run a Eviction Prevention Program. This program (1) serves households in active eviction proceedings through payment of late rent and utilities, (2) supports individuals and families who are *at risk* of eviction (e.g., unable to pay rent, but have not received eviction notices), and (3) provide wrap-around supportive services to program participants through case management, assistance searching for better employment and housing.

The agency follows the workflow prescribed in the RFP for households with an active eviction, including weekly reports to Magistrate Court about pending, approved and denied EPP applications.

Below are some key performance indicators for the program achieved between August 2023 – January 2024:

- The program has served a total of 226 households, 95 of whom had been served eviction notices and 131 were *at risk* of receiving eviction notices. This represents 26 more households than the original program goal of 200.
- The program has prevented an average of 16 active evictions per month, and helped 22 households/month on average avoid formal eviction processes.
- The average amount of arrears (i.e., financial assistance) is $2,700 for households served eviction notices, and $1,400 for households who were *at risk* of eviction
- Approximately 72% of households served were considered extremely low income (<40% AMI), and the remaining 23% had very low income (40-65% AMI).

With this additional $102,349 in ARPA funding, Family Promise of Athens:

- Will dedicate 100% of the additional funds toward direct financial assistance to households facing or at risk of evictions.

- Estimates they'll serve an additional 35 households, increasing their total goal of households served through the program to 300.
- Estimates they total awarded funding will run through October 2024 (vs. June 2024, if no additional funding is granted).
-

Revised Budget Proposal

Cost Category	Current Budget	Balance thru 1/31	Proposed Budget Revision	Revised Budget Total
Prevention Coordinator Salary	$45,000.00	$22,773.41		$45,000.00
Executive Director Salary	$15,000.00	$6,851.57		$15,000.00
Direct Financial Assistance: Eviction Prevention (Family Promise)	$420,000.00	$110,766.09	$102,349.00	$522,349.00
Direct Financial Assistance: Pre-Eviction Prevention (Family Promise)	$200,000.00	$174,629.29		$200,000.00
Direct Financial Assistance: Pre-Eviction Prevention (The Ark)	$200,000.00	$16,641.54		$200,000.00
Direct Financial Assistance: Reserves*	$0.00	$0.00		$0.00
Language Access Services	$250.00	$125.00		$250.00
Accounting/Audit Expenses	$19,750.00	$19,750.00		$19,750.00
TOTAL	**$900,000.00**	**$351,536.90**	**$102,349.00**	**$1,002,349.00**

***** Administrative budget revision approved on 2/28/24, moving $100,000 in Reserves to Direct Financial Assistance: Eviction Prevention line item.

AN ORDINANCE TO AMEND THE FY2024 ANNUAL OPERATING AND CAPITAL BUDGET FOR ATHENS-CLARKE COUNTY, GEORGIA SO AS TO PROVIDE ADDITIONAL FUNDING FOR CROSSWALK IMPROVEMENTS; AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. The Commission of Athens-Clarke County, Georgia desires to amend the FY2024 General Fund and General Capital Projects Fund budgets for the purpose of providing additional funding for Crosswalk Improvements. Said Operating and Capital budget is hereby amended as follows:

General Fund:

REVENUES:	
Decrease:	
Unassigned Fund Balance	$132,300
EXPENDITURES:	
Increase:	
Transfers to General Capital Projects Fd	$132,300

General Capital Projects Fund:

REVENUES:	
Increase:	
Transfers from General Fund	$132,300
EXPENDITURES:	
Increase:	
Transportation & Public Works Capital Expenditure – Crosswalk Improvements (project c0392)	$132,300

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

CROSSWALK POLICY UPDATE & ANNUAL PROJECT APPROVAL

Commission-Defined Option (CDO) - Commissioners Houle and Wright

Athens-Clarke County Mayor and Commission

April 2, 2024

Agenda Item Title:
Crosswalk Policy Update and Annual Project Approval

PROPOSAL:

a. Adopt the recommendations of Transportation & Public Works (TPW) staff regarding the installation guidelines for marked crosswalks, as outlined in the proposed policy (Attachment #1); ~~and~~

b. Adopt the budget ordinance associated with this CDO for the total amount of $132,300 using Unassigned Fund Balance as the source of revenue to cover the expenses associated with the additional four projects named below; and

c. Authorize staff to move into the construction/installation phase for ~~two~~ six crosswalk projects (Attachment #2 with projects specified in the Comments below), as current funding (shown in the agenda item as presented by staff) and additional funding allocated herein allows.

COMMENTS:

The six crosswalk projects funded and approved for construction/installation as part of this CDO are as follows:

Location	**Cost Estimate**	**Status**	**Next Steps (Attachment #2)**	**April 2, 2024 M&C Recommendation**
S. Lumpkin St. at Woodrow St.	$10,000	Concept Completed	"Move to Agenda"	Approve Installation/ Construction
E. Broad St. at RR Crossing	$48,000	Concept Completed	"Move to Agenda"	Approve Installation/ Construction
Agriculture Dr. at Morton Ave	$10,000	Concept Development	"Pending Funding"	Approve Installation/ Construction
Barnett Shoals Rd. at Ikon	$65,500	Concept Development	"Pending Funding"	Approve Installation/ Construction
Lavender Rd. at Merlin Ct.	$45,500	Concept Development	"Pending Funding"	Approve Installation/ Construction
Hancock Industrial Way at Bulldog Park	$11,800	Concept Development	"Pending Funding"	Approve Installation/ Construction

This enables TPW staff to move forward with each of the projects currently on the list of Midblock Crossing Requests (Attachment #2) that are ready to be designed and constructed/installed without requiring additional coordination with outside agencies/institutions.

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: Crosswalk Policy Update and Annual Project Approval

DATE: January 29, 2024

EXECUTIVE SUMMARY:

Staff is recommending approval for both the updated guidelines for marked crosswalk installations as well as to proceed with construction for two crosswalk projects. Revisions have been made to enhance pedestrian safety, incorporating criteria such as pedestrian demand generators and streamlined workflows. The proposed policy aims to address safety concerns, efficiently allocate resources, and prioritize installations based on need and funding availability.

BUDGET INFORMATION:

REVENUES:

	$	77,612	Gen. Capital Ped Crosswalks (FY23 CYFWD)
	$	30,000	Gen. Capital Ped Crosswalks (FY24 Funds)
	$	107,612	Total Revenues

EXPENSES:

CAPITAL:

Less	$	55,786	Encumbered or Expensed
	$	00,000	Designated Future Crosswalks/RSA Improvements
	$	51,826	Total Funds Available for Proposed Crosswalks

FUNDING SOURCE: FY23 & FY24 General Capital Pedestrian Crosswalk Improvement Program

COMMISSION ACTION REQUESTED ON: April 2, 2024

PURPOSE:

To request that Mayor and Commission:

a. Adopt the recommendations of Transportation & Public Works staff regarding the installation guidelines for marked crosswalks, as outlined in the proposed policy (**Attachment #1**); and
b. Authorize staff to move into construction/installation phase for two crosswalk projects (**Attachment #2**), as current funding allows.

HISTORY:

1. On November 4, 2003, Transportation & Public Works (T&PW) presented a recommended location for the installation of an in-pavement, flashing crosswalk. The Mayor & Commission (M&C) requested the Manager have T&PW determine guidelines for the installation of marked

crosswalks throughout Athens-Clarke County and use the allocated $30,000 to upgrade existing crosswalk locations rather than install a flashing crosswalk in a single location.

2. On March 2, 2004, M&C approved a crosswalk standard regarding the installation guidelines for marked crosswalks.

3. On September 6, 2017, staff sent out an interdepartmental memo to update the crosswalk policy which included:
    - Criteria to consider for installing a crosswalk
        - At traffic signal
        - For School Zones
        - At Mid-block
        - At non-signalized intersections
    - Categories of the types of crosswalks
    - Criteria for features of a crosswalk

4. In January 2023, at the request of T&PW staff, Athens in Motions Commission (AiMC) Projects & Policy subcommittee began reviewing the existing crosswalk policy and current crosswalk policy standards.

5. In March 2023, the AiMC Projects & Policy subcommittee shared their crosswalk policy findings with T&PW staff so that staff could update the policy to match current MUTCD and FHWA standards.

6. On August 16, 2023, staff brought an updated crosswalk policy back to the AiMC Projects & Policy subcommittee for further discussion.

7. On October 24, 2023, AiMC voted to recommend that T&PW staff present the updated crosswalk policy to be adopted by M&C.

8. On November 14, 2023, during a scheduled work session, T&PW staff presented updates to the ACCGov Crosswalk Policy to M&C.

9. On November 16, 2023, T&PW staff forwarded a draft of the updated Crosswalk Policy to the Manager's Office that was later shared with M&C.

FACTS & ISSUES:

1. Sidewalks and crosswalks are essential links within a pedestrian network. A marked crosswalk has three primary functions:
    - To create reasonable expectations where pedestrians may cross a roadway safely.
    - To improve predictability of pedestrian actions and movement of vehicular drivers.
    - To channel pedestrians to designated crossing locations (often selected for their

optimal sight distance).

2. Crosswalks are primarily classified by three characteristics:
    - Marked (demarcated with striping on the street) or Unmarked (no striping).
    - Whether they are controlled (by a traffic signal, stop-sign, roundabout, or traffic circle) or uncontrolled.
    - Whether they are located at an intersection (where two streets meet) or mid-block (between intersections).

3. Because all signalized intersections should have marked crosswalks, this policy mainly addresses crosswalks located at uncontrolled midblock crosswalk locations.

4. In the previously approved crosswalk standards, there must be sidewalks on either side of the proposed crosswalk and accessible ramps on both sides in order to justify the installation of a crosswalk. A minimum of 10 pedestrians should be observed during the morning or evening peak hour or during the peak hour of the adjacent land use. All observed crossings in the general area of the proposed crosswalk will satisfy this condition, and children and individuals with mobility challenges count as two pedestrians.

5. The challenges of implementing the previously approved crosswalk standards include:
    - Pedestrians may desire to cross at locations but refrain from doing so because it feels unsafe to do so. Waiting for at least 10 pedestrians per hour to start crossing the street before installing infrastructure to make crossing safer risks the most vulnerable residents of Athens.
    - Performing pedestrian count studies at locations where it is already known that pedestrians want to cross – like schools or bus stops – is an inefficient use of limited staff resources. One pedestrian count study can take more than 10 hours.
    - Existing standards have been difficult for some to interpret. The new policy clarifies the standards and relies on guidance from FHWA to create an easy-to-follow flow chart for what treatments are needed and when.

6. The proposed crosswalk policy (**Attachment #1**) calls for generally the same conditions to be satisfied in order to mark a crosswalk. Namely, marked crosswalks should be installed at all controlled intersections per MUTCD and ADA standards, and mid-block crossings should be marked where the following occur:
    - Sufficient demand exists to justify the installation of a crosswalk.
    - Sufficient sight distance as measured by stopping sight distance calculations exists and/or sight distance will be improved prior to crosswalk marking.
    - Safety considerations do not preclude a crosswalk.

7. Identifying candidate locations for marked crosswalks involves two steps:
    a. Pinpointing desired crossing points: This entails identifying locations where pedestrians naturally wish to cross the street, known as pedestrian desire lines. These lines are influenced by various factors such as proximity to transit stops, nearby establishments

(homes, schools, parks, trails, commercial centers), and the layout of the roadway network. Candidate locations can be identified through engineering analyses, walk audits, staff observations, or public input.

b. Assessing safety for crossing location: The primary consideration in this step is ensuring adequate stopping sight distance. Of all road users, pedestrians have the highest risk of injury in a collision because they are the least protected. FHWA's *Guide for Improving Pedestrian Safety at Uncontrolled Crossing Locations*, in the appendix of this policy (**Attachment #1**), can aid in selecting appropriate safety enhancements tailored to the specific context of each crosswalk location. Considerations include surrounding land use, roadway characteristics, and user demographics.

8. The main differences between the existing crosswalk policy and the recommended policy are that the new policy:
    - Introduces pedestrian demand generators as justification for crosswalk installation,
    - Creates a more streamlined approach to the workflow that goes into determining whether a crosswalk is warranted,
    - Includes a treatment guide that more clearly articulates FWHA guidelines for appropriate geometric treatments based on movement of vehicles and roadway characteristics,
    - Provides background information on crosswalk research; and
    - Details Georgia's municipal codes related to pedestrian crossings.

9. Under the guidelines of the proposed policy, a backlog of newly warranted crosswalks was identified as shown in **Attachment #2**.

10. Priority for the installation of backlogged crosswalks will be based on date of request and can be elevated based on safety considerations brought by the Traffic Engineer, pending funding and coordination required.

11. Based on current funding and date of request, T&PW staff recommends the installation of midblock crosswalks at the following locations (**Attachment #3**):
    - South Lumpkin Street at Woodrow Street
    - East Broad Street at the inactive railroad crossing

12. If approved by M&C, staff will continue coordination efforts on remaining backlog and will come forward with additional concept and installation requests as funding allows.

13. These recommendations support the following ACCGov Strategic Goals & Strategies:
    - Good Neighbors, Strategy F: *Examine, understand and improve public safety policies and processes to enhance public trust*
    - Safely Move Around Athens, Strategy E: *Enhance safety for all modes of transportation*

OPTIONS:

1. Mayor and Commission:
    a. Adopt the recommendations of Transportation & Public Works regarding the installation guidelines for marked crosswalks, as outlined in the attached policy (**Attachment #1**); and

    b. Authorize staff to move into construction/installation phase for 2 crosswalk projects (**Attachment #2**), as current funding allows.

2. Mayor and Commission do not approve the proposed changes to the Crosswalk policy, prioritization, and specific project installations.

3. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option #1 a and b.

DEPARTMENT: Transportation & Public Works
Prepared by: Tim Griffeth, Traffic Engineer
Daniel Sizemore, Bike, Ped, Safety Coordinator



Rani Katreeb, P.E.
Interim Director

January 31, 2024
Date:

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1 a & b



Manager

March 14, 2024
Date:

ATTACHMENTS:

Attachment #1: ACC Crosswalk Policy
Attachment #2: Mid-Block Crosswalk Requests
Attachment #3: Crosswalk Concepts

1. Introduction

This county-wide Crosswalk Policy is aimed at improving pedestrian safety and enhancing pedestrian mobility by providing a framework for installation, enhancement, and relocation of crosswalks throughout Athens-Clarke County (ACC). This policy identifies where crosswalks are warranted and what type of infrastructure is needed to make crossings safer. Once a location is identified as needing a crosswalk, it will be added to a list to be prioritized based on funding.

Note: This policy does not address criteria for prioritizing projects or sources of funding.

This document describes the function of crosswalks and their legal context in the Georgia Vehicle Code, discusses the advantages and disadvantages of marked crosswalks, and summary of best practices related to numerous pedestrian treatments, including geometric, signage and striping, and signal hardware or operational measure treatments.

The purpose of this Policy is to enable Athens-Clarke County Unified Government (ACCGov) staff to respond to crosswalk requests in a manner that improves pedestrian accessibility and improves public safety. Guidelines were written with the following priorities:

- Improve the visibility of pedestrians to motorists and vice-versa,
- Accommodate vulnerable populations such as persons with disabilities, children, and the elderly,
- Reduce conflicts between pedestrians and vehicles, and
- Reduce vehicular speeds at locations with potential pedestrian conflicts.

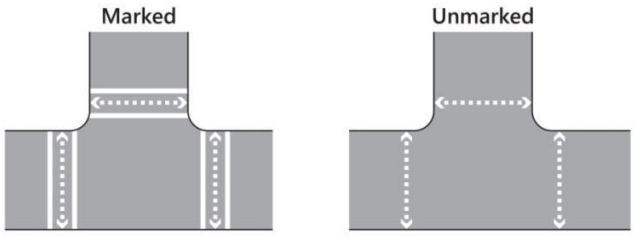
2. Crosswalk Fundamentals

Pedestrian crossing and right-of-way laws vary from state to state and are often a source of driver or pedestrian uncertainty and confusion for when crossing is legal. This section outlines the types of crosswalks, where crossing the street is legal in Georgia, and the steps ACCGov should take in identifying locations for marked crosswalks.

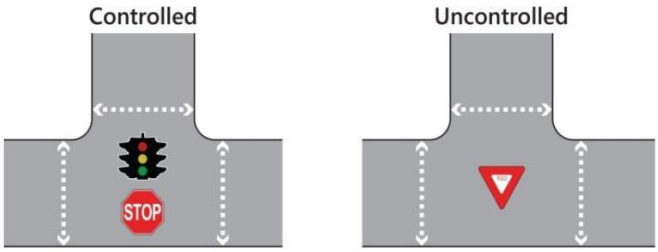
2.1 Types of Crosswalks

Crosswalks are primarily classified by three characteristics:

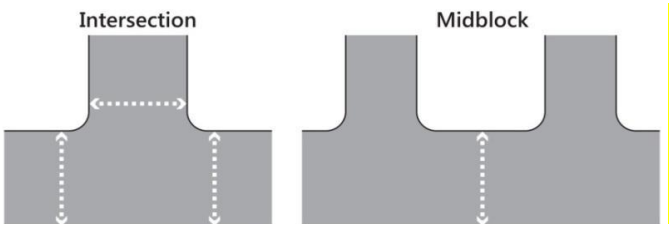
1. Whether they are marked (demarcated with striping on the street) or unmarked (no striping).



2. Whether they are controlled (by a traffic signal, stop-sign, roundabout, or traffic circle) or uncontrolled.



3. Whether they are located at an intersection (where two streets meet) or mid-block (between intersections).



2.2 What GA Codes Say About Pedestrians

In 1995, the Georgia legislature changed the crosswalk law such that drivers must “stop and stay stopped” for pedestrians, not just yield to them. All guidelines provided in this policy are subject to Title 40 - Motor Vehicles and Traffic, Chapter 6 - Uniform Rules of the Road, Article 5 - Rights and Duties of Pedestrians.

Definitions from 40-1-1

“Crosswalk" means:

A. That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs or in the absence of curbs, from the edges of the traversable roadway; or

B. Any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

"Intersection" means the area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two highways which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict.

"Sidewalk" means that portion of a street between the curb lines, or the lateral lines of a railway, and the adjacent property lines, intended for use by pedestrians.

2.3 Why Do Cities Mark Crosswalks?

Sidewalks and crosswalks are essential links within a pedestrian network. A marked crosswalk has three (3)

primary functions:

1) To create reasonable expectations where pedestrians may cross a roadway safely.

2) To improve predictability of pedestrian actions and movement.

3) To channel pedestrians to designated crossing locations (often selected for their optimal sight distance).

3. Identifying Locations for Marked Crosswalks

3.1 Definition of Criteria

3.1.1 Location Near Pedestrian Generator

Crossings within 500 feet of a service or location expected to generate at least 10 pedestrians per hour if crossing was safe, including:

- Bus stop,
- School,
- Parks/Trails/Greenspace,
- Health center,
- Senior center,
- Community center,
- Library,
- Grocery store,
- Pharmacy, and/or
- Neighborhood-embedded commercial district.

3.1.2 Location is 300 Feet or Further from Nearest Crossing

Staff will use GIS, Google Earth, or visit the location to measure the distance from the proposed crosswalk to the nearest existing enhanced crossing (signalized crossing, stop-controlled crossing, or other marked crosswalk with appropriate enhancement devices). A distance of 300 feet or further is necessary for a location to qualify to be considered for a marked crosswalk.

3.1.3 Location Meets Volume Threshold

In order to determine if a location meets this criterion, staff will complete a pedestrian count during the anticipated peak hours. The number of pedestrians at the candidate crosswalk location and within the vicinity likely to use the crosswalk location will be counted. This typically includes pedestrians traveling within the intersection influence area, which may include pedestrians crossing downstream and upstream of the intersection depending on roadway and land use characteristics. Vulnerable pedestrians count 2x people towards volume thresholds when data is available. Vulnerable populations include children, the elderly, and persons with disabilities. The identification of vulnerable users will be determined by professional judgment of TPW staff or designee that is processing the count data.

Staff will identify the peak hour and determine if it meets the minimum pedestrian volume threshold of 10 peds/hour in any one hour. Pedestrian counts no more than three years old may be utilized. Staff will only repeat a pedestrian count earlier than three-years if the surrounding land-use has significantly changed.

3.1.4 Location Meets AASHTO Sight Distance Requirements

The American Association of State Highway and Transportation Officials (AASHTO) *A Policy on Geometric Design of Highways and Streets* manual (also known as the "Green Book") describes sight distance as "the length of the roadway ahead that is visible to the driver." Sight distance should be sufficient to allow for a vehicle traveling at the design speed to stop before reaching a stationary object. Refer to Chapter 3.2.2 of the AASHTO Green Book, for the minimum sight distance required at various design speeds.

3.2 When to Consider Installing Marked Crosswalks

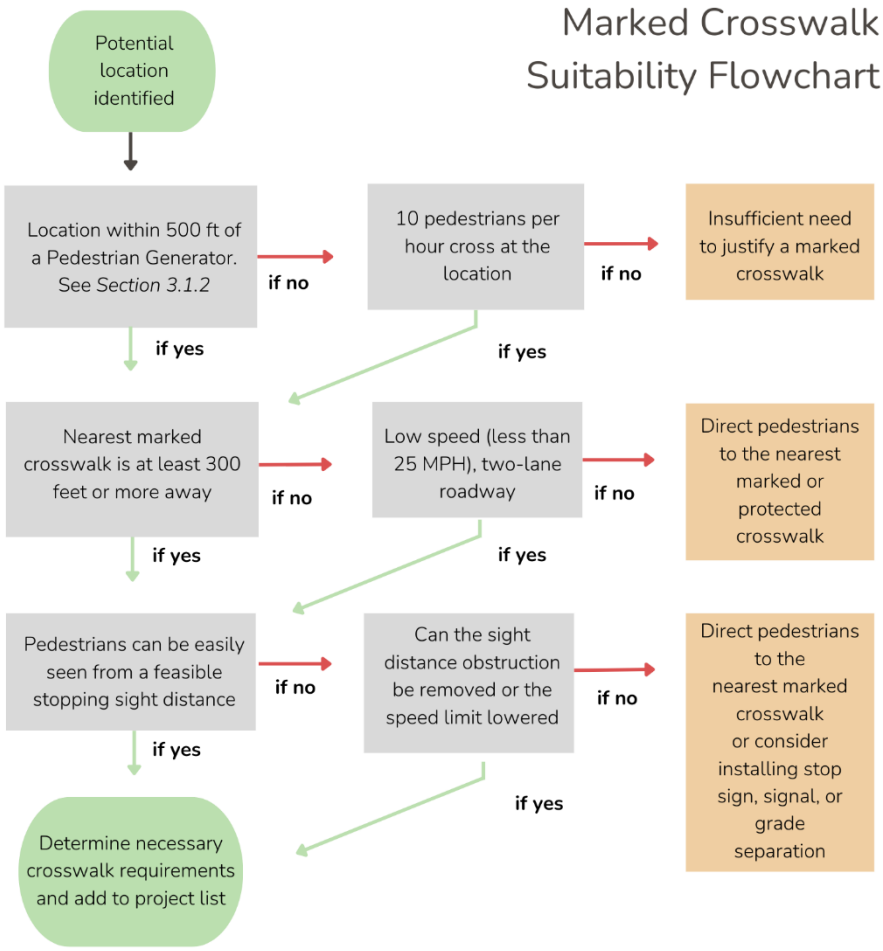
Marked crosswalks should be installed at all controlled intersections per MUTCD and ADA standards. As seen in Figure 1, once candidate locations for uncontrolled or mid-block crossings are identified, an engineering evaluation should be conducted to determine if a marked crosswalk should be installed, and if so, what visibility enhancements may be included in the design. Crossings should be marked where all of the following occur:

- Sufficient demand exists to justify the installation of a crosswalk.
- Sufficient sight distance as measured by stopping sight distance calculations exists and/or sight distance will be improved prior to crosswalk marking.
- Safety considerations do not preclude a crosswalk.

Identifying candidate locations for marked crosswalks involves two steps. The first step is to locate the places people would like to cross the street. These locations are called *pedestrian desire lines*, which represent the most desirable, and typically most direct, places that people want to cross a street. Pedestrian desire lines are influenced by elements of the roadway network, such as transit stops, and nearby land uses that generate pedestrian activities (homes, schools, parks, trails, commercial centers, etc.). This information provides a basis for identifying pedestrian crossing improvement areas and prioritizing such improvements, thereby creating a convenient, connected, and continuous walking environment. These locations may be identified through engineering studies, walk audits, staff observations, or public feedback.

The second step in identifying candidate locations for marked crosswalks is to identify where people can cross safely. The primary consideration in this step is adequate stopping sight distance. Of all road users, pedestrians have the highest risk of injury in a collision because they are the least protected. The crosswalk safety treatment toolboxes in this policy provide numerous options for enhancing pedestrian safety at uncontrolled and controlled crossings, respectively, with treatment selection based on the overall context of the crosswalk – including surrounding land uses, roadway characteristics, and user characteristics.

Figure 1 Marked Crosswalk Suitability Flowchart



3.2.1 Pedestrian Infrastructure Requirements

Locations that are found to be appropriate for crossing improvements should have existing pedestrian curb ramps. If none exist, new pedestrian curb ramps that meet current PROWAG standards are required to be constructed prior to the installation of a marked crosswalk.[1]

3.3 Exceptions to Criteria

In some cases, it may be reasonable to allow exceptions to the criteria identified above. Approval from the Traffic Engineer is required for exceptions to these criteria. Exceptions should be appropriately documented. Any situations that are not clearly defined in this guide should also be brought to the Traffic Engineer for review and determination. If the Traffic Engineer anticipates that a location may meet the 10 pedestrians per hour requirement, the above procedure does not preclude counts from being collected. Engineering judgment should be exercised in all situations. There will be locations that should or should not be marked due to other factors including frequency of marked crosswalks along a corridor and other corridor characteristics. Traffic Engineer or their designee may decide to perform additional studies to determine whether an existing crosswalk is still warranted. This study is to be conducted no sooner than 1 year from the installation date.

[1] "Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way."

Appendix A: Uncontrolled Crossing Treatment Guidance

FHWA's Guide for Improving Pedestrian Safety at Uncontrolled Crossing Locations (Chapter 4: Select Countermeasures) presents best practices for the installation of marked crosswalks at uncontrolled intersections and mid-block locations. Uncontrolled crossings require additional consideration during planning and design since traffic signals and stop signs are not provided to require motorists to stop – they must recognize the pedestrian and stop accordingly. Thus, providing appropriate enhancements to improve the visibility and safety of pedestrians crossing the street at an uncontrolled location is critical. ACCGov will refer to the most recent version of FHWA's guide to determine countermeasure treatments at specific locations. See the July 2018 version of this guide below:

Guide for Improving Pedestrian Safety at Uncontrolled Crossing Locations

Select Countermeasure(s)

GUIDING PRINCIPLES

This section can help the agency select countermeasures based on information previously collected and assessed. The agency can use the following resources to select countermeasures:

» First, reference Table 1 to compare roadway and vehicle speed characteristics to countermeasure options.

» Then, reference Table 2 to compare crash types and other observed safety issues to countermeasure options.

» Review Appendix B for more information about countermeasure CRFs and CMFs.

Application of Countermeasures by Roadway Feature

Table 1 includes a comprehensive matrix and list of STEP pedestrian crash countermeasures suggested for application at uncontrolled crossing locations per roadway and traffic features. The countermeasures are assigned to specific matrix cells based on safety research, best practices, and established national guidelines. When a pedestrian crossing is established, the agency should review the countermeasure options in the cells before selecting the optimal group of crossing treatments. The agency should consider the previously obtained characteristics such as pedestrian volume, operational speeds, land use context, and other site features when selecting countermeasures.

The agency should also reference the MUTCD and other national, State, and local guidelines when making the final selection of countermeasures.

For example, the agency may evaluate a 5-lane road with no raised median, an AADT of 12,000, and a 35 mph posted speed limit. The matrix recommends the agency strongly consider high-visibility crosswalks, adequate lighting, and parking restrictions on the approaches. In addition, the agency should strongly consider adding advance Yield Here To (Stop Here For) Pedestrians signs and yield (stop) lines, pedestrian refuge islands, and PHBs. Other candidate treatments include implementing a Road Diet along the corridor and adding curb extensions.

Table 1 provides initial countermeasure options for various roadway conditions. Each matrix cell indicates possibilities that may be appropriate for designated pedestrian crossings. Not all of the countermeasures listed in the matrix cell should necessarily be installed at a crossing.

For multi-lane roadway crossings with vehicle AADTs exceeding 10,000, a marked crosswalk alone is typically insufficient (Zegeer, 2005). Under such conditions, more substantial crossing improvements (such as the refuge island, PHB, and RRFB) are also needed to prevent an increase in pedestrian crash potential.

Table 1. Application of pedestrian crash countermeasures by roadway feature.

Roadway Configuration	Posted Speed Limit and AADT								
	Vehicle AADT <9,000			Vehicle AADT 9,000–15,000			Vehicle AADT >15,000		
	≤30 mph	35 mph	≥40 mph	≤30 mph	35 mph	≥40 mph	≤30 mph	35 mph	≥40 mph
2 lanes (1 lane in each direction)	❶ 2 4 5 6	❶ 5 6 7 9	① 5 6 ❼ ❾	❶ 4 5 6	❶ 5 6 7 9	① 5 6 ❼ ❾	❶ 4 5 6 7 9	① 5 6 7 9	① 5 6 ❾
3 lanes with raised median (1 lane in each direction)	❶ 2 3 4 5	❶ ❸ 5 7 9	① ❸ 5 ❼ ❾	① 3 4 5	① ❸ 5 ❼ ❾	① ❸ 5 ❼ ❾	① ❸ 4 5 7 9	① ❸ 5 ❼ ❾	① ❸ 5 ❾
3 lanes w/o raised median (1 lane in each direction with a two-way left-turn lane)	❶ 2 3 4 5 6 7 9	❶ ❸ 5 6 7 9	① ❸ 5 6 ❾	① 3 4 5 6 7 9	① ❸ 5 6 ❼ ❾	① ❸ 5 6 ❾	① ❸ 4 5 6 7 9	① ❸ 5 6 ❾	① ❸ 5 6 ❾
4+ lanes with raised median (2 or more lanes in each direction)	❶ ❸ 5 7 8 9	❶ ❸ 5 7 8 9	① ❸ 5 8 ❾	① ❸ 5 7 8 9	① ❸ 5 ❼ 8 9	① ❸ 5 8 ❾	① ❸ 5 ❼ 8 9	① ❸ 5 8 ❾	① ❸ 5 8 ❾
4+ lanes w/o raised median (2 or more lanes in each direction)	❶ ❸ 5 6 7 8 9	① ❸ 5 ❻ 7 8 9	① ❸ 5 ❻ 8 ❾	① ❸ 5 ❻ 7 8 9	① ❸ 5 ❻ ❼ 8 9	① ❸ 5 ❻ 8 ❾	① ❸ 5 ❻ ❼ 8 9	① ❸ 5 ❻ 8 ❾	① ❸ 5 ❻ 8 ❾

Given the set of conditions in a cell,

- # Signifies that the countermeasure is a candidate treatment at a marked uncontrolled crossing location.
- ● Signifies that the countermeasure should always be considered, but not mandated or required, based upon engineering judgment at a marked uncontrolled crossing location.
- ○ Signifies that crosswalk visibility enhancements should always occur in conjunction with other identified countermeasures.*

The absence of a number signifies that the countermeasure is generally not an appropriate treatment, but exceptions may be considered following engineering judgment.

1 High-visibility crosswalk markings, parking restrictions on crosswalk approach, adequate nighttime lighting levels, and crossing warning signs
2 Raised crosswalk
3 Advance Yield Here To (Stop Here For) Pedestrians sign and yield (stop) line
4 In-Street Pedestrian Crossing sign
5 Curb extension
6 Pedestrian refuge island
7 Rectangular Rapid-Flashing Beacon (RRFB)**
8 Road Diet
9 Pedestrian Hybrid Beacon (PHB)**

Refer to Chapter 4, 'Using Table 1 and Table 2 to Select Countermeasures,' for more information about using multiple countermeasures.

***It should be noted that the PHB and RRFB are not both installed at the same crossing location.*

This table was developed using information from: Zegeer, C.V., J.R. Stewart, H.H. Huang, P.A. Lagerwey, J. Feaganes, and B.J. Campbell. (2005). Safety effects of marked versus unmarked crosswalks at uncontrolled locations: Final report and recommended guidelines. FHWA, No. FHWA-HRT-04-100, Washington, D.C.; FHWA. Manual on Uniform Traffic Control Devices, 2009 Edition. (revised 2012). Chapter 4F, Pedestrian Hybrid Beacons. FHWA, Washington, D.C.; FHWA. Crash Modification Factors (CMF) Clearinghouse. http://www.cmfclearinghouse.org/; FHWA. Pedestrian Safety Guide and Countermeasure Selection System (PEDSAFE). http://www.pedbikesafe.org/PEDSAFE/; Zegeer, C., R. Srinivasan, B. Lan, D. Carter, S. Smith, C. Sundstrom, N.J. Thirsk, J. Zegeer, C. Lyon, E. Ferguson, and R. Van Houten. (2017). NCHRP Report 841: Development of Crash Modification Factors for Uncontrolled Pedestrian Crossing Treatments. Transportation Research Board, Washington, D.C.; Thomas, Thirsk, and Zegeer. (2016). NCHRP Synthesis 498: Application of Pedestrian Crossing Treatments for Streets and Highways. Transportation Research Board, Washington, D.C.; and personal interviews with selected pedestrian safety practitioners.

Safety Issues Addressed per Countermeasure

The results of the crash analysis, road safety audit, and/or stakeholder input provide the agency with a better understanding of the risk factors at uncontrolled crossing locations. The countermeasures listed in this guide can improve the visibility of crossing locations and reduce crashes, and they each address at least one additional safety concern associated with a higher risk of collision and/or severe injury. These additional safety issues include the following: excessive vehicle speed, inadequate conspicuity/visibility, drivers not yielding to pedestrians in crosswalks, and insufficient separation from traffic.

Table 2 shows the specific safety issues that each countermeasure may address. For example, the addition of PHBs has been consistently shown to improve motorist yielding by 90 percent or greater, when compared with no traffic control or warning type devices.

Table 2. Safety issues addressed per countermeasure.

	Safety Issue Addressed				
Pedestrian Crash Countermeasure for Uncontrolled Crossings	Conflicts at crossing locations	Excessive vehicle speed	Inadequate conspicuity/ visibility	Drivers not yielding to pedestrians in crosswalks	Insufficient separation from traffic
Crosswalk visibility enhancement	✓	✓	✓	✓	✓
High-visibility crosswalk markings*	✓		✓	✓	
Parking restriction on crosswalk approach*	✓		✓	✓	
Improved nighttime lighting*	✓		✓		
Advance Yield Here To (Stop Here For) Pedestrians sign and yield (stop) line*	✓		✓	✓	✓
In-Street Pedestrian Crossing sign*	✓	✓	✓	✓	
Curb extension*	✓	✓	✓		✓
Raised crosswalk	✓	✓	✓	✓	
Pedestrian refuge island	✓	✓	✓		✓
Pedestrian Hybrid Beacon	✓	✓	✓	✓	
Road Diet	✓	✓	✓		✓
Rectangular Rapid-Flashing Beacon	✓		✓	✓	✓

*These countermeasures make up the STEP countermeasure "crosswalk visibility enhancements." Multiple countermeasures may be implemented at a location as part of crosswalk visibility enhancements.

Using Table 1 and Table 2 to Select Countermeasures

Table 1 provides initial countermeasure options for various roadway conditions. Each matrix cell indicates possibilities that may be appropriate for designated pedestrian crossings. Not all of the countermeasures listed in the matrix cell should necessarily be installed at a crossing. Agency officials should also review safety issues referenced in Table 2, the surrounding land development context, pedestrian travel patterns, countermeasure effectiveness, and costs when considering what countermeasure(s) are best suited for the crossing.

A marked crosswalk is useful to show pedestrians and drivers preferred crossing locations. However, for multi-lane roadway crossings where vehicle AADTs are in excess of 10,000, a marked crosswalk alone is typically not sufficient (Zegeer, 2005). Under such conditions, more substantial crossing improvements are also needed to prevent an increase in pedestrian crash potential. Examples of more substantial treatments include the refuge island, PHB, and RRFB. Refer to the symbols used in Table 1 for when a marked crosswalk should be paired with one or more of the other countermeasures described.

To further increase visibility of pedestrian crossings, agencies often integrate multiple countermeasures. For example, the Pedestrian Hybrid Beacon is often installed in conjunction with advance stop markings and signs. Also, Road Diets present opportunities for adding pedestrian refuge islands and curb extensions at key crossing locations. Agencies should consider roadway geometry and the MUTCD when integrating multiple countermeasures.

Countermeasure Descriptions

This subsection describes considerations for implementation of each of the countermeasures included in Tables 1 and 2. The agency can review other guidance—such as the MUTCD, the AASHTO Pedestrian Guide, and/or agency policies and practices—to identify and select countermeasures for implementation.

Crosswalk visibility enhancements

High-visibility crosswalks may include a variety of crosswalk striping designs, such as ladder, continental, or bar pairs. A high-visibility crosswalk is much easier for an approaching motorist to see than the traditional parallel lines. The agency should strongly consider providing high-visibility crosswalks at all established midblock pedestrian crossings. The high-visibility markings may be supplemented with the pedestrian crossing warning signs (sign W11-2 in the MUTCD) on each approach to the crosswalk. MUTCD Section 2C.50—*Non Vehicular Warning Signs* and Section 3B.18—*Crosswalk Markings* provide additional information.

The agency should also strongly consider implementing parking restrictions on the crosswalk approach at all established

pedestrian crossings (both approaches) so there is adequate sight distance for motorists on the approaches to the crossings and ample sight distance for pedestrians attempting to cross. The minimum setback is 20 feet where speeds are 25 mph or less, and 30 feet between 26 mph and 35 mph. If this cannot be done, the curbs should be "bulbed out" to allow the pedestrian to see past the parked vehicle along the street. Adjacent bus stops should be placed downstream of the crosswalk and not on the crosswalk approach.

The agency should consider providing an appropriate level of lighting at all established pedestrian crossings. Consideration should be given to placing the lights 10 to 15 feet in advance of the crosswalk on both sides of the street and on both approaches to better light the front of the pedestrian and avoid silhouette lighting (where possible).

In-street Pedestrian Crossing sign

In-street signs are placed in the middle of the road at a crossing and are often used in conjunction with refuge islands. These signs may be appropriate on 2-lane or 3-lane roads with speed limits of 30 mph or less. On higher-speed, higher-volume, and/or multilane roads, this treatment may not be as visually prominent; therefore, it may be less effective (drivers may not notice the signs in time to stop in advance of the crosswalk). For such roadways, more robust treatments will be needed. When making the choice to use these signs, the agency should consider making a plan and securing a funding source for the maintenance and prompt replacement of damaged signs. The MUTCD permits in-street pedestrian signs for installation on centerlines and along lane lines. MUTCD Section 2B.12—*In-Street and Overhead Pedestrian Crossing Signs* contains additional information about these signs.

Advance Yield Here To (Stop Here For) Pedestrians sign and yield (stop) line

Advance Yield Here To (Stop Here For) Pedestrians signs are placed between 30 and 50 feet in advance of the marked crosswalk along with the stop line or "shark's teeth" yield line. This is a candidate treatment for any uncontrolled pedestrian crossing, and should be strongly considered for any established pedestrian crossing on roads with four or more lanes and/or roads with speed limits of 35 mph or greater. Stop Here For Pedestrians signs should only be used where the law specifically requires that a driver must stop for a pedestrian in a crosswalk. MUTCD Section 2B.11—*Yield Here To Pedestrians Signs and Stop Here For Pedestrians Signs* and Section 3B.16—*Stop and Yield Lines* contain additional information.

Curb extension

A curb extension or "bulbout" extends the sidewalk or curb line into the street or parking lane, thus reducing the street width and improving sight distance between the driver and pedestrian. A curb extension is a candidate treatment for any uncontrolled pedestrian crossing, particularly where parking lanes exist. Curb extensions should not extend into paths of travel for bicyclists.

Raised crosswalk

Raised crosswalks function as an extension of the sidewalk and allow a pedestrian to cross the street at a constant grade. A raised crosswalk is typically a candidate treatment on 2-lane or 3-lane roads with speed limits of 30 mph or less and AADTs below 9,000. Raised crossings are generally

avoided on truck routes, emergency routes, and arterial streets. Drainage needs to be accommodated. See MUTCD Section 3B.25—*Speed Hump Markings* for additional information about markings that can be used alongside raised crosswalks.

Pedestrian refuge island

A pedestrian island is typically constructed in the middle of a 2-way street and provides a place for pedestrians to stand and wait for motorists to stop or yield. This countermeasure is highly desirable for midblock pedestrian crossings on roads with four or more lanes, and should be considered for undivided crossings of four or more lanes with speed limits of 35 mph or greater and/or AADTs of 9,000 or greater. Median islands may also be a candidate treatment for uncontrolled pedestrian crossings on 3-lane or 2-lane roads, especially where the street is wide and/or where vehicle speed or volumes are moderate to high. Consideration should be given to creating a two-stage crossing with the island to encourage pedestrians to cross one direction of traffic at a time and look towards oncoming traffic before completing the second part of the crossing. The minimum pedestrian refuge island width is approximately 6 feet. MUTCD Section 3B.10—*Approach Markings for Obstructions*, Section 3B.18—*Crosswalk Markings*, and Section 3B.23—*Curb Markings* provide additional information.

Pedestrian Hybrid Beacon (PHB)

A PHB head consists of two red lenses above a single yellow lens, and is used in conjunction with pedestrian signal heads installed at each end of a marked crosswalk. Figure 6 shows a rendering of a PHB. The PHB has been referred to as the High-Intensity Activated crossWalK beacon (HAWK), but the MUTCD refers to this device as the PHB.

Unlike a traffic signal, the PHB rests in dark until a pedestrian activates it via pushbutton or other form of detection. When activated, the beacon displays a sequence of flashing and solid lights that control vehicular traffic while the pedestrian signal heads indicate the pedestrian walk interval and a pedestrian clearance interval.

The PHB should meet the installation guidelines—based on speed, pedestrian volume, vehicular volume, and crossing length—as provided in Section 4F.01 of the MUTCD (See Figure 4F-1 for speeds of 35 mph or less; Figure 4F-2 for speeds greater than 35 mph). Research indicates that PHBs are most effective at roads with three or more lanes that have AADTs above 9,000. PHBs should be strongly considered for all midblock crossings where the roadway speed limits are equal to or greater than 40 mph. Refer to Table 1 for other conditions where PHBs should be strongly considered. It should be noted that the PHB and RRFB are not both installed at the same crossing location.

PHBs have also been installed successfully at intersections under certain conditions. Since the current MUTCD guidance is to locate PHBs at least 100 feet away from an intersection, engineering judgment/ engineering study must be carefully applied if considering an installation at an intersection.



Figure 6. Rendering of a PHB.

Source: FHWA STEP Countermeasure Tech Sheets.
(Note: Drawing not to scale.)

Road Diet

A road diet reconfigures the roadway. A frequently-implemented Road Diet involves converting a 4-lane, undivided roadway into a 3-lane roadway with a center turn lane. This is a candidate treatment for any undivided road with wide travel lanes or multiple lanes that can be narrowed or repurposed to improve pedestrian crossing safety.

After conducting a traffic analysis to consider its feasibility, the agency may determine that a Road Diet is a good candidate for use on roads with four or more lanes and traffic volumes of approximately 20,000 or less. In some cases, agencies have successfully implemented Road Diets on roads with AADTs of up to 25,000. By reducing the width of the roadway, pedestrians benefit from shorter crossing distances and often bike lanes or streetscape features can be added. Road Diets are often effectively accomplished during pavement resurfacing.

Rectangular Rapid-Flashing Beacon (RRFB)

An RRFB is a pedestrian-actuated conspicuity enhancement used in combination with a pedestrian, school, or trail crossing warning sign to improve safety at uncontrolled, marked crosswalks. The device includes two rectangular-shaped yellow indications, each with an LED-array-based light source, that flash with high frequency when activated.

RRFBs may be used to enhance the conspicuity of standard pedestrian and school crossing warning signs at uncontrolled marked crosswalks. RRFBs are placed on both ends of a crosswalk. If the crosswalk contains a pedestrian refuge island or other type of median, an RRFB should be placed to the right of the crosswalk and on the median (instead of the left side of the crosswalk). The RRFB's irregular flashing pattern pattern is unlit when not activated and can be activated manually by pedestrians using a push button or passively by a pedestrian detection system. This device is not currently included in the MUTCD, but FHWA has issued Interim Approval 21 (IA-21) for the use of the RRFB. State and local agencies must request and receive permission to use this interim approval before they can use the RRFB. IA-21 provides additional information about the conditions of use, including dimensions, placement, and flashing requirements. IA-21 does not provide guidance or criteria based on number of lanes, speed, or traffic volumes.

The RRFB is a treatment option at many types of established pedestrian crossings. Research indicates RRFBs can result in motorist yielding rates as high as 98 percent at marked crosswalks. However, yielding rates as low as 19 percent have also been noted. Compliance rates varied most per the city location, posted speed limit, crossing distance, and whether the road was one- or two-way.[1] RRFBs are particularly effective at multilane crossings with speed limits less than 40 mph. Consider the PHB instead of RRFBs for roadways with higher speeds. Table 1 provides specific conditions where practitioners should strongly consider the PHB instead of the RRFB.

[1]*Fitzpatrick, K., M. Brewer, R. Avelar, and T. Lindheimer.* Will You Stop for Me? Roadway Design and Traffic Control Device Influences on Drivers Yielding to Pedestrians in a Crosswalk with a Rectangular Rapid-Flashing Beacon. *Report No. TTI-CTS-0010. Texas A&M Transportation Institute, College Station, Texas. June 2016.* https://static.tti.tamu.edu/tti.tamu.edu/documents/TTI-CTS-0010.pdf

Midblock Crosswalk Requests

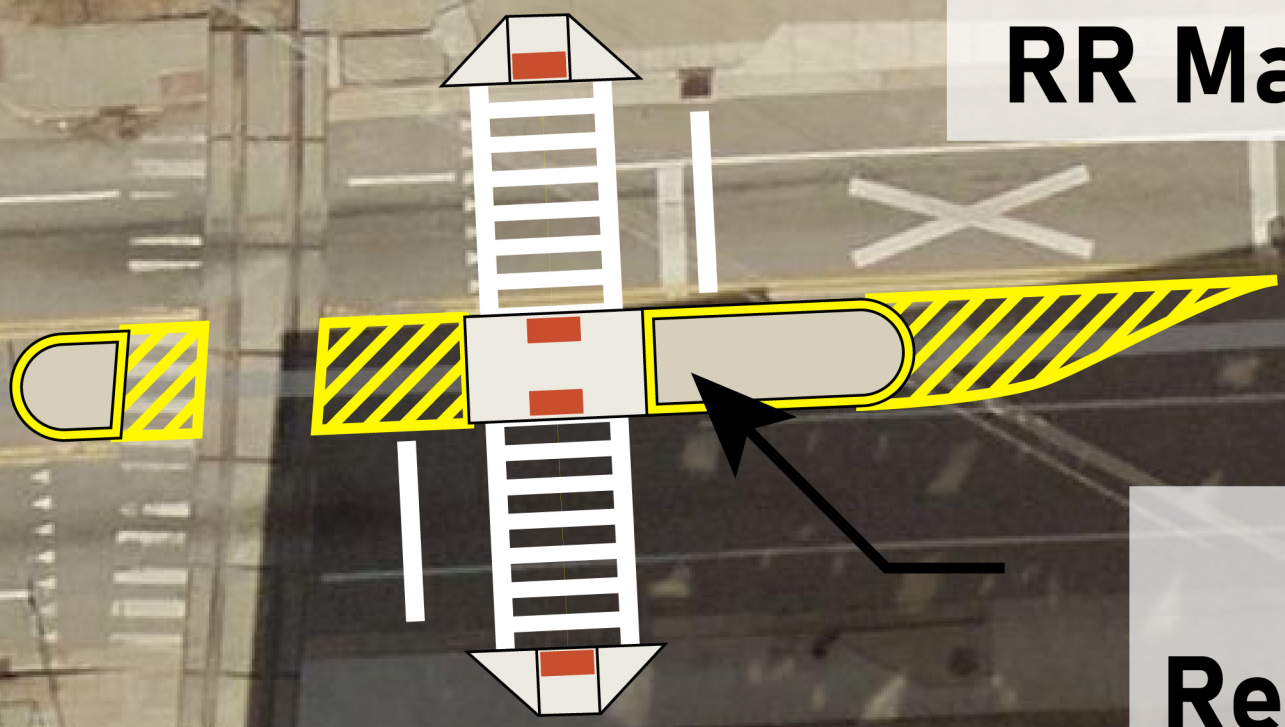
Location	Request Date	Results	Cost Estimate	Status	Next Steps
Rowe Rd at Pilgrim's Pride	2/1/2021	Warranted	$45,000	Coordination Required	Requires Pilgrim's Pride coordination
Barber St at Pilgrim's Pride	2/1/2021	Warranted	$45,000	Coordination Required	Requires Pilgrim's Pride coordination
S. Lumpkin St. at Woodrow St	10/2/2021	Warranted	$10,000	Concept Completed	Move to Agenda
E. Broad St at RR Crossing	12/9/2021	Warranted	$48,000	Concept Completed	Move to Agenda
Agriculture Dr. at Morton Ave.	1/9/2022	Warranted	$10,000	Concept Development	Pending funding
Burney-Harris-Lyons Middle School	1/9/2022	Warranted	$58,000	Coordination Required	Requires CCSD coordination
Gaines School Elementary	4/20/2022	Warranted	$53,000	Coordination Required	Requires CCSD coordination
Winterville Rd. at Nellie B Ave	8/14/2022	Warranted	$10,000	Coordination Required	Requires LES coordination
E Carver Dr at Aaron Heard Community Center	9/8/2022	Warranted	$10,000	Coordination Required	Requires LES coordination
Hawthorne Ave at Salvation Army	10/2/2022	Warranted	$48,000	Coordination Required	Requires Salvation Army coordination
Barnett Shoals at Ikon	1/13/2023	Warranted	$65,500	Concept Development	Pending funding
Hull St. Parking Deck RRFB	2/14/2023	Warranted	$35,000	Coordination Required	Requires UGA coordination
Willow Street at Hickory St	5/1/2023	Warranted	$10,000	Coordination Required	Requires LES coordination
Dr. MLK Jr Pkwy at Ruth Dr	5/1/2023	Warranted	$50,600	Coordination Required	Requires LES coordination
Nacoochee Ave. at Chase Street Elementary back gate	5/8/2023	Warranted	$10,000	Coordination Required	Requires CCSD coordination
Baxter St. at CCHS	8/14/2023	Warranted	$48,000	Coordination Required	Requires CCSD coordination
Lavender Rd. at Merlin Ct	8/14/2023	Warranted	$45,000	Concept Development	Pending funding
E. Broad St. at Willow St	9/6/2023	Warranted	$51,000	Coordination Required	Requires LES coordination
Hancock Industrial Way at Bulldog Park	10/12/2023	Warranted	$11,800	Concept Development	Pending funding
S. Thomas St. at Jackson Street Building	12/1/2023	Warranted	$38,000	Coordination Required	Requires UGA coordination

Attachment #3

RRFB (3)
2 on either side and 1 in the island



Remove RR Markings



New Refuge Island

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: Linnentown Walk of Recognition Public Art (SPLOST 2011 Project 21) Sub-Project #6 – Proposed Project Concept and use of SPLOST funds

DATE: March 1, 2024

EXECUTIVE SUMMARY:

The requested action is to approve the Proposed Project Concept for the SPLOST 2011 Project 21, Public Art Project, to provide additional funding for the Athens Justice and Memory Project Linnentown 'Walk of Recognition.'

BUDGET INFORMATION:

REVENUES:

$	403,500	SPLOST 2011 Project #21 – All Tiers

EXPENSES:

CAPITAL:

$	145,419	Expensed & Encumbered
$	2,690	Designated for Project Management
$	7,771	Approved for Stand & Play, SP #3
$	9,446	Approved for Walk of Fame, Sub-Project #4
$	15,000	Approved for Bishop Park Public Art, SP #5
$	198,174	Designated for Contingency & Future Sub-Projects
$	25,000	Additional Public Art Funding for SP #6

FUNDING SOURCE:

CAPITAL: SPLOST 2011 Project 21 and Capital Fund Balance

COMMISSION ACTION REQUESTED ON: April 2, 2024

PURPOSE:

To request that the Mayor and Commission:

a. Approve the Proposed Project Concept and use of SPLOST 2011 Project 21, Public Art Program funds to supplement the Linnentown Walk of Recognition Public Art Project, with an additional budget of $25,000 from SPLOST 2011 Project 21, Public Art Program.

HISTORY:

1. On November 2, 2010, Athens-Clarke County voters approved the SPLOST 2011 Program Referendum. This referendum included Public Art Program (SPLOST 2011 Project #21).

2. On November 1, 2011, the Mayor and Commission (M&C) approved the Master Implementation Plan and Funding Schedule for the SPLOST 2011 Program. The SPLOST 2011 Project #21, Public Art Program, included funding programmed for Tier #4, 5, 6, 7, 8, and Tier #9.

3. On March 7, 2017, the M&C accepted the Athens Public Art Master Plan.

4. On June 9, 2020, Mayor Girtz drafted the Charge for an Athens Justice and Memory Project: Linnentown.

5. On June 25, 2020, the Athens Justice and Memory Project (AJMP) was appointed by Mayor Girtz.
   The members appointed to this advisory board are:
   - Hattie Thomas Whitehead (Linnentown community member)
   - Bobby Crook (Linnentown community member)
   - Geneva Johnson Blasingame ((Linnentown community member))
   - Freedie Brown Jackson (Linnentown community member)
   - Christine Davis Johnson (Linnentown community member)
   - Dr. Jennifer Rice
   - Charlene Marsh
   - Commissioner Mike Hamby
   - Commissioner Mariah Parker

6. On September 2, 2020, the first public meeting of the AJMP was held virtually.

7. On December 7, 2020, Dr. Jennifer Rice gave a subcommittee presentation on a general concept for a 'Walk of Recognition.' The presentation provided a recommendation for several points of recognition that consist of family names, addresses, background of community, images of neighborhood and residents, educational info about urban renewal, and where Lyndon Road & Peabody Street would have been. The AJMP approved acceptance of the initial concept design.

8. On February 2, 2021, Mayor Kelly Girtz signed a proclamation with an apology in recognition of Athenians displaced by urban renewal projects.

9. On February 16, 2021, the M&C unanimously approved a resolution in support of recognition and redress for Linnentown, its descendants, and Athens-Clarke County Black communities harmed by urban renewal.

10. On February 22, 2021, the AJMP gathered outside of City Hall to hear the reading of a Linnentown proclamation by Mayor Kelly Girtz, as well as hear from other speakers of the AJMP Committee and first descendants of the Linnentown Project.

11. On April 19, 2021, Dr. Lynn Sanders-Bustle, UGA Associate Professor of Art Education, was introduced by and to the AJMP committee members during a regularly scheduled meeting, and she presented an overview of a community-driven mosaic concept.

12. On May 17, 2021, the AJMP approved and accepted the project design for the Linnentown 'Walk of Recognition'. This concept design is detailed as four points of recognition, including three interpretive, historical signs and one community-driven mosaic installation.

13. On June 15, 2021, the M&C approved the FY22 Capital and Operating Budget, which included an allocation of $50,000 in Capital funding for AJMP: Linnentown 'Walk of Recognition'.

14. On January 6, 2022, ACCGov staff secured a meeting with the Benesch Project Manager and Surveying Traditions to begin the process for surveying and mapping of the ROW along S. Finley St. to determine certainty in ROW ownership at proposed site of 'Walk of Recognition'.

15. On February 11, 2022, the Benesch Project Manager and Surveying Traditions began ROW field surveying and mapping.

16. On February 22, 2022, the ROW survey (Attachment #1) was completed and showed ACCGov ownership of the ROW along S. Finley St and at the corner of Baxter in the landscaped tree area.

17. On January 8, 2024, the Athens Cultural Affairs Commission voted to support the recommendation of an additional $25,000 from SPLOST 2011 Project #21 be added to the Linnentown Walk of Recognition Public Art budget.

18. On March 18, 2024, the Proposed Project Concept will be presented to the SPLOST Oversight Committee for confirmation that the Proposed Project Concept meets the intent of the SPLOST 2011 Project 21 Initial Project Statement. The Agenda Report will be revised based on the outcome of the SPLOST Oversight Committee Actions.

FACTS & ISSUES:

1. The Initial Project Statement of SPLOST 2011 Project 21, Public Art reads as follows;

   Project 21, Public Art Program*, will provide for the selection and placement of public art within designated areas to include parks, city entrance corridors, greenways and government buildings.*

2. The Proposed Project Concept for Project 21, Public Art Program, SP #6 is to provide the additional funding of $25,000 for the previously M&C Approved (History #13) Linnentown 'Walk of Recognition' Project to create a combined total budget of $75,000 for the project.

3. The proposed schedule is for the AJMP is as follows"
   - Present the selected artist and selected art - late fall of 2024;
   - Completion of the project - summer 2025.

4. This recommendation supports the following ACCGov Strategic Plan Goal & Strategy:
    - Good Neighbors Goal, Strategy D: Drive community transformation with a focus on creating spaces that are respectful and welcoming - Develop a culture of place-making through applicable projects.

OPTIONS:

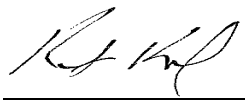
1. Mayor and Commission approve the Proposed Project Concept and use of SPLOST 2011 Project 21, Public Art Program funds to supplement the Linnentown Walk of Recognition Public Art Project, with an additional budget of $25,000 from SPLOST 2011 Project 21, Public Art Program.

2. Mayor and Commission do not approve the Proposed Project Concept and use of SPLOST 2011 funds to supplement the Linnentown Walk of Recognition Public Art Project, funded by additional budget of $25,000 from SPLOST 2011 Project 21, Public Art Program and the FY22 Capital Fund Balance.

3. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option #1

DEPARTMENT: Prepared by Tatiana Veneruso for:



Kent Kilpatrick, Leisure Services Director — March 12, 2024 — Date:



Keith D. Sanders, SPLOST Program Administrator — March 6, 2024 — Date:

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1



Manager — March 14, 2024 — Date:

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: SPLOST 2020 Project 03, Classic Center Arena – Proposed Construction Contract Change Order to JE Dunn

DATE: ~~November 28, 2023~~ ~~March 13, 2024~~ March 29, 2024

EXECUTIVE SUMMARY:
Staff recommends a change order to the Classic Center Arena contractor's, (JE Dunn) contract to incorporate additional build-out spaces and the sound and acoustical treatments, which were previously budgeted for in Revenue Bond #3. These build-out spaces include the 501 Club, Locker Rooms 5 and 6, Entry Level space, and the Roadie/Press/Flex room.

BUDGET INFORMATION:

REVENUE:	$ 33,320,000	SPLOST 2020 Project 03 Funding
	$ 49,425,110	Revenue Bond #1
	$ 32,000,000	Revenue Bond #2
	$ 25,800,000	Revenue Bond #3
	$ 10,926,994	Other Revenue - Currently Available
	$ 151,472,104	Total Revenue Available
EXPENSES:		
CAPITAL:	~~$ 133,116,436~~	
	$ 140,610,386	Expensed or Encumbered
	$ 573,000	Designated Remaining Testing, PM & Misc. Fees
	$ 320,846	Designated Public Art
	~~$ 3,201,255~~	
	~~$ 3,285,546~~	
	$ 2,731,483	Designated Project Contingency
	$ 483,071	Designated for Railroad Installation
	~~$ 3,134,914~~	~~Approved for Bridge & Stairs~~
	~~$ 1,500,000~~	~~Approved for Kitchen Equipment~~
	~~$ 2,553,817~~	~~Approved JED Change Order #9~~
	~~$ 500,000~~	~~Approved Perkins & Will Change Order (Separate Agenda Report)~~
	~~$ 2,236,836~~	
	$ 1,698,255	Budgeted for Remaining Data/IT Systems/Phones
	$ 2,085,000	Budgeted for Remaining FF&E
	$ 250,000	Budgeted for Remaining Building Signage
	~~$ 2,000,000~~	Available for Build-out of ~~South Club Level~~ 501 Club, ~~Concession~~
	~~$ 2,166,000~~	~~and~~ Roadie/Press/Flex Room, Auxiliary Locker Rooms 5 and 6,
	$ 2,720,603	Entry Level spaces, and for Sound and Acoustical Treatments

FUNDING SOURCE: SPLOST 2020 Project 03, Revenue Bond Financing, and Private Funding

COMMISSION ACTION REQUESTED ON: ~~January 2, 2024~~ April 2, 2024

PURPOSE:

To request that the Mayor and Commission:

a) Approve a Proposed Change Order to the Construction Contract of JE Dunn in the Not to Exceed amount of ~~(*$To Be Determined* $2,166,000~~ $2,720,603~~)~~ for the change order work as described in Facts and Issues #2, 3, &4 ~~& 3~~; and,

b) Authorize the Mayor and appropriate staff to execute all necessary related documents.

HISTORY:

1. On November 11, 2018, Classic Center Authority (CCA) submitted to ACCGov a Project Proposal for consideration as part of the SPLOST 2020 Program.

2. On January 23, 2019, the ACCGov Sustainability Office issued a request for proposals for professional services in energy resource coordination.

3. On January 28, 2019, the Classic Center Arena Project 81 was presented to the SPLOST 2020 Citizen Advisory Committee with a funding request of $58,879,000.

4. On June 4, 2019, CCA presented a revised Classic Center Arena Project. The revised project included potential private funding partnerships with a Hotel, a Senior Condominium, and Parking Deck. SPLOST 2020 funding request was reduced to $37,000,000.

5. On July 10, 2019, at a regularly scheduled work session, CCA representatives presented a revised Classic Center Arena Project to the Mayor & Commission (M&C), which included a reduced SPLOST 2020 request of $34,000,000.

6. On July 18, 2019, the M&C approved the Proposed Referendum Project List, including the Classic Center Arena at a reduced project value of $34,000,000 with the remaining needed project funds coming from Revenue Bonds backed by ACCGov and the revenue from future development of ACCGov property adjacent to the Classic Center.

7. On August 6, 2019, the M&C approved the SPLOST 2020 Program Referendum, which included the Classic Center Arena (Project 03) as a component.

8. On November 5, 2019, Athens-Clarke County voters approved the SPLOST 2020 Program Referendum. This Referendum included the Classic Center Arena (Project 03). The Referendum also included the approval of the issuance of general obligation debt to help fund the Classic Center Arena (Project 03) and to facilitate the construction of the Project

within the first few years of the SPLOST 2020 Program.

9. On January 7, 2020, a lease agreement between ACCGov and CCA was presented to the M&C for consideration. The proposed lease outlined a 50-year extension of the CCA's lease to include the land for the new Arena as well as the transfer of land and air rights above the Classic Center auto-bridge to ownership by the CCA for the purpose of developing a hotel.

10. On February 4, 2020, M&C approved a resolution to regulate and provide for the issuance of $26,660,000 in aggregate principal amount general obligation bonds, as authorized by a vote of the qualified voters in a referendum held November 5, 2019. M&C also established the SPLOST 2020 Capital Projects Fund and amended the FY20 operating and capital budget of ACCGov to establish the budget for the following three SPLOST 2020 projects:
    - Project 01, Facilities Space Modernization
    - Project 02, Affordable Housing
    - Project 03, Classic Center Arena

11. On February 18, 2020, the Intergovernmental Agreement for land lease between ACCGov and the CCA was approved by the M&C.

12. In September 2020, Manager Williams selected the User Group Members to help ensure ACCGov long terms goals are promoted during the Project Development process. The User Group Members are:
    - David Barbe
    - Dexter Fisher
    - Chantel Dunham
    - Andrew Saunders
    - Smith Wilson
    - Paul Cramer
    - Robert Cheshire (ex-officio)

13. On December 1, 2020, M&C approved combining the Program Management budgets from all projects into a single Program Management Budget, establishing the Classic Center Arena SPLOST 2020 budget at $33,320,000.

14. On February 2, 2021, M&C approved the Tier Funding Schedule thereby establishing the SPLOST 2020 funding schedule for the Classic Center Arena project.

15. On February 2, 2021, M&C approved Perkins & Will / Smallwood Design as the selected Project Designer for the Classic Center Arena project.

16. On April 6, 2021, M&C approved JE Dunn Construction Company as the selected Construction Manager at Risk Contractor for the Classic Center Arena project.

17. On May 10, 2021, the ACAC approved a recommendation to the M&C in accordance with Athens-Clarke County Code Ordinance, Section 1, Title I, Chapter 1-25-6, additional Funding for Public Art, that SPLOST 2020 Project 03 - Classic Center Arena is appropriate for public art**.**

18. On June 1, 2021, M&C unanimously approved the Project Concept and updated budget with order of magnitude pricing of $109,441,278 for the SPLOST 2020 - Project 03 Classic Center Arena.

19. On August 3, 2021, M&C approved conveyance and incorporation for 1.08 acres between Hickory and Willow streets into the existing Intergovernmental Agreement between ACCGov and CCA, approved by the M&C on Feb. 18, 2020 (History #11).

20. On September 7, 2021, the M&C approved Schematic Design, the Updated Total Project Budget of $116,705,055, Proposed A/E Contract Amendment, Bond Financing, and authorized an early Guaranteed Maximum Price (GMP) based on 75% construction drawings.

21. On October 5, 2021, the M&C approved the initial bond financing issuance of $55,000,000 and associated Intergovernmental Agreement. During the work session for the October vote, the M&C was made aware that a second bond issuance would be coming in the future.

22. On January 4, 2022, the M&C approved the following actions:
    - Increased the Classic Center Arena Project Budget to $135,655,498, assuming a second bond issuance;
    - Moved the Future Energy/HVAC System financing of approximately $10M into the new budget amount; and,
    - Authorized staff to negotiate the GMP contract with JE Dunn for a Not to Exceed amount of $107M (based on 75% complete design).

23. On January 12, 2022, JE Dunn submitted their GMP for the cost of construction for the Classic Center Arena based on the 75% CDs.

24. On February 2, 2022, JE Dunn was issued a Notice to Proceed for the Classic Center Arena project, and the GMP Amendment was executed for $102,400,000.

25. In February 2022, JE Dunn mobilized to the Site.

26. On April 4, 2022, JE Dunn began the Pre-Blast survey work and drilling rock in anticipation of blasting.

27. On June 8, 2022, rock blasting work began on the project.

28. On June 14, 2022, CCA Director Paul Cramer presented the proposed Change Order #2 (incorrectly labelled as Change Order #1 in previous agendas), proposed second revenue bond issuance, and a proposed Special District Tax related to hotels to the M&C at the

regularly scheduled Work Session. The change order was presented to included all anticipated costs for rock and dirt removal, disposal, and alleged delays, as of that time.

29. On June 24, 2022, a Notice of Proposed Administrative Action (NOPAA) was issued to the M&C providing detailed information on the project status, pending use of the Owner Controlled Contingency, and required activities to continue construction to avoid costly delays.

30. On July 5, 2022, M&C approved during a specially called meeting Change Order #2 with JE Dunn for a total amount of $8,950,000.

31. On August 2, 2022, the M&C approved the Second Revenue Bond Issuance of $37,000,000 and associated Intergovernmental Agreement.

32. On September 7, 2022, staff approved a transfer of $3,022,812 from the owner-controlled contingency to JE Dunn's contract amount for Items identified in the approved Change Order #2.

33. On November 1, 2022, the M&C approved the Hickory Street Parking Deck Project Concept, Option A for the access from the Arena Plaza Level to Hickory Street, and Not to Exceed Change Order #2 to the Project Designer P&W/Smallwood the additional work associated with the Parking Deck.

34. On December 13, 2022, the M&C approved the Hickory Street Parking Deck Schematic Design and associated bridge and stairs.

35. On January 11, 2023, the Manager issued a response to the notices received from JE Dunn associated with the cost impacts for rock and contaminated soil removal and dewatering. This response included a release of $4,000,000 of Owner Controlled Contingency to be used towards costs associated with rock and contaminated soil removal, hauling, and disposal costs.

36. On, February 14, 2023, the Unified Government and the Authority entered into an Intergovernmental Contract (the "February 2023 Agreement") for, among other purposes, providing for the Railroad Easement Site as described therein to be transferred by the Unified Government to the Authority to provide for an arena inspired economic development project to create additional revenue to support the Classic Center Arena Project.

37. On February 16, 2023, during the regularly scheduled M&C work session, CCA Executive Director Paul Cramer presented an update on the project funding and expenses/commitments made to date on the project. This included an updated estimate of the rock amount in excess of the owner-controlled contingency within JE Dunn's contract.

38. On March 8, 2023, a Letter of Intent was signed between the Classic Center Authority and

Classic Center Partners, who is the master developer for the parking deck and other surrounding developments, which outlines general terms and conditions for the developments and deadlines for commitments on the developer's part.

39. On May 9, 2023, during the regularly scheduled M&C work session, Paul Cramer presented the proposed revenue streams for the third revenue bond and the items that the revenue bond was intended to cover, including additional funding for the JE Dunn claim.

40. On June 6, 2023, M&C approved a total claim settlement with JE Dunn for $13,900,000, a budget increase from $135,333,402 to $149,685,354, and authorized staff to proceed with development of a third financing up to $13M.

41. On September 5, 2023, M&C approved a budget increase to $151,472,104 and the third bond financing issuance of $25,800,000 (not including financing costs) and associated Intergovernmental Agreement. This third bond funding included budgeted funds to cover additional scope items covered by this Proposed Change Order.

42. On October 3, 2023, M&C approved a Not to Exceed Change Order in the amount of $2,350,000 that included a few of the additional scope items anticipated. The scoreboard, ribbon boards, dasherboards, and the fall protection system were all included in the CO approval.

43. On December 5, 2023, M&C approved a change order to Perkins and Will for Additional Design Services, a change order to JE Dunn, and a construction contract for the Bridge and Stairs.

FACTS & ISSUES:

1. As approved on September 5, 2023 by the M&C (History #41) the third bond financing increased the total project budget to $151,472,104. This bond amount and budget increase included budget funding to cover the following remaining scope of work items listed below:

Budget Amounts	Description
$ 7,167,332	Rock & Contaminated Soil
$ 320,846	Public Art – Three different Contracts
$ 3,250,000	Bridge & Stairs
$ 750,000	Foundry Street Plaza Repair
$ 500,000	Perkins and Will Additional Services
$ 2,236,836	Data/IT Systems/Phones
$ 2,085,000	Additional Furniture, Fixtures, & Equipment
$ 250,000	Signage - Purchase Order under $200K
$ 2,100,000	Scoreboard
$ 217,008	Dasherboards

$	400,000	Owner Ops Rigging and Fall Protection
$	700,000	~~South Club Level~~ The 501 Club Build Out
$	200,000	Concession and Flex Room Build Out
$	375,000	Auxiliary Locker Room Build Out
$	725,000	Sound and Acoustical Treatments
$	1,500,000	Telescoping Seating

2. The table below provides updates on the status of the previously items, their previously provided budget amounts, and amounts previously approved or requested for approval as part of this change order. The shaded items in the below table are being requested for approval in this agenda report.

Previous Budget Amounts	Approved to Date or being Requested Amounts	Description	Status
$ 7,167,332	$ 7,167,332	Rock & Contaminated Soil	Approved CO #4
$ 320,846	$ 320,846	Public Art – Three different Contracts	Approved by M&C
$ 3,250,000	$ 3,134,914	Bridge & Stairs	~~Proposed~~ Contract Awarded to SRI
$ 750,000	$ 883,871	Foundry Street Plaza Repair	Approved CO #9
$ 500,000	$ 500,000	Perkins and Will Additional Services	Approved Change Order
$ 2,236,836	$ 560,000	Additional Data/IT Systems/Phones	Future Agenda(s)
$ 2,085,000	$ 455,000	Additional Furniture, Fixtures, & Equipment	Future Agenda(s)
$ 250,000	$ 126,000	Signage - Purchase Order under $200K	Approved PO ~~Pending~~
$ 2,100,000	$ 2,350,000	Scoreboard	Approved CO #8
$ 217,008	Incl. above	Dasherboards (Included with Scoreboard)	Approved CO #8
$ 400,000	Incl. above	Owner Ops Rigging and Fall Protection (Included with Scoreboard)	Approved CO #8
$ 700,000	~~*To Be Determined*~~ ~~$ 1,416,256~~ $ 1,709,265	~~South Club Level~~ The 501 Club Build Out	Proposed CO ~~#10~~ #11
$ 200,000	~~*To Be Determined*~~ ~~$ 112,000~~ $ 113,971	Concession and Flex Room Build Out	Proposed CO ~~#10~~ #11

$ 375,000	~~*To Be Determined*~~ ~~$ 333,000~~ $ 302,479	Auxiliary Locker Room Build Out	Proposed CO ~~#10~~ #11
$ 725,000	~~*To Be Determined*~~ ~~$ 321,000~~ $ 320,837	Sound and Acoustical Treatments	Proposed CO ~~#10~~ #11
$ 1,500,000	$ 1,669,946	Telescoping Seating	Approved CO ~~#9~~ 10
$ 22,777,022	~~*To Be Determined*~~ ~~$ 19,333,909~~ $ 19,614,461	Total Requested or Encumbered to Date	

3. The items listed below are part of this Proposed Change Order to JE Dunn. All of these items were removed from the scope for the project during the GMP negotiation phase of the project in an effort to reduce the overall cost of the Classic Center Arena Project. Other items (listed above in F&I #1 & 2) will come back as separate vendor contracts or potentially additional future change orders to JE Dunn.
   a. ~~South Club Level~~ The 501 Club Build Out: ~~South Club Level~~ The 501 Club, was taken out of the scope for the project at the Schematic Design Phase in an effort to reduce the overall cost of the Classic Center Arena Project. This 501 Club is the entire club level and is located on the South end of the arena between the Event and Concourse levels. The design team has fully designed this space in coordination with the Classic Center for it to be incorporated into the project. This club level is needed to generate revenue for the Classic Center Arena. This is a premium space that will generate revenue with naming rights and/or ticket sales. This scope is most effectively delivered by JE Dunn via change order due to the close coordination required with the many trades that will be utilized to build out this space. (Estimated at $1,709,265)

   b. ~~Concession and~~ Roadie/Press/Flex Room Buildout: ~~The concession stand is located in the SE corner of the building on the event level.~~ The Roadie/Press/Flex room is also located on the event level of the arena and will be utilized for a variety of different uses in the arena. ~~Both of these areas are~~ This area is important for the efficient operations and revenue generation of the Classic Center Arena. This scope is most effectively delivered by JE Dunn via change order due to the close coordination required with the many trades that will be utilized to build out this space. ~~It is anticipated that~~The scope for this room, ~~these areas~~ at this point, will be limited to what is required by code for the space to be occupied and the arena be opened. Depending on the status of contingency at the end of the project, there may be an additional change order or separate contract to complete the full buildout of this ~~ese~~ space~~s~~. (Estimated at $113,971)

   c. Auxiliary Locker Rooms 5 and 6 Buildout: These locker rooms are located on the Western side of the building on the event level. These locker rooms will generate revenue and benefit the operations of the Arena. This scope is most effectively

delivered by JE Dunn via change order due to the close coordination required with the many trades that will be utilized to build out this space. It is anticipated that scope for these areas at this point will be limited to what is required by code for the space to be occupied and the arena be opened. Depending on the status of contingency at the end of the project, there may be an additional change order or separate contract to complete the full buildout of these spaces. (Estimated at $302,479)

d. Sound and Acoustical Treatments: These sound and acoustical improvements are meant to improve the acoustical performance of the arena. These improvements will ensure that the arena is able to operate effectively and the acoustical performance of the arena is high quality. This scope is most effectively delivered by JE Dunn via change order due to the close coordination needed with various trades to install the lapendary panels in the arena. (Estimated at $320,837)

e. Entry Level Buildout: These offices are located on the entry level on the East Side of the building. The offices will house the Classic Center staff that are working in the arena building. These offices will increase the efficiency and effectiveness of the Classic Center Staff working in the arena. The build out of this space will be limited to what is required by code for the space to be occupied and the arena be opened. Depending on the status of contingency at the end of the project, there may be an additional change order or separate contract to complete the full buildout of this space. (Estimated at $273,511)

4. The above change F&I's #3a-d were all specific line items within the third bond funding request for additional space build-out. The cost for those four items were slightly higher than originally estimated, particularly the 501 Club which is needed to generate revenue to pay back the bonds. F&I item #3e was noted in the previous work session presentation and agenda report as a space would only be built-out if there was remaining contingency. The cost of this additional work, for F&I #3.e, would be from the current Project Contingency and thus would reduce the overall Project Contingency to the approximate $2.7 million shown above.

5. Below is a snapshot of the schedule impact of adding the build back spaces to JE Dunn's scope at this point of the project. JE Dunn's subcontractors have stated that they do not have access to sufficient the manpower to do the additional buildout spaces until they are complete with the base scope of work. JE Dunn's current schedule, which has been rejected by ACCGov, has their Substantial Completion of the Classic Center Arena Project on October 3, 2024, approximately 71 days past their contractually required completion date. As shown below, JE Dunn's schedule, with this additional work, would have them reaching that same point of Substantial Completion on October 23, 2024. Adding the scope of work included in this proposed change order will also add 20 calendar days to the schedule. The added cost ($275,889) of the added time is included in the above listed cost ($1,709,265) of work for the 501 Club Buildout, because the 501 Club Buildout is driving the majority of the additional time request.

CC Arena - 3rd Bond Build Out Schedule

		Date	Added Days	7/1/2024	7/8/2024	7/15/2024	7/22/2024	7/29/2024	8/5/2024	8/12/2024	8/19/2024	8/26/2024	9/2/2024	9/9/2024	9/16/2024	9/23/2024	9/30/2024	10/7/2024	10/14/2024	10/21/2024	10/28/2024
Contract Schedule	Substantial Completion Contract Date	7/1/2024																			
	CO #10 - Telescopic Seats (Signed)	7/24/2024	23																		
	rd Bond Build Back Spaces (Proposed	8/13/2024	20																		
JED Actual Schedule	JED Projected Completion Date	9/10/2024																			
	CO #10 - Telescopic Seats (Signed)	10/3/2024	23																		
	Build Back Spaces (Proposed)	10/23/2024	20																		

6. Shown in blue above, adding the additional 20 days, to the Contract Time, JE Dunn's new contractually required completion date will move from July 24, 2024 to August 13, 2024. Shown above in red, adding the additional Contract Time does not help JE Dunn make up any of their current approximately 71 days that they are behind schedule. Adding the 20 days, shown in red above, does extend their current projected completion date being pushed from October 3, 2024 to October 23, 2024.

7. Below is a brief overview of the original proposed project schedule, actual where completed, and proposed current revisions with no acceleration:
   - GMP Pricing on 75% CDs — November 2021 (Actual January 2022)
   - GMP Approval — December 2021 (Actual January 2022)
   - Start of Construction — January 2022 (Actual February 2022)
   - Construction Substantial Completion — July 2024
   - Anticipated Start of Booked Events — September 2024

8. This recommendation supports the following ACCGov Strategic Plan Goal & Strategy:
   - Good Neighbors Goal, Strategy D: *Drive community transformation with a focus on creating spaces that are respectful and welcoming - Develop a culture of place-making through applicable projects.*

OPTIONS:

1. Mayor and Commission:
   a. Approve a Proposed Change Order to the Construction Contract of JE Dunn in the Not to Exceed amount of ~~($*To Be Determined* $2,166,000~~ $2,720,603~~)~~ for the change order work as described in Facts and Issues #2, 3, &4 ~~& 3~~,

   b. Authorize the Mayor and appropriate staff to execute all necessary related documents.

2. Mayor and Commission deny the request.

3. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option #1 a & b

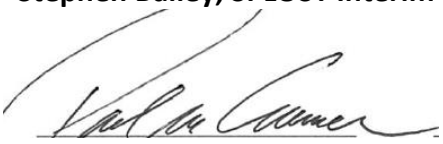
DEPARTMENT: Office of the Manager – SPLOST Program Management
Prepared by: Keith Sanders, SPLOST Project Administrator ~~for~~,



~~12/5/23~~March 8, 2024

Keith D. Sanders, SPLOST Program Administrator **Date:**

~~**Stephen Bailey, SPLOST Interim Capital Projects Director**~~



12/5/2023

Paul Cramer, Classic Center President & CEO **Date:**

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1 a & b



Manager ~~December 5, 2023~~ March 14, 2024 Date:

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: SPLOST 2020 Project 03, Classic Center Arena – Proposed Professional Services Change Order

DATE: March 13, 2024

EXECUTIVE SUMMARY:

This Agenda Report is for change orders to both Perkins and Wills' contract and Jacobs' Contract to incorporate the additional time required for extending the construction schedule and for the build out of additional spaces for the Classic Center Arena. The change order also includes additional hours required for the Bridge and Stair due to it being constructed by a new contractor and not being included in JE Dunn's scope.

BUDGET INFORMATION:

REVENUE:			
	$	33,320,000	SPLOST 2020 Project 03 Funding
	$	49,425,110	Revenue Bond #1
	$	32,000,000	Revenue Bond #2
	$	25,800,000	Revenue Bond #3
	$	10,926,994	Other Revenue - Currently Available
	$	151,472,104	Total Revenue Available
EXPENSES:			
CAPITAL:	$	140,610,386	Expensed or Encumbered
	$	2,182,000	Designated for JE Dunn CO for Build-Out of Spaces
	$	275,000	Designated Remaining Testing & Misc Fees
	$	320,846	Designated Public Art
	$	2,424,847	Designated Project Contingency
	$	483,071	Designated for Railroad Installation
	$	1,698,255	Budgeted for Data/IT Systems/Phones
	$	2,085,000	Budgeted for FF&E
	$	250,000	Budgeted for Building Signage
	$	1,142,699	Available for Additional Professional Services associated with the Classic Center Arena Project

FUNDING SOURCE: SPLOST 2020 Project 03, Revenue Bond Financing, and Private Funding

COMMISSION ACTION REQUESTED ON: April 2, 2023

PURPOSE:

To request that the Mayor and Commission:

a. Approve a Change Order to Perkins & Will, Inc., for an amount not to exceed ~~*($To Be Determined)*~~ $262,000 for the additional services as described in Facts and Issues;

b. Approve a Change Order to Jacobs Project Management Company, for an amount not to exceed ~~*($To Be Determined)*~~ $897,513 for the additional services as described in Facts and Issues; and

c. Authorize the Mayor and appropriate staff to execute all related documents.

HISTORY:

1. On November 11, 2018, CCA submitted to ACCGov a Project Proposal for consideration as part of the SPLOST 2020 Program.

2. On January 23, 2019, the ACCGov Sustainability Office issued a Request for Proposals for professional services in energy resource coordination.

3. On January 28, 2019, the Classic Center Arena Project 81 was presented to the SPLOST 2020 Citizen Advisory Committee with a funding request of $58,879,000.

4. On June 4, 2019, CCA presented a revised Classic Center Arena Project. The revised project included potential private funding partnerships with a Hotel, a Senior Condominium, and Parking Deck. SPLOST 2020 funding request was reduced to $37,000,000.

5. On July 10, 2019, at a regularly scheduled work session, CCA representatives presented a revised Classic Center Arena Project to the Mayor & Commission (M&C), which included a reduced SPLOST 2020 request of $34,000,000.

6. On July 18, 2019, the M&C approved the Proposed Referendum Project List, including the Classic Center Arena at a reduced project value of $34,000,000 with the remaining needed project funds coming from Revenue Bonds backed by ACCGov and the revenue from future development of ACCGov property adjacent to the Classic Center.

7. On August 6, 2019, the M&C approved the SPLOST 2020 Program Referendum, which included the Classic Center Arena (Project 03) as a component.

8. On November 5, 2019, Athens-Clarke County voters approved the SPLOST 2020 Program Referendum. This Referendum included the Classic Center Arena (Project 03). The Referendum also included the approval of the issuance of general obligation debt to help fund the Classic Center Arena (Project 03) and to facilitate the construction of the Project within the first few years of the SPLOST 2020 Program.

9. On January 7, 2020, a lease agreement between ACCGov and CCA was presented to the M&C for consideration. The proposed lease outlined a 50-year extension of the CCA's lease to include the land for the new Arena as well as the transfer of land and air rights above the Classic Center auto-bridge to ownership by the CCA for the purpose of developing a hotel.

10. On February 4, 2020, M&C approved a resolution to regulate and provide for the issuance of $26,660,000 in aggregate principal amount general obligation bonds, as authorized by a vote of the qualified voters in a referendum held November 5, 2019. M&C also established the SPLOST 2020 Capital Projects Fund and amended the FY20 operating and capital budget of ACCGov to establish the budget for the following three SPLOST 2020 projects:
    - Project 01, Facilities Space Modernization
    - Project 02, Affordable Housing
    - Project 03, Classic Center Arena

11. On February 18, 2020, the Intergovernmental Agreement for land lease between ACCGov and the CCA was approved by the M&C.

12. In September 2020, Manager Williams selected the User Group Members to help ensure ACCGov long terms goals are promoted during the Project Development process. The User Group Members are:
    - David Barbe
    - Dexter Fisher
    - Chantel Dunham
    - Andrew Saunders
    - Smith Wilson
    - Paul Cramer
    - Robert Cheshire (ex-officio)

13. On December 1, 2020, M&C approved combining the Program Management budgets from all projects into a single Program Management Budget, establishing the Classic Center Arena SPLOST 2020 budget at $33,320,000.

14. On February 2, 2021, M&C approved the Tier Funding Schedule thereby establishing the SPLOST 2020 funding schedule for the Classic Center Arena project.

15. On February 2, 2021, M&C approved Perkins & Will / Smallwood Design as the selected Project Designer for the Classic Center Arena project.

16. On April 6, 2021, M&C approved JE Dunn Construction Company as the selected Construction Manager at Risk Contractor for the Classic Center Arena project.

17. On May 10, 2021, the ACAC approved a recommendation to the M&C in accordance with

Athens-Clarke County Code Ordinance, Section 1, Title I, Chapter 1-25-6, additional Funding for Public Art, that SPLOST 2020 Project 03 - Classic Center Arena is appropriate for public art.

18. On June 1, 2021, the M&C unanimously approved the Project Concept and updated budget with order of magnitude pricing of $109,441,278 for the SPLOST 2020 - Project 03 Classic Center Arena.

19. On August 3, 2021, the M&C approved conveyance and incorporation for 1.08 acres between Hickory and Willow streets into the existing Intergovernmental Agreement between ACCGov and CCA, approved by the M&C on Feb. 18, 2020 (History #11).

20. On September 7, 2021, the M&C approved Schematic Design, the Updated Total Project Budget of $116,705,055, Proposed A/E Contract Amendment, Bond Financing, and authorized an early Guaranteed Maximum Price (GMP) based on 75% construction drawings.

21. On October 5, 2021, the M&C approved the initial bond financing issuance of $55,000,000 and associated Intergovernmental Agreement. During the work session for the October vote, the M&C was made aware that a second bond issuance would be coming in the future.

22. On January 4, 2022, the M&C approved the following actions:
    - Increased the Classic Center Arena Project Budget to $135,655,498, assuming a second bond issuance;
    - Moved the Future Energy/HVAC System financing of approximately $10M into the new budget amount; and,
    - Authorized staff to negotiate the GMP contract with JE Dunn for a Not to Exceed amount of $107M (based on 75% complete design).

23. On January 12, 2022, JE Dunn submitted their GMP for the cost of construction for the Classic Center Arena based on the 75% CDs.

24. On February 2, 2022, JE Dunn was issued a Notice to Proceed for the Classic Center Arena project, and the GMP Amendment (Change Order #1) was executed for $102,400,000.

25. In February 2022, JE Dunn mobilized to the Site.

26. On April 4, 2022, JE Dunn began the Pre-Blast survey work and drilling rock in anticipation of blasting.

27. On June 8, 2022, rock blasting work began on the project.

28. On June 14, 2022, CCA Director Paul Cramer presented the proposed Change Order #2 (incorrectly labelled as Change Order #1 in previous agendas), proposed second revenue bond issuance, and a proposed Special District Tax related to hotels to the M&C at the regularly scheduled Work Session. The change order was presented to included all

anticipated costs for rock and dirt removal, disposal, and alleged delays, as of that time.

29. On June 24, 2022, a Notice of Proposed Administrative Action (NOPAA) was issued to the M&C providing detailed information on the project status, pending use of the Owner Controlled Contingency, and required activities to continue construction to avoid costly delays.

30. On July 5, 2022, M&C approved during a specially called meeting Change Order #2 with JE Dunn for a total amount of $8,950,000.

31. On August 2, 2022, the M&C approved the Second Revenue Bond Issuance of $37,000,000 and associated Intergovernmental Agreement.

32. On September 7, 2022, staff approved a transfer of $3,022,812 from the owner-controlled contingency to JE Dunn's contract amount for Items identified in the approved Change Order #2.

33. On November 1, 2022, the M&C approved the Hickory Street Parking Deck Project Concept, Option A for the access from the Arena Plaza Level to Hickory Street, and Not to Exceed Change Order #2 to the Project Designer P&W/Smallwood the additional work associated with the Parking Deck.

34. On December 13, 2022, the M&C approved the Hickory Street Parking Deck Schematic Design and associated bridge and stairs.

35. On January 11, 2023, the Manager issued a response to the notices received from JE Dunn associated with the cost impacts for rock and contaminated soil removal and dewatering. This response included a release of $4,000,000 of Owner Controlled Contingency to be used towards costs associated with rock and contaminated soil removal, hauling, and disposal costs.

36. On, February 14, 2023, the Unified Government and the Authority entered into an Intergovernmental Contract (the "February 2023 Agreement") for, among other purposes, providing for the Railroad Easement Site as described therein to be transferred by the Unified Government to the Authority to provide for an arena inspired economic development project to create additional revenue to support the Classic Center Arena Project.

37. On February 16, 2023, during the regularly scheduled M&C work session, CCA Executive Director Paul Cramer presented an update on the project funding and expenses/commitments made to date on the project. This included an updated estimate of the rock amount in excess of the owner-controlled contingency within JE Dunn's contract.

38. On March 8, 2023, a Letter of Intent was signed between the Classic Center Authority and Classic Center Partners, who is the master developer for the parking deck and other

surrounding developments, which outlines general terms and conditions for the developments and deadlines for commitments on the developer's part.

39. April 2023, Jacobs Project Management Company began providing on-site, full-time, Project Representative to monitor the quality and progress of the work on behalf of ACCGov.

40. On May 9, 2023, during the regularly scheduled M&C work session, Paul Cramer presented the proposed revenue streams for the third revenue bond and the items that the revenue bond was intended to cover, including additional funding for the JE Dunn claim.

41. On June 6, 2023, M&C approved a total claim settlement with JE Dunn for $13,900,000, a budget increase from $135,333,402 to $149,685,354, and authorized staff to proceed with development of a third financing up to $13M.

42. On September 5, 2023, M&C approved a budget increase to $151,472,104 and the third bond financing issuance of $25,800,000 (not including financing costs) and associated Intergovernmental Agreement. This third bond funding included budgeted funds to cover additional scope items covered by this Proposed Change Order.

43. On October 3, 2023, M&C Approved a Not to Exceed Change Order in the Amount of $2,350,000 that included a few of the additional scope items anticipated. The scoreboard, ribbon boards, dasherboards, and the fall protection system were all included in the CO approval.

44. On December 5, 2023, M&C approved a change order to Perkins and Will for Additional Design Services, a change order to JE Dunn, and a construction contract for the Bridge and Stairs.

FACTS & ISSUES:

1. Both of these change orders will be funded out of the available overall project contingency for the projects. Approximately of $3 million of total project contingency has been included in the overall Classic Center Arena budget that was approved by M&C along with the third bond issuance (History #41).

2. The amount for this Proposed Change Order, with Perkins & Will, Inc., is for a total not to exceed amount of ~~*($To Be Determined)*~~ $262,000, based on the negotiated amounts, for the following additional services:
    a. Additional Construction Administration (CA): The design team will incur additional CA cost due to the Bridge and Stair being constructed by an independent contractor, Structural Resources, Inc (SRI). Additional meetings and coordination will be needed by the design team throughout the construction of the Bridge and Stair due to it being contracted to SRI and to ensure SRI and JE Dunn are fully coordinated.

b. Design of the Build Out Spaces: The initial budget to incorporated the designs of the build out spaces (501 Club, Roadie/Press/Flex Room, and Locker Rooms 5 and 6) into the construction contract were much higher than the budgeted amounts approved by M&C. The design team went through an extensive effort to work with the team to revise the scope for each of the areas to align with the approved budgets. They are requesting additional compensation for the effort and coordination required to revised this scope and incorporate it into the design documents for the project.

c. Foundry Plaza Public Art: Perkins and Will is requesting additional compensation for the structural analysis of the existing plaza to accommodate the public art in this location. Due to the anticipated weight of the artwork, the structural engineer has had to perform additional analysis to ensure the plaza can support the artwork.

3. The amount for this Proposed Change Order, with Jacobs Project Management Company is for an hourly total not to exceed amount of ~~*($To Be Determined)*~~ $897,513 based on a total estimated 5,688 additional hours. Hours will be billed based on the individual's doing the work, as stipulated in the base agreement, and any unused hours will not be billed. The financial section above references the finances for the Classic Center Arena Project because the design services change order are associated with the Classic Center Arena Project and because the bulk of the additional project management time is for the Classic Center Arena Project. However, the Classic Center Arena Project will only be billed for hours worked on that specific project as other hours are billed to their associated project. The general scope and the estimated additional hours for each project are described below, in order for their project numbers~~, based on the negotiated original contract multipliers, for the following additional services~~:

   a. For Program Administration, while the ACCGov Capital Project Director's (CPD) position has been filled with interim staff for the last six months, ongoing assistance (approximately six hours per month) for the 2020 Program is required to successfully manage projects and produce the required monthly and semi-annual reporting. This effort will take approximately an additional two months at 24 hours per month and two more months at 16 hours per month. The hours involved with this effort are part of two separate programs so the cost will be split between this program and the TSPLOST 2023 program. (Estimated additional 88 hours, for the SPLOST 2020 Program) ($14,486).

   b. For Project 03 Classic Center Arena: Additional Project Management oversight due to the additional contract time already approved and anticipated by the contractor due to their schedule slippage. Additional time is also requested for managing separate contracts for the Bridge and Stair, Foundry Street Plaza Improvements, Scoreboard and Ribbon Boards, Dasherboards, Owner Rigging and Fall Protection, Telescopic Seating, Buildout of Shell Spaces, and Additional Acoustical Treatments. Additionally, The Classic Center has requested assistance with coordination of design, fabrication and

installation of display systems, cases and components for the GA Music Hall of Fame exhibit which is planned for the Arena concourse. ~~from the original contractor~~.

Since April 2023, Jacobs has provided, at not additional charge, a full-time on-site Project Representative to monitor the progress and quality of the JE Dunn work. The Project Representative has ~~and~~ found and noted numerous quality control issues with the Contractor's work product; issues that would likely have gone unreported and unresolved without his oversight and monitoring of the work. ~~While the time for the Project Representative has been provided, at no additional cost April 2023 to July 2024,~~ Jacobs is requesting reimbursement for the approximately six extra months of time that ~~he~~ the Project Representative will be on-site ~~over and above~~ due to the Contractor's current ~~required~~ extended completion date of July 23, 2024. (Estimated 4,500 additional hours this task, including subconsultant time) ($707,368)

c. For Project 06 Fire Station #5 Replacement: Jacobs completed the Major Site Selection process through Stage II, recommending Candidate Site to the M&C. M&C denied all recommended candidate sites and required the Major Site Selection process be redone. The original effort to get through Stage II of the process was approximately 560 hours of time. There are some parts of the original Site Selection Process that can be reused and as such restarting the Site Selection Process will not require the full 560 hours. ~~Jacobs is requesting additional time for having to repeat the Site Selection Process for the new Fire Station.~~ The effort to repeat the process will require approximately 400 additional hours over a 10-month window of time. The cost of the additional hours would be charged against the existing Project 06 Fire Station #5 Replacement budget contingency. (Estimated additional 400 hours) ($49,843)

d. For Project 31 Vincent Drive Sidewalk Project: Originally, this effort was to be managed by ACCGov staff. However, due to turnover and staff workload priorities have prevented staff from having the available resources to fully manage all efforts with this project in the time frame requested by M&C. Jacobs will provide the same Project Management support for the Project as provided by Jacobs for other SPLOST projects. This effort will take approximately 24 months at 28-30 hours per month; for a total estimated 700 hours. The cost of the additional hours would be charged against the existing Project 06 Fire Station #5 Replacement budget contingency. (Estimated additional 700 hours) ($119,899)

4. Below is a brief overview of the original Classic Center Arena proposed project schedule, actual where completed, and proposed current revisions with no acceleration:
   - GMP Pricing on 75% CDs — November 2021 (Actual January 2022)
   - GMP Approval — December 2021 (Actual January 2022)
   - Start of Construction — January 2022 (Actual February 2022)

- Construction Substantial Completion July 2024
- Anticipated Start of Booked Events September 2024

5. This recommendation supports the following Mayor and Commission Strategic Commitments:
    - Healthy, Liveable, Sustainable Athens-Clarke County
    - Shared Prosperity
    - Accountable and Responsive Government.

OPTIONS:

1. Mayor and Commission:
    a. Approve a Change Order to Perkins & Will, Inc., for an amount not to exceed ~~*($To Be Determined)*~~ $262,000 for the additional services as described in Facts and Issues;

    b. Approve a Change Order to Jacobs Project Manage Company, for an amount not to exceed ~~*($To Be Determined)*~~ $897,513 for the additional services as described in Facts and Issues; and

    c. Authorize the Mayor and appropriate staff to execute all related documents.

2. Mayor and Commission deny the request.

3. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option #1 a, b, & c

DEPARTMENT: Office of the Manager – SPLOST Program Management
Prepared by: Keith Sanders, SPLOST Project Administrator,



March 13, 2024

Keith D. Sanders, SPLOST Projects Administrator **Date:**



March 13, 2024

Paul Cramer, Classic Center President & CEO **Date:**

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1 a, b, & c



March 14, 2024

Manager Date:

THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM

SUBJECT: Periodic Audit of the Tax Assessor's Office

DATE: March 7, 2024

BUDGET INFORMATION:

REVENUES: N/A

EXPENSES: N/A

FUNDING SOURCE: N/A

COMMISSION ACTION REQUESTED ON: April 2, 2024

EXECUTIVE SUMMARY:

The Office of Operational Analysis has completed a periodic audit of the Tax Assessor's Office, which includes an overview and analysis of the department, along with relevant findings and recommendations.

PURPOSE:

To request that the Mayor and Commission:

a. Accept the Periodic Audit of the Tax Assessor's Office as recommended by the Audit Committee **(Attachment A);** and,
b. Authorize the Mayor and appropriate staff to execute all necessary documents.

HISTORY:

1. Since 1991, the Office of Operational Analysis (formerly Auditor's Office) has maintained a list of completed audits for ACCGov departments, offices, courts, agencies, boards, programs, and projects consisting of various objectives and scope.

2. On December 12, 2022, the Mayor and Commission (M&C) adopted an amendment to the ordinance (Sec. 1-3-1) entitled "Internal Auditor; Office of Operational Analysis" modifying both the general and specific duties and responsibilities.

3. On August 1, 2023, the M&C again approved an amendment to the ordinance (Sec. 1-3-1) entitled "Internal Auditor; Office of Operational Analysis" by updating the general and specific duties and responsibilities with respect to the provision of service to the Public Safety Civilian Oversight Board (PSCOB) in the capacity of Auditor/Monitor, whereby acting as an official liaison.

4. On August 1, 2023, the Mayor announced his appointments to the Audit Committee, which included two current ACCGov Commissioners (Dexter Fisher; Carol Myers), and three members of the community (Dr. Xernona Thomas; Beth Higgins; Carl Blount) whose terms all began September 7, 2023, and will expire at varying dates based upon an initial two, three, and four-year term assignment.

5. On November 7, 2023, the M&C voted to approve the FY24 Audit Workplan as recommended by the Audit Committee, which included one comprehensive performance audit of recruitment, hiring, and orientation (Human Resources); and, three periodic audits of departmental mission, operations, and internal controls (Tax Assessor, Economic Development, Housing & Community Development).

6. On November 28, 2023, an entrance conference signifying the official start of the Tax Assessor's Office periodic audit took place and included staff from Operational Analysis, Manager's Office, and Tax Assessor's Office. The purpose was to review the audit process, workflow, schedule, and agreed upon procedures.

7. On January 22, 2024, an exit conference was conducted with the Tax Assessor's Office to discuss the initial draft report, including any findings or recommendations. Updates were made to any factual data in question, and subsequently included in the report.

8. On January 24, 2024, a revised draft report was issued to the Tax Assessor's Office and Manager's Office for final review and formal comment(s).

9. On February 19, 2024, the official departmental response to the audit findings and recommendations was received and incorporated into the final report.

10. On March 7, 2024, the Audit Committee voted unanimously to recommend the audit be forwarded to the full M&C for acceptance.

FACTS & ISSUES:

1. Per ordinance Sec. 1-3-1 (b) – Specific duties and responsibilities. The duties and responsibilities of the Internal Auditor shall be as follows:

    2. *Prepares reports, in a timely manner, to present findings and recommendations to the Mayor and Commission concerning governmental fiscal operations.*

2. The Office of Operational Analysis conducted a periodic audit of the Tax Assessor's Office in association with the FY24 Audit Workplan, resulting in a report that highlights various findings and recommendations based upon analysis of financial, performance, compliance, and internal control factors.

3. A periodic departmental mission, operations, and internal control audit entails a brief, focused review of predetermined factors, utilizing a standard objective and prioritized scope. It provides a basic update on a department's present position, usually occurring over a 3-5 month period of time. Specific details regarding the analysis of the Tax Assessor's Office are included from the FY24 Audit Workplan **(Attachment B)**; but the objective and scope were as follows:

   Objective

   The purpose of this audit is to conduct a basic review and analysis of the Tax Assessor for established performance (operations) measures and sound financial management strategies to deliver exceptional service, while also ensuring compliance through internal controls.

   Scope

   - *Financial review and analysis*
   - *Performance review and analysis*
   - *Compliance review and analysis*
   - *Internal controls application and analysis*

4. The Audit Committee and Internal Auditor agree that it is important for all ACCGov departments/offices/courts to be reviewed on a more frequent basis, even if just to acknowledge regular, daily duties and responsibilities of the staff, resources, and services to be provided. Therefore, periodic audits will be conducted with a focus on standard issues applied more or less equally to each of the identified participants.

5. The Tax Assessor's Office has not been subjected to an internal audit by ACCGov since unification in 1991, though it does undergo regular, external audits by the Georgia Department of Revenue.

6. The assessed value of personal and real property is directly tied to the county's millage rate, an annual decision made by the M&C. Although this audit did not analyze all of the determining factors of millage rate assignment, the Audit Committee and M&C recognize the importance of sound practices by the department charged with assessing value, ensuring taxpayers that regardless of the rate which is ultimately set, the management of said office is professionally reliable and compliant.

7. The Office of Operational Analysis performed the following activities in accordance with the established schedule set between December 2023 through January 2024.
   - Departmental staff questionnaires
   - On-site interviews with staff, as well as the Board of Assessors
   - Reviewed documents/materials/resources and other data provided by the Tax Assessor's Office
   - Appraiser ride-along

- Performed benchmarking analysis of comparative governments within Georgia

8. Overall, the Office of Operational Analysis spent a total of 35 cumulative hours conducting fieldwork for the audit, which included time in the Tax Assessor's Office, meetings with staff and the Board of Assessors, and site visits with an appraiser.

9. There exist a number of positive observations within the Tax Assessor's Office, and the Internal Auditor found the office is in good standing, functioning at an above satisfactory level. There were three findings of significance that warrant attention. Those opportunities for improvement outlined in the report include:

    i. Ensure proper financial controls are in place if accepting application filings with payment.
    ii. Implement appropriate staffing levels.
    iii. Explore electronic transmission of notices.

10. Staff intends to follow-up with the Tax Assessor's Office in one year's time as to the status of the recommendations made.

11. This recommendation supports the following ACCGov FY23-25 Strategic Plan Goals, Strategies, & Initiatives:
    - Goal Area #3, Strategies:
        A. Develop strategies to recruit, reward, and retain high performing employees, both internally and externally, including individuals coming out of the justice system.
            1. Meet current and future workforce needs.
            4. Prepare employees for their next job through succession planning, developing a clear path for growth/development.

        B. Create a culture of high performance: increase interdepartmental collaboration, events, better cross-departmental workforce strategy.
            1. Develop training for employees based on identified needs to deliver exceptional services.

        C. Improve programs, processes, policies and communication external and internal, assess how resources are allocated to meet existing and future needs for better service delivery and what we deliver.
            3. Provide the tools staff need to improve their daily work and deliver better service to residents.
            4. Build capacity for continuous organizational improvement.

        D. Increase resident engagement in the decision-making process to give greater emphasis to information and power sharing, mutual respect of reciprocity between residents and their government.

2. *Improve residents' experience with public engagement and public facing digital services.*

OPTIONS:

1. Mayor and Commission:
    a. Accept the Periodic Audit of the Tax Assessor's Office as recommended by the Audit Committee **(Attachment A)**; and,
    b. Authorize the Mayor and appropriate staff to execute all necessary documents.

2. Mayor and Commission do not accept the Periodic Audit of the Tax Assessor's Office.

3. Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option #1 a. & b.

DEPARTMENT: Prepared By: Gavin Hassemer

Gavin J. Hassemer — March 7, 2024

Gavin J. Hassemer
Internal Auditor

Date:

Dexter Fisher — March 7, 2024

Dexter Fisher
Audit Committee Chair

Date:

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1 a & b

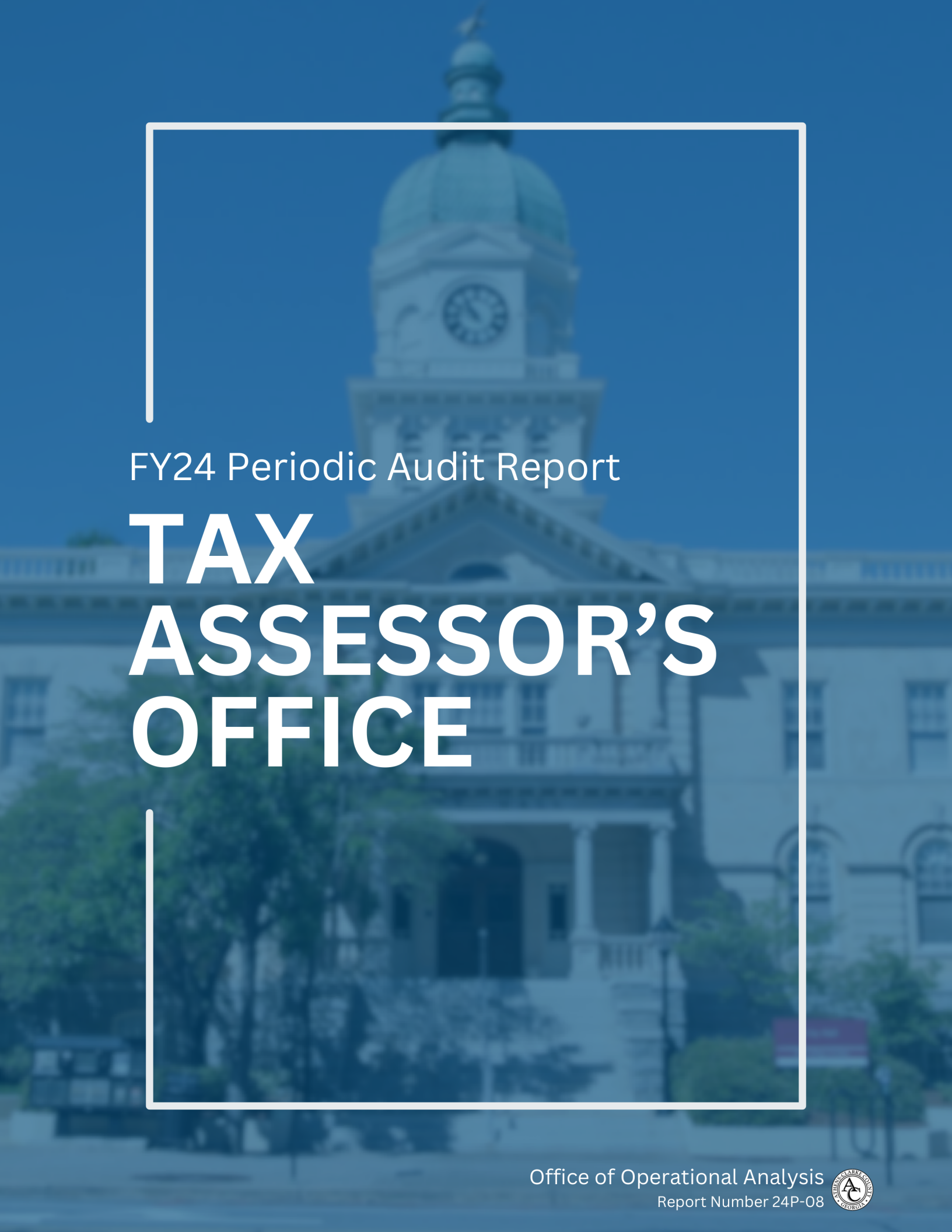
March 14, 2024

Manager

Date:

Attachment(s):

A. FY24 Periodic Audit of the Tax Assessor's Office
B. FY24 Audit Workplan



FY24 Periodic Audit Report

TAX ASSESSOR'S OFFICE

Office of Operational Analysis

Report Number 24P-08

FY24 Periodic Departmental Mission, Operations & Internal Controls Audit
Tax Assessor's Office

Report Number 2024P-08

The mission of the Office of Operational Analysis is to provide quality internal audit services through independent and objective reviews and assessments of the activities, operations, financial systems and internal accounting controls that support the Mayor & Commission's adopted goals and strategies; to make recommendations that will improve governance, risk management, control processes and value for money, all with the intent of enhancing the efficiency and effectiveness of government operations for the benefit of Athens-Clarke County.

In accordance with Sec. 1-3-1 (b)(1) of the Athens-Clarke County Code of Ordinances, the Internal Auditor shall:

"Conduct reviews and analysis of operational and fiscal procedures and organizational structure and responsibilities as affects the efficiency and effectiveness of departments, offices, boards, activities, and agencies of the Unified Government of Athens-Clarke County."

Audit Committee

Commissioner Dexter Fisher, Chair
Commissioner Carol Myers
Carl Blount
Beth Higgins
Dr. Xernona Thomas

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The Office of Operational Analysis (OA) conducted this audit with voluntary guidance and reference from the US Government Accountability Office publication Government Auditing Standards, also commonly referred to as "generally accepted government accounting standards" (GAGAS), or "Yellow Book." Acknowledgement of these standards indicates our continued efforts to incorporate applicable professional practices that are realistic and adaptive to the unique expectations of ACCGov and the community at large. The Periodic Audit process developed by the Office of Operational Analysis is not a forensic audit; however, OA staff uses framework from the Standards for Internal Control in the Federal Government, known as the "Green Book," as guidance for internal control and financial review. Green Book compliance helps provide reasonable assurance that evidence discovered is sufficient and appropriate to support findings and recommendations.

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Executive Summary

Office of Operational Analysis

The Office of Operational Analysis is pleased to present the FY24 Periodic Departmental Mission, Operations and Internal Controls Audit for the Tax Assessor's Office. This report highlights the important services provided to the community by the Tax Assessor's Office, and how they approach such responsibility as a department, in both objectives and performance. Focus was primarily directed toward the assessment of applicable financial and operational processes to determine reliability, use of resources, and adherence to regulations.

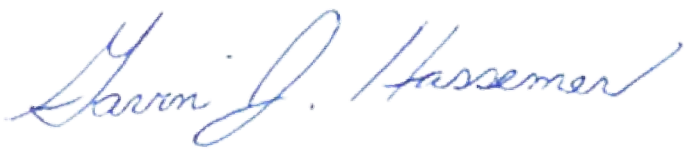
This audit is intended to serve as a resource for ACCGov and the community. The report signifies the role of Operational Analysis to guide efficiency and effectiveness throughout a complex governmental system. The main purpose and scope are outlined in greater detail within the document, along with the most significant findings discovered during the review. Lesser concerning items were presented and discussed with the department and county management during the audit, as appropriate, and may not have warranted inclusion in the report. All findings and recommendations, regardless of significance, have been brought to the attention of applicable staff and the Audit Committee prior to public release. The full list of formal findings, recommendations, and responses, along with informal points of interest or concern can be found on pages 17 - 19.

It is the professional opinion of the Office of Operational Analysis that the Tax Assessor's Office is in good standing, functioning at an above satisfactory level. The department has sound leadership in place, and overall performance in delivering expected services is consistent, within budget, and abides by applicable law. Most concerns noted were minor, and only three findings were worthy of formal mention, along with recommendations to mitigate. Those issues included the following:

1.Ensure proper financial controls are in place if accepting application filings with payment
2. Implement appropriate staffing levels
3. Explore electronic transmission of notices

The recommendations outlined were made with the goal of worthy consideration and hopeful implementation for the betterment of ACCGov as a local government entity. Based on this audit and the analysis that was completed, the Office of Operational Analysis plans to follow up on the findings and recommendations within one year's time to assess the status in adherence toward completion.

The Office of Operational Analysis would like to offer and extend our sincere appreciation to the ACCGov Tax Assessor's Office and Board of Assessors for their assistance and cooperation throughout the audit process. Additionally, the Manager's Office has been responsive to any requests for information or clarification. Finally, gratitude is warranted for the support and direction provided by the Audit Committee in acknowledgement of their respective role.



Gavin J. Hassemer, Internal Auditor

Glossary of Terms

Office of Operational Analysis

For better understanding, the Office of Operational Analysis has compiled a list of commonly used words and phrases in relation to the Tax Assessor's Office audit that are used throughout this report.

Appeal: Action taken by property owner seeking a formal review of the official valuation assessment done by an appraiser in relation to the taxability, uniformity, valuation, or denial of a homestead exemption.

Board of Assessors (BOA): Board responsible for assessment of real and personal property values and granting homestead exemptions. Tax Assessor's Office governing body, which is comprised of three members. Members are appointed by the Mayor and Commission and are authorized by O.C.G.A § 48-5-290.

Board of Equalization (BOE): Established by OCGA § 48-5-311, board tasked with conducting certified appeals from property owners and determining their validity. Appointed by a grand jury, the Board of Equalization yields the power to request a reevaluation of property(s).

Digest Year (DY): Refers to the county's evaluation calendar year.

Fair Market Value (FMV): The amount a knowledgeable buyer would pay for a property and a willing seller would accept for the property in an arm's length, bona fide sale.

Field Visit: Refers to appraiser(s) visit to a property (real, commercial or personal) to assess value.

Fiscal Year (FY): 12-month period to which the annual operating budget applies. In Athens-Clarke County this is July 1 – June 30.

Official Code of Georgia (O.C.G.A.): The Official Code of Georgia Annotated is catalogue of all laws established throughout the state by the Georgia General Assembly.

Overview

Chapter One

On November 7, 2023 the Mayor and Commission approved the FY24 Audit Workplan for the Office of Operational Analysis (OA). The Tax Assessor's Office, along with Economic Development and Housing and Community Development Departments were recommended for periodic audits during the final three quarters of FY24. The purpose of periodic departmental audits is to conduct a basic review and analysis for established performance (operations) measures and sound financial management strategies to deliver exceptional service, while also ensuring compliance through internal controls.

It is the intent of the Internal Auditor, at the request of the Audit Committee, to assure that every department of ACCGov be reviewed by such a periodic audit regularly, on an established rotation. Because this is a new approach for the Office of Operational Analysis, it is necessary for the Audit Committee to use its discretion to recommend the scheduling of these periodic audits. Among the factors considered in the decision were length of time since previous internal audit, community and organizational impact, scheduling, and risk exposure.

In Georgia, county Tax Assessor offices are established by state law and therefore the assessment practices and creation of the annual tax digest are governed by the State Tax Commissioner. However, given the importance of its role in the greater community, the Audit Committee found it advisable to review the operation of the ACCGov Tax Assessor's Office and assure it has proper financial controls in place, and is performing efficiently and effectively, while in compliance with county and state regulatory laws. Additionally, the committee took into consideration the fact that the Tax Assessor's Office has not had an internal audit since Athens-Clarke County unification in 1991.

With respect to the tailored nature of this unique approach, staff sought to apply applicable aspects of the General Accounting Office's "Green Book" model of Internal Controls to the departmental functions being audited in general. Finally, any other pertinent observations or points of interest made by the Internal Auditor that may warrant future examination (inefficiency, ineffectiveness, customer dissatisfaction, staff vacancies, missing records, misspending, fraud, abuse, negligence, etc.) were noted as appropriate.

The audit scope comprised three sections of review and analysis:

Financial

Items evaluated regarding appropriate internal controls and oversight included fiscal year budget and spending, as well as oversight and permissions. Additionally, the handling of purchasing, travel, contracts, receipt of goods, and accounting of assets was subject to examination. Timesheet entry and payroll processing were also included as part of financial review and analysis.

Performance

The review of service delivery was based on the mission statement and objectives of the department and included benchmark testing against self-stated performance measures, review of standard operating procedures and analysis of staffing and succession planning.

Compliance

All applicable items of compliance were subject to review including adherence to charter and ordinances, proper professional credentials, analyses by third-party audits and reviews, alignment with organizational strategic plan and initiatives, as well as overall adherence to existing policies/procedures/practices.

Process

During the planning phase all involved parties are notified and an initial entrance meeting is held to establish the audit timeline, as well as discuss the scope and audit objectives. During this phase information will also be gathered through research, questionnaires and documents submitted by the department being audited. Dates for field visits and in-person interviews are agreed upon.

The fieldwork phase of the audit includes on-site visits so that OA can observe department operations, interview staff, perform analyses, identify anomalies and write recommendations for improvement. At the conclusion of this phase an exit interview is scheduled to review the audit findings with the department director.

The third phase of the audit is reporting. OA staff prepares a draft report, to which the department director prepares a written response and corrective action plan. These documents are combined, along with a management response, as applicable, into a final report which is presented to the Audit Committee for recommendation, and Mayor & Commission for approval.

Figure 1



Methodology

To assure objectivity, independence, integrity and professionalism, OA uses generally accepted government auditing standards to gather and analyze data. Information used for this report was attained directly from the Tax Assessor's Office itself and other ACCGov entities, along with publicly available documents and information. Sources outside of ACCGov are cited where applicable. Specific activities of research and analysis included:

- Research of federal, state and local laws along with regulations governing the operation of the Tax Assessor's Office
- Gathering of information specific to the ACC Board of Assessors and Tax Assessor's Office through research of digital and printed sources
- Analysis of documentation requested from the department and subsequently submitted by department director and staff
- Data and information gathered from written surveys prepared by OA staff and submitted by each employee of the subject department
- Oral interviews of all members of Board of Assessors, chief appraiser and all staff members
- Observation of office performance by shadowing staff during normal operations
- Analysis of assessment practices in the field during property visit ride-along

While methodology and scope are designed to be consistent among ACCGov departments, the diversity of operations across the organization calls for certain aspects of the audit work to be tailored to each department. For the Tax Assessor's Office, a standardized Periodic Document Request List was used, and all requested material was submitted by the department in a timely manner. Three versions of questionnaires were developed—one for the chief appraiser, one for the supervisors, and one for staff—with a 100% response rate. Fieldwork comprised approximately 35 hours over 6 days, including office visits, interviews, and one ride-along with appraisers to various sites. Email and phone calls were used as a means of follow-up for scheduling office visits, and quick clarification questions. Confirmation of assets, records, statements and documents was made by visual inspection and cross-referenced with information from other ACCGov departments, as well as local and state public records.

Background

Taxes on real and personal property are levied across the country, although the methods of taxation and use of funds vary by state. In Georgia, the State Tax Commissioner oversees the governance of local tax assessors. Upon city/county unification in 1991 the Athens-Clarke County Board of Assessors came into being as it is currently structured, with its mission to:

> *Appraise all property located in Athens-Clarke County at its fair market value to ensure that taxpayers pay no more than their fair share of property taxes. Achieve fair and equitable valuations of all properties within state mandated specifications. Produce a statutorily acceptable digest by August 1 of each year.*



Figure 2 - *Entrance to Tax Assessor's Office within the ACCGov Courthouse as of December 2023*

The ultimate authority and responsibility for the Tax Assessor's Office lies with Board of Assessors. The board is responsible for appointing the chief appraiser, who serves as director of the Tax Assessor's Office. The board is also responsible for approving the tax digest, as well as any special use exemptions.

The Board of Assessors has three members, who are appointed to six-year terms by the Mayor & Commission and are compensated approximately $330 per month for time spent in regular monthly meetings, special called sessions, and required training. Current members' terms expire on Dec. 31 of years 2024, 2026 and 2027.

The Board of Assessors, chief appraiser and staff work toward objectives which they have set to exceed state requirements. These quantifiable measures assure property is assessed uniformly across the state, and that property owners are notified of assessments in a timely manner.

During Digest Year (DY) 2023, the Assessor's Office appraised 42,445 parcels of real estate, 5,945 business personal property accounts, and 2,467 manufactured homes within Athens-Clarke County, including property within the jurisdictions of Bogart and Winterville that lie within the county. The responsibilities of the office, in addition to assessments, include processing returns, notifying property owners, handling exemption requests, updating digital and physical property records, answering customer inquiries, and maintaining appropriate credentials. Furthermore, because property owners have the right to appeal their property assessments, the chief appraiser and staff must be available for appeal proceedings, which are arranged by the Clerk of Superior Court. State law provides that appeals may be decided in one of three ways, any of which can include hearings for which representatives of the Assessor's Office must appear. Additionally, the result of any of these appeals can lead to further appeal to the Superior Court.

The Tax Assessor's valuations are reviewed annually by the Georgia Department of Audits in its State Ratio Study. Every three years the Georgia Department of Revenue conducts an audit of the office's policies and procedures, valuation methods, and digest compliance. These external audits are then sent to the following Athens-Clarke County parties: Tax Assessor, Tax Commissioner, Mayor & Commission, and Board of Education.

Analysis

Chapter Two

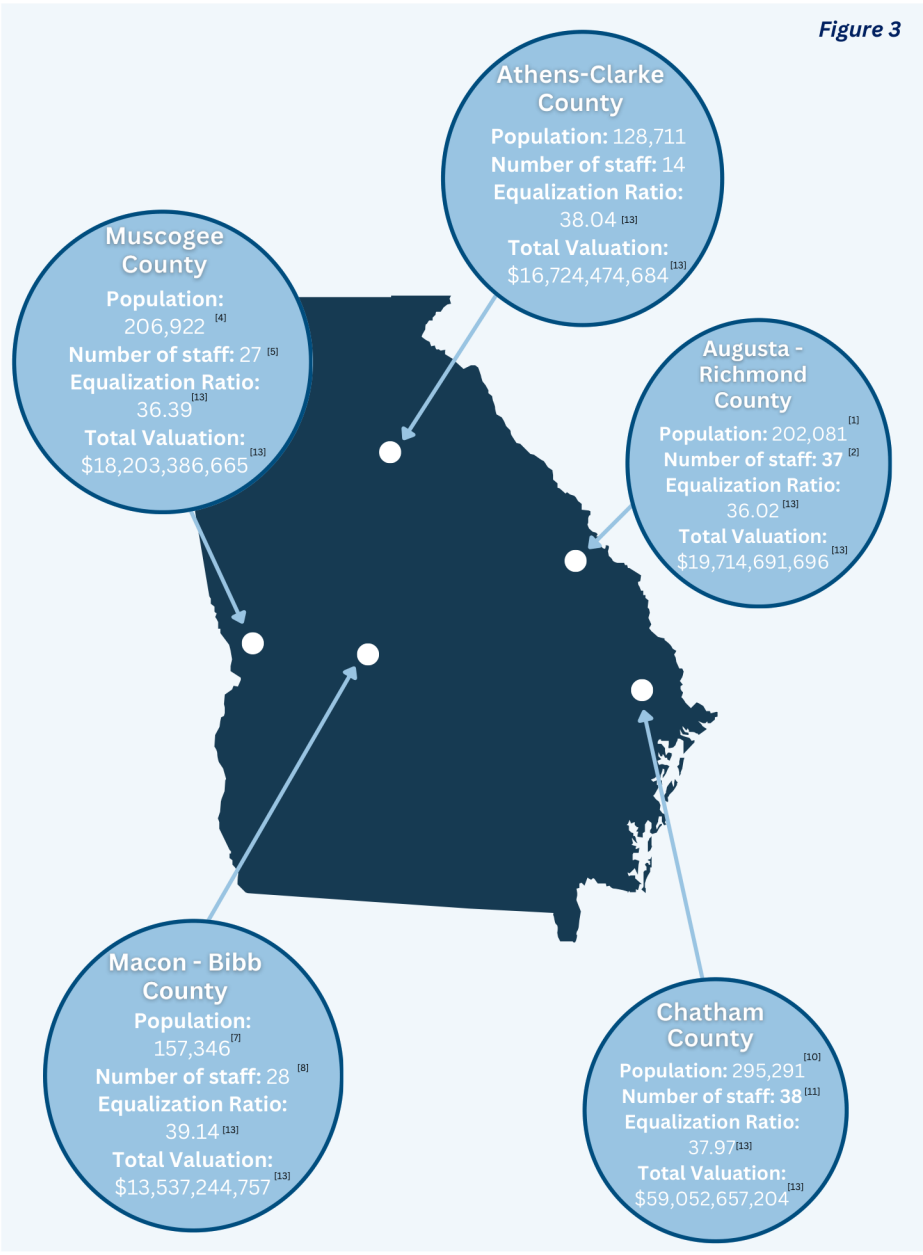
Throughout the periodic audit, OA staff analyzed data from four comparable tax assessors' offices in the state. Financing, staffing levels, use of digital resources, customer service and compliance were reviewed. From these inquiries and findings, Operational Analysis staff were successfully able to compare the ACCGov Tax Assessor's Office with those similar state offices.

Comparative Analysis

Due to tax assessment practices being regulated by state government, counties themselves have no jurisdiction regarding the actual product the assessor's office is charged with delivering, i.e., a fair and equitable tax digest which appropriately reflects property values. However, because each county provides the infrastructure within which its office operates (personnel, supplies and equipment, office space, etc.) there is latitude in the degree of support that a county can provide an assessor's office. Furthermore, because the work of the Board of Assessors and Tax Assessor's Office directly involves interaction with the public on a regular basis, the assessment process can have a significant impact on public perception of a county's overall professionalism and transparency.

The Georgia Department of Audits is required to produce an annual 100% Statewide Equalized Adjusted Property Tax Digest (OCGA 48-5-274), which is reported accordingly to the state's 185 school districts. In the most current available report (2022), Clarke County was the 21st largest digest by total assessed dollar amount at $16.7B, with the largest being Gwinnett at $146.2B and the smallest being the Newton County portion of Social Circle at $4.1M. Clarke County's sales assessment ratio was 38.04 with the state median being 36.04 and state average 36.6. The highest ratio was Gainesville at 88.7 and lowest was Barrien County at 26.83.

Figure 3



[1] U.S. Census Bureau quickfacts: Augusta-richmond county consolidated ... (n.d.). https://www.census.gov/quickfacts/fact/table/augustarichmondcountyconsolidatedgovernmentbalancegeorgia/POP010220

[2] Board of Tax Assessors. Staff Directory • Augusta • CivicEngage. (n.d.). https://www.augustaga.gov/Directory.aspx?DID=68

[3] Augusta, Georgia adopted budget preliminary version fiscal year 2023 ... (n.d.-a). https://www.augustaga.gov/DocumentCenter/View/16996/2023-Adopted-Budget---Preliminary-Version

[4] U.S. Census Bureau quickfacts: Muscogee County, Georgia. (n.d.-c). https://www.census.gov/quickfacts/fact/table/muscogeecountygeorgia/PST045222

[5] Office of the tax assessor. (n.d.). https://www.columbusga.gov/TaxAssessors/

[6] Government, C. C. (n.d.). Financial planning. Columbus Consolidated Government. https://www.columbusga.gov/Finance/pdfs/budget-book-FY23.pdf

[7] U.S. Census Bureau quickfacts: Macon-Bibb County, Georgia; United States. (n.d.-c). https://www.census.gov/quickfacts/fact/table/maconbibbcountygeorgia,US/PST045222

[8] About Us. Macon-Bibb County Board Of Tax Assessors. (n.d.). https://www.bibbassessors.com/about-us/

[9] Macon-Bibb County proposed budget. (n.d.-b). https://www.maconbibb.us/wp-content/uploads/2022/05/Budget-Ad-FY23-5-13-22-Final.pdf

[10] U.S. Census Bureau quickfacts: Chatham County, Georgia. (n.d.-e). https://www.census.gov/quickfacts/fact/table/chathamcountygeorgia/PST045222

[11]https://cccdn.blob.core.windows.net/cdn/Files/BoardofAssessors/2022AnnualReport.pdf

[12] Chatham County. (n.d.-b). https://cccdn.blob.core.windows.net/cdn/Files/ChathamCounty/Finance/Adopted%20Budgets/2021-2022/FY2022%20Adopted%20Budget%20Book%20download.pdf

[13] https://www.audits.ga.gov/ReportSearch/download/30347

Given the size of the state of Georgia, and the diversity of its geographic, demographic and economic features, quantitative comparisons can be limited and/or highly complex. Additionally, because unified governments are a small minority insofar as local government structure, OA used a sample comprising three unified governments and one county government within the state for comparison, focusing on qualitative comparison of performance and transparency.

Aspects examined were availability of information on the internet, availability of online resources for filing forms, and telephone customer service (see Appendix D). Among these factors, it is the professional judgement of OA that the ACCGov Tax Assessor's Office rates as average regarding the availability of information on the internet and resources for filing forms, while it is well above average regarding customer service, particularly the promptness, professionalism and courtesy of staff in answering telephone inquiries.

Financial Review

A review of the FY24 Operating Budget, and previous three fiscal years, was performed to gain a general sense of revenue/expenditure trends, and provide detail of major account spending. This was accomplished through an understanding of financial documents, interviews, observations, and data analysis. Year-over-year approved budget totals are compared against end-of-year results in the summary table below. Overall, the annual operating budget has slightly increased over the past four fiscal years, as indicated by percentage below (*see Fig. 4)*.

Figure 4 - Financial Highlights: Tax Assessor's Office

Fiscal Year	Approved Budget	% +/- Previous Year	Year End Expenditures	% of Yearly Expenditures	Notes
FY21	$1,111,580	---	$1,013,585.54	91.2	--
FY22	$1,124,680	1.2	$1,021985.36	90.9	--
FY23	$1,124,847	<1	$1,137,886.57	99.31	--
FY24*	$1,226,520	<1	$552,501	44.32	FY24 Budget Revised**

**Year-to-Date expenditures (1st & 2nd Qtr.)*

***FY24 Approved Budget was revised by $20,000, increasing total approved budget to $1,246,520*

As is typical with most general fund departmental budgets, compensation and benefit line items total the majority of the Tax Assessor's Office expenditures, though a few operating accounts are worth mention based on allocated amounts.

- Professional Services [FY24 / $43,251.00]:

  This account is used primarily to pay for annual software service contracts, including qPublic and WinGAP. Actual consultants in the traditional sense are not typically used.
- Services – Postage [FY24 / $18,354.00]:

  This account is used to pay for mass mailings of required tax notices to all real and personal property holders throughout Athens-Clarke County. Per State law, notices must be mailed, with some exception.
- Services – Printing [FY24 / $7,374.00]:

  This account is used in conjunction with postage expenses to print required tax notices for all real and personal property holders throughout Athens-Clarke County. Per state law, notices must be mailed, with some exception.

Thus far into FY24 (44.32% usage at time of analysis), both the Travel & Lodging and Books & Subscriptions account lines were over budget at 140% and 131% of allocated funds, respectively. This, however, is not entirely unusual given a majority of annual staff training could have taken place simultaneously, in bulk, within the first half of the fiscal year, as opposed to being charged throughout the year. Furthermore, based on previous fiscal year close-out accounting for the department, these overages will likely be evened out by unused surplus dollars in other account lines.



Figure 5 - Side angle of verified vehicle that is used by Assessor's when conducting field visits.

The Tax Assessor's Office has not applied for or been awarded any grants that would impact revenue reporting. Additionally, there have been no capital projects over recent years. Associated assets (vehicles, information technology) were verified in the field by Operational Analysis staff, and compared against known lists of resources.

A review of the annual expenditures did not yield any formal contracts observed by, or known of the Tax Assessor's Office that would be held with specific vendors for services obtained, such as software.

Instead, these interactions act more as membership dues, and can be terminated at any time. When necessary or advantageous, the office works with the purchasing division of the Finance Department to procure items over the $2,500 threshold, whether by multiple quotes or request for proposals (RFP).

In accordance with ACCGov Finance Department policy, all staff are designated by departmental leadership for various permissions within the Munis financial system. Upon review, the list of current permissions amongst Tax Assessor staff appear accurate and appropriate given the level of access select employees have been designated, based on job title and responsibility. This also holds true for purchase card authority, in terms of reconciliation and approval of charges. A list of active purchase cards was verified between the purchasing division of the Finance Department and the Tax Assessor's Office. Overall, permissions are considered appropriate in the context of budget analysis, procurement, journal entry, fund transfers, reimbursements, receipt of goods, and cash handling.

Like many departments, compensation represents the largest annual expenditure within the Tax Assessor's budget, specifically $789,011 allocated to full-time salaries, or 63% of the total departmental budget in FY24. Staff within the department are expected to provide both a detailed paper timesheet to their supervisor, and separately log hours into the Munis ESS software system for final approval. Although this two-factor method of validation is not required by Human Resources policy, it represents a valid practice within the department to ensure accuracy and proper recordkeeping. Upon financial review, Operational Analysis staff did not observe any abnormalities in the sampling of timesheets, or concern over practices in the validation of actual time worked. It should be noted that remote work (telework) is not a regular option for Tax Assessor staff, so no further analysis related to that practice was conducted.



Figure 6 - One of the vehicles verified by OA staff that is used by Assessor's when conducting field visits.

Performance Review

The Tax Assessor's objective can be best described in its succinct, self-stated mission.

> *"The Tax Assessor's Office is responsible for the appraisal of all property located in Athens-Clarke County at its fair market value."*
>
> *as stated in the FY23 Comprehensive Budget*

Fulfilling this mission involves providing services and programs which assure the office not only appraises property fairly, but also allows the information gathered to be shared with property owners, other interested parties, and state and local government entities.

A Periodic Audit was conducted of the ACCGov Tax Assessor's Office from Nov. 2023-Jan. 2024. During this time Operational Analysis staff reviewed various sources of information and data in order to analyze the performance of the office. Overall, OA found the operations to be at or above organizational standards. Additional notes and recommendations for performance improvement can be found in the Findings & Recommendations section of this report.

Physical Facility

The Office of the Tax Assessor is located on the second floor of the Athens-Clarke County courthouse, adjacent to the Tax Commissioner's Office and two floors below the Clerk of Superior Court's Office. Proximity to both of the aforementioned offices, as well as the courtrooms for Superior Court, tend to facilitate efficiency given the amount of information and paperwork that is shared among the three offices. Visitors are subject to screening upon entry to the courthouse. The Tax Assessor has its own office suite, with one public entry and one staff-only entrance.

Daily foot traffic is estimated to be 10 to 15 people except during appeal season when this number can increase substantially. The Tax Assessor's Office requires 14 parking spaces for staff and 5-10 spaces for visitors that can be shared with other departments. It also requires space for parking four county vehicles.

Figure 7

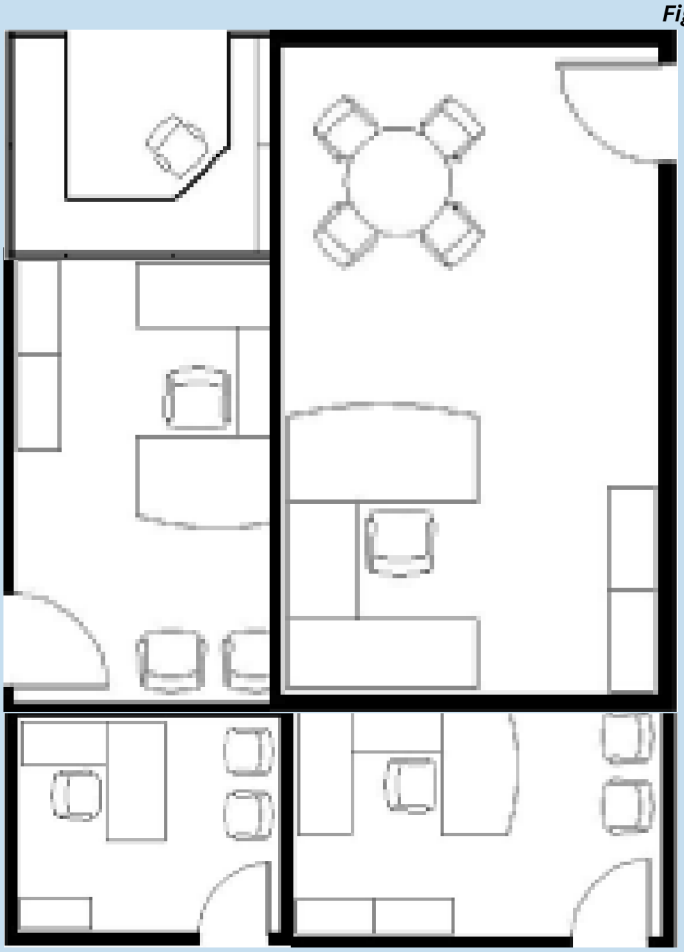


image is not to scale and is used as an example from the 2018 Space Study

Based upon the 2018 ACCGov Space Allocation Study, it was calculated that by 2023 the Tax Assessor's Office would require a total assignable area of 4,006 sq. ft. to accommodate an estimated 14 staff members and 4,156 sq. ft. by 2028 to accommodate an estimated 15 staff members, increasing deficiency of space. The current total assignable area for the entire Tax Assessor's Office is 2,987 sq. ft., which is unchanged from the 2018 Space Allocation Program despite an increase in staffing levels.

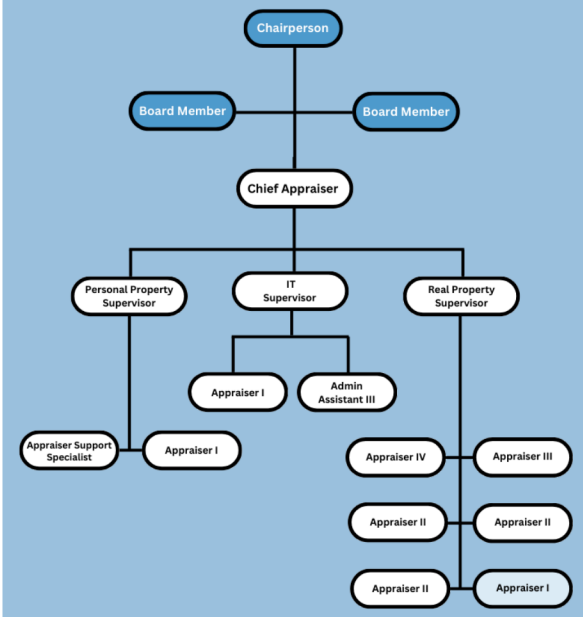
Staffing

At close of the periodic audit, the Tax Assessor's Office was fully staffed with 14 employees, as indicated on the organizational chart. At the start of the audit, and throughout the fieldwork phase, there were 13 staff and one vacancy. The 14th position was approved in the FY23 budget, but the position was not filled until the third quarter of FY24. The breakdown of staff by position includes the chief appraiser, three supervisors (personal property, real property and IT), six real property appraisers, one personal property appraiser, two support staff and one appraiser who reports to the IT supervisor.

The audit found that most employees are cross-trained to perform various duties as volume of work increases or decreases in given areas, but the normal breakdown of divisions is Real Property, Personal Property and IT/Support Staff. Real Property is further divided into commercial and residential property. All supervisors perform appraisal duties in addition to their supervisory functions.

Figure 8

Note : Filled in ovals represent Board members and shaded ovals represent the newly hired staff member.



The following diagram is an updated organization chart created by OA staff to include the newly filled position within the Tax Assessor's Office.

Real Property Appraisal

The largest workload and most high-profile activity for the Tax Assessor's Office is real property appraisal, which can be broken down roughly into four annual steps: assess value, notify owner, answer inquiries and resolve appeals. Because property values are ever-changing due to market conditions, modifications to the property itself, and factors influencing neighborhoods, steps in the assessment are handled year round by staff. Among the activities involved in valuation are receiving information from other departments including the Clerk of Superior Court (deed information), Building Permits & Inspections Department (permits for improvements), Planning Department (plats), and Tax Commissioner (homestead and other exemption applications).

OA observed that all staff work cooperatively to assure information is properly handled and entered into two main software programs. Information is entered manually into WinGAP software, which generates the information publicly available on the qPublic website. Due to the nature of the legal documents from the Clerk of Superior Courts Office, as well as applications for exemptions, manual entry is the only way to update records in the WinGAP software. Updates involving records from the Planning Department are also entered manually, although the Planning Department uses workflow management software (Clariti), to which only the IT Supervisor in the Assessor's Office has access.

For appraisal purposes, real property is divided into approximately 550 residential neighborhoods and 100 commercial neighborhoods among six real property appraisers in addition to the supervisor, who primarily handles commercial property appraisals.

Field visits take place year round in order to confirm value on Jan. 1st of each year, which is the valuation day for assessors. The procedure is for assessors to always go out in pairs in a marked ACCGov vehicle. The presence of two appraisers during site visits heightens safety, enhances accuracy, and creates efficiencies. Identifying properties, measuring structures, notetaking and assessing the condition of construction are all enhanced with the presence of two appraisers. During a field ride-along, appraisers were observed examining seven properties in approximately 1.75 hours.

Upon site visits, assessors assure that they park so that the identifying information of the vehicle can be viewed from the front door of the property. Appraisers knock and identify themselves and pass along business cards to the owner, if on site. Otherwise, a door tag is left on the front door to inform the owner of the visit. Visual inspection is made of the property to

assess percentage completion for new construction, or to assure work is compliant with any permits filed. Appraisers measure structures using a physical tape measure, and generally take notes and record findings using paper and pen, although tablets with dedicated software are available for field use. Office tasks in follow up to field visits include updating records and, if necessary, notifying the Building Permits and Inspections Department or Planning Department of findings.

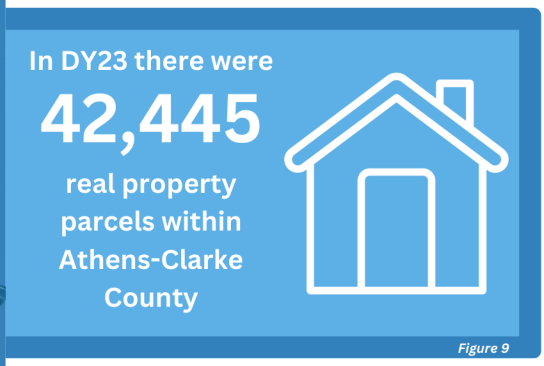


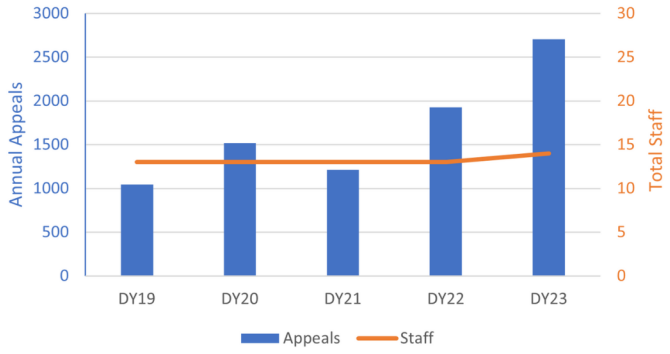
Figure 9

Activities necessary to create a digest for real property between Jan. 1, when books are opened, through April 1, when books are closed, include processing returns and special use applications; reviewing conservation use, historic properties, and exempt parcels; sales reviews; neighborhood ratio studies; and data transfer with the Tax Commissioner. By the end of April, the digest is completed and presented to the Board of Assessors for initial approval, with final approval occurring in July for submission to the State Tax Commissioner by Aug. 1st.

Once the books are closed for the current year digest, the process of notifying property owners of assessment begins, and must be completed per state law by July 1st. By the end of April, files are sent to a third-party vendor which prints and mails notices to property owners. Support staff is charged with handling returned mail and appeals, estimated to be a few hundred pieces of mail during peak season. The administrative assistant retrieves mail twice per day from the mailroom and proceeds to record and process returned mail. Steps include re-mailing returned items with forwarding address, verifying returned mail in WinGAP software, obtaining the probate judge's signature for notice of undelivered mail, and coordinating with Sheriff's Department to post a notification of undelivered mail. Support staff handles change of address requests year round. Other activities in the notification process include fielding telephone, email, and walk-in inquiries, and mailing exemption denial letters.

Upon notification, many property owners inquire about their property assessment and ultimately may file appeals, with 2,707 appeals filed in 2023. Appeal hearings are often averted by staff as they answer inquiries and review appeal requests. Occasionally, corrections to property records, and subsequently the property value, are made upon verification by the appraiser of information obtained from the property owner. Furthermore, the chief appraiser may arrange a meeting to settle on an appraisal value. If the appeal goes before the Board of Equalization or hearings officer, appraisers must be available to appear in proceedings. Once appeals are decided, the Tax Assessor's Office must process coinciding documents and update WinGAP software.

Figure 10 5-Year Staff to Appeals Ratio



Personal Property Appraisal

The assessment of personal property includes approximately 5,900 personal and business property accounts, or about 8.5% of the total number of appraisals. However, given the fluid nature of personal property assets, the work of personal property appraisal requires an intensive level of investigation and administrative work in order to assure all taxable property is identified, and correct owner information is maintained.

As with real property, the assessment process requires year round information gathering, along with manual processing of forms and data entry. Fieldwork takes place during October and November to identify new personal property accounts. Data for returns is input by mid-December so that returns can be mailed by a third-party vendor at the beginning of January. By February returns come into the office and are manually sorted so that records can be updated. In addition to returns, personal property staff also processes Freeport Exemptions, which allow certain manufacturers to exempt 100% of their inventory from property taxes under certain conditions.

During office field visits, the personal property supervisor and staff were observed handling their workload effectively, using various methods of research including internet sources, business license applications, and their own general knowledge of the county to assure the most accurate information possible. Inquiries from property owners and the general public are handled promptly, courteously and professionally.

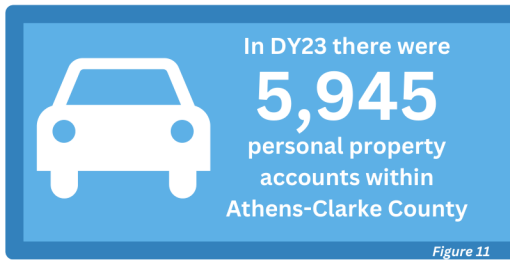
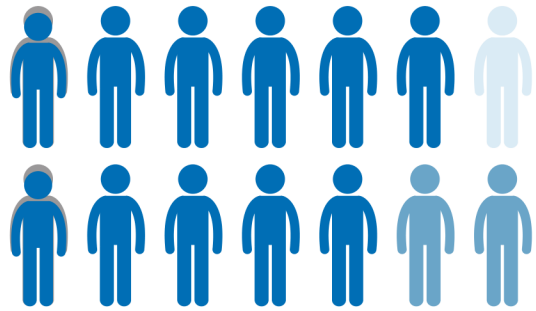


Figure 11

9 staff members are members of the Georgia Association of Assessing Officials (GAAO)
Chief Appraiser is currently the President of GAAO
2 staff members are members of the Georgia Association of Assessing Officials (GAAO) and International Association of Assessing Officials (IAAO)


as of Jan. 3, 2024
Figure 12

Performance Analysis

Performance review of the Tax Assessor's office yielded the following points of significance:

- Communication between supervisors and staff, and among all employees in general is abundantly evident. Staff are aware of expectations and are cross-trained to adapt to shifting workloads.
- The staffing level, although adequate, may not be sustainable given the growth of the property digest, changing ownership, and volatility of the real estate market.
- Succession planning, both on the Board of Assessors and Tax Assessor's staff, does not appear to be proactively addressed.
- The volume of physical mail and other paperwork handled manually is significant and unlikely to decrease, potentially causing facility space issues and need for additional staff.
- Manual entry of information, both in the Tax Assessor's Office and among the other departments with which it regularly interacts, contributes to the significant workload of the office.
- There is not a dedicated GIS staff member, although at the moment the Personal Property Appraiser II position handles a great deal of this work.
- The policy of answering telephones personally rather than by automated system is time consuming, but seems to ultimately help resolve customer issues efficiently and effectively.
- The office maintains satisfactory compliance with state law at its current level of staffing, but there is a disparity in the experience level of staff, with 35% of employees having eight or more years within the department, and 65% having less than five years.

GENERAL TAX ASSESSOR'S OFFICE INFORMATION*

325 E Washington St.
Suite 280
Athens, GA 30601

Phone: 706-613-3140
Fax: 706-613-3146

General Office Email:
taxassessor@accgov.com

Web Address:
accgov.com/taxassessor

Hours of Operation:
Monday - Friday,
8:00 AM - 5:00 PM

*as verified by OA Staff

Figure 13

Within the timeframe that the periodic audit took place, it was noted that, with the approval of six Tax Allocation Districts (TADs), the chief appraiser and staff have had an additional workload in providing information to the Economic Development Department and other entities as redevelopment moves forward. Because these plans are set forth to span a 20-year timeline, and involve not only ACCGov but also the Clarke County School District among other public and private entities, it is difficult to predict the scope of work the Tax Assessor's Office will be asked to contribute going forward.

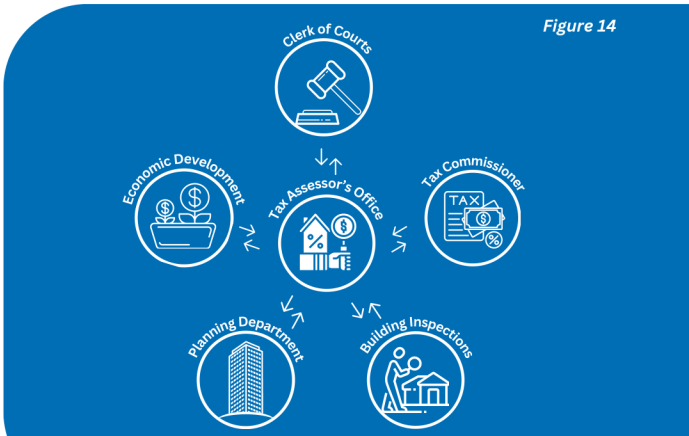


Figure 14

The above image depicts all of the departments that the Tax Assessor's Office works with on a day-to-day basis.

Compliance Review

Activities of the Tax Assessor's Office culminate in the portion of its mission to "produce a statutorily acceptable digest by August 1st of each year." State law dictates certain activities and deadlines in order to meet this goal. In achieving compliance, the office must also work within the charter and regulations of the county in which it operates, as well as adhere to professional standards and federal law, if and when applicable.

In order to comply with state law in producing the tax digest, filing appropriate documents, and notifying taxpayers, the office works under at least fifteen state-imposed deadlines annually. The office uses WinGAP software, which is the standard used by 145 of Georgia's 159 counties for mass appraisal, digital property record cards, exporting information for assessment notices, and to update the public-facing qPublic software.

The ACCGov Tax Assessor's Office has met or exceeded state guidelines, both for timeliness and accuracy of its appraisal digest for Digest Years (DY) 2016-2022, with the exception of minor anomalies in DY20 due to adjustments in deadlines caused by the governor's COVID-19 state of emergency declarations.

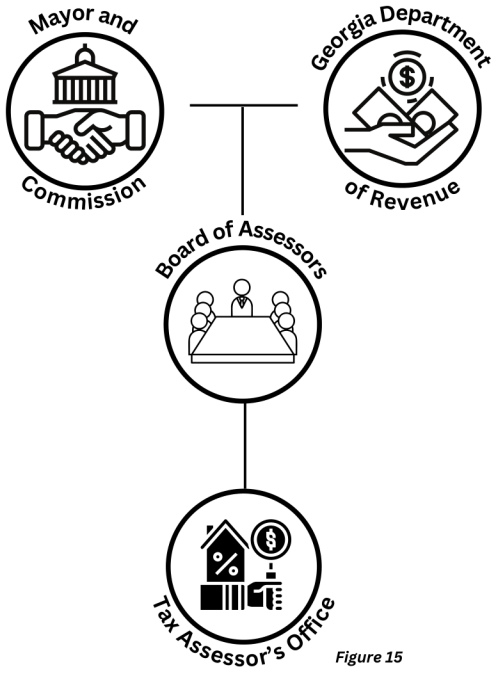


Figure 15

The state requires certain notifications to taxpayers and property owners. Analysis of compliance was conducted through research, field visits, and interviews with staff. Evidence showed that all such notices are being handled in the manner prescribed by the state. Examples include the inclusion of the State Tax Commissioner's "Important Tax Information" pamphlet in assessment mailings, notification of site visits via announcement on the public website, and notice of returned mail being posted at the courthouse in conjunction with the probate judge and the Sheriff's Office.

Though mandated by the state, the Board of Assessors is appointed by the local Mayor & Commission, and governs itself through the election of a chair and secretary. OA staff reviewed documents, interviewed board members, and observed that the board operates according to charter guidelines and meets all state standards.

The Tax Assessor's role within the larger organization of ACCGov can be described as something of a partnership arrangement, given that the Tax Assessor is established by the state but operates within the infrastructure of the county.

The Georgia Department of Revenue, Local Government Services Division, conducts a formal review of the Clarke County Digest every three years, the most recent having been completed in 2022. Overall, the report found the Tax Assessor's Office to be in compliance with applicable state laws, making several statements that indicate exceptional service and expertise surrounding assessments. The next review is scheduled for 2025.

> *Based on the information provided from the County, it appears that the county makes every reasonable effort to arrive at an appropriate value as opposed to an overstated value of the property* [1]
>
> -Dept. of Revenue Employee

Review by OA staff identified three topics of concern by the Department of Revenue; however, the DOR-assigned Compliance Specialist who authored the report also makes clear that such observations are in fact following acceptable procedure per applicable O.C.G.A. sections.

Regarding field reviews, the report notes that the Tax Assessor's Office is physically reviewing property throughout the county on a three-year cycle, and adhering to standard appraisal practices.[2] An example cited is the office's efforts to schedule appointments with owners when access to the property is warranted for accuracy in the appraisal.[3] This level of engagement was also noted for general public relations and information campaigns, such as meeting with neighborhood groups, as appropriate, to inform of impending reappraisals or value updates.[4]

The Board of Assessors was also within the scope of the review, and was found by the DOR to be both qualified and certified to vote and act in all matters related to the 2022 reappraisals.[5] For any of the various appeal methods (Board of Equalization, arbitrator, hearing officer, or Superior Court), the Board of Assessors adhered to applicable regulations by ultimately applying the valuation determined by these alternative methods, as formally recommended.[7] Additionally, the chief appraiser was cited for implementation of measures that promote efficiency and effectiveness of associated staff within the department, as required by O.C.G.A 48-5-264(a)(3).[6]

With regard to staff, it was observed by OA that the Tax Assessor's Office adheres to all federal and state employment laws. Appraisers hold proper education and credentials, and support staff is appropriately trained *(refer to table of staff education and years of service below)*.

Figure 16 - Compliance Highlights: Tax Assessor's Office

Job Title	Number of Positions	Minimum Education (per job description)	Minimum Years (per job description)	Total Years in Department (avg. if more than one position)
Chief Appraiser	1	Bachelor's Degree	5	24
IT Supervisor	1	Bachelor's Degree	4	8
Personal Property Supervisor	1	Bachelor's Degree	3	3
Real Property Supervisor	1	Bachelor's Degree	6	13
Administrative Assistant	1	High School Diploma or Equivalent	3	7.75
Appraiser Support Specialist	1	High School Diploma or Equivalent	1	2.5
Appraiser I	3	High School Diploma or Equivalent	1	1.67
Appraiser II	3	High School Diploma or Equivalent	2	2.5
Appraiser III	1	High School Diploma or Equivalent	4	1.5
Appraiser IV	1	Bachelor's Degree	6	17

[1] 2022 Clarke County Digest Review, Georgia Dept. of Revenue, Local Government Services Division, p.4
[2] Ibid., p. 2
[3] Ibid., p. 3
[4] Ibid., p. 6
[5] Ibid., p. 7
[6] Ibid., p. 7
[7] Ibd., p. 11

Compliance Analysis

Compliance review of the Tax Assessor's office yielded the following points of significance:

- Standard operating procedure documentation is adequate at present; however, a definitive system of organizing and updating materials was not observed. For the purpose of continuity and succession planning materials should be easily available for reference.
- The Tax Assessor's Office seemed to indicate that a strategic plan to meet certain goals of the *Mayor & Commission's Strategic Plan Goals, Strategies, and Initiatives* could be viewed as influential to what they do and impact the impartiality they strive to maintain in assessments.

Internal Controls Review

The control environment is primarily limited to the physical office space of the Tax Assessor, though appraisers frequently use government issued vehicles daily to conduct routine inspections. The office itself is located within the county courthouse, which by function, acts as one of the more secured buildings for ACCGov. Although customer interaction is welcomed and can occur on site, it is kept within the confines of a small lobby that has controlled access into the employees-only section of the space.

In assessing the potential risks that could exist within such an environment, none of unusual nature stood out from those that would inherently occur amongst administrative operations, staffing and financial interactions. Examples include the potential onboarding of new staff or those who maybe transitioning out of a role. It should also be noted who has access and permissions to accounting software and the ability to make transactions. Information Technology plays an important part in routine data collection and analysis, but paper files still exist and some have been identified as the only copy of recorded information, until digitized in the future.

Upon review of the permissions identified for application in the Munis financial system, general internal controls have been applied, and appear active in practice. The Tax Assessor's Office does not accept or disburse payment as part of its departmental functions, which alone helps ensure secure financial management control. Almost all office purchases are made via a few purchase cards, which are held in confidence by the administrative assistant, supervisors, and/or chief appraiser. All other staff have been issued cards related to occasional travel, but those are also in the possession of the administrative assistant unless actively being used.



Figure 17 - Lobby area of Tax Assessor's Office. This portion of the office is open to the public for when there are any questions or concerns.

An exception was noticed during fieldwork that raised concern over proper control activity, specifically related to another department's fee collection. This was flagged as a potential weakness in the system, and additional details are mentioned in the Findings & Recommendations section of this report on page 17. To that end, segregation of financial duties should be maintained with little to no exception. For the vast majority of applicable transactions, the Tax Assessor's staff follows these guidelines.

To account for continuous operations and delivery of services, the various staff, including appraisers, are cross-trained in multiple specialties (e.g. appraisers can calculate both personal and real property values, even though each is primarily assigned to one or the other), thus deterring the potential for any absences to halt daily routines and productivity.

The computer assisted mass appraisal (CAMA) system used by the Tax Assessor's Office is WinGAP, which aids in the determination of property valuation. The ACCGov IT Department provides system backup initiatives every 24 hours.

The overall amount of information possessed by the Tax Assessor's Office is vast, considering the sheer volume of parcels and personal property holdings within the county. That being said, records are made available in good faith and in a manner that appears expeditious.

The majority of forms/documents posted upon the Tax Assessor's webpage are mandated by state law, and in a format typically dictated by the same. External communications, or those targeted to and from customers, can occur via phone, fax, email, or in person. Most official notification is performed by traditional mail. This can pose a slight risk in terms of successful delivery, but staff do track returned letters. Within the Tax Assessor's Office, internal communication is thorough, with no significant discrepancies to report. Although a continuous work-in-progress, the department has done well to document standard operating procedures (SOPs) of tasks, in particular for computing values within applicable software programs.

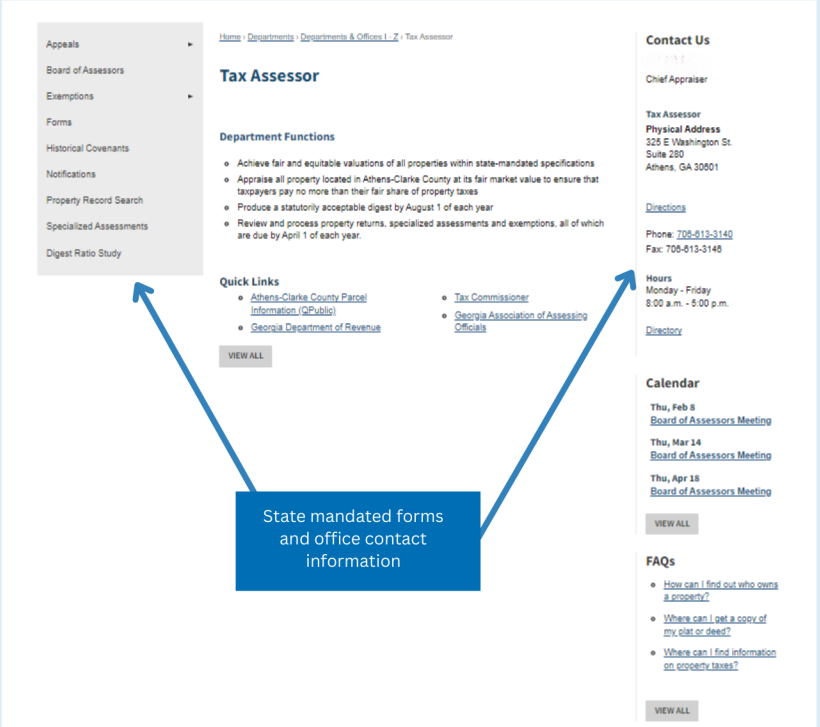


Figure 18 - Tax Assessor's Webpage through accgov.com, as of January 2024.

The business of tax assessment naturally lends itself to constant monitoring, whether it be from a processing schedule or calculated value standpoint. Thus, internal control for accuracy is measured annually with the digest, or intermittently via appeal. Fieldwork is often performed in association with an application or permit, and the staff strive to go in pairs.

Findings & Recommendations

Chapter Three

After careful research and analysis of the objectives, as through consideration of the defined scope, the Office of Operational Analysis believes there are three findings of significant note that should be addressed in reasonable time. The issues observed are described and accompanied by a potential recommendation to resolve. Subsequently, any response to the findings and recommendation is listed, as provided by the department head and/or county management.

Finding One

Ensure Proper Financial Controls Are in Place if Accepting Applications Filing with Payment

Observation

Payment (cash or check) received for Conservation Use Program application fees is occasionally accepted without thorough documentation and proper safe-keeping. These fees are associated with recording an approved application at the Clerk of Superior Court's Office, but are requested with the application when it is received by the Tax Assessor's Office, whether in person or by mail.

To clarify: The application is first submitted to, and reviewed by, the Tax Assessor's Office. If approved, the applicant is notified of the need to record the filing with the Clerk of Superior Court's Office and pay the applicable fee. On occasion, either cash or check is included with the original application when submitted to the Tax Assessor's Office.

In an effort to provide prompt customer service, office staff will often take those payments directly to the Clerk of Superior Court's Office (located in same building) on behalf of the applicant, so as not to provide an unnecessary burden upon the customer. At times though, it is not conducive for staff to make such a delivery immediately, and those fees are kept until a more opportune time is available. Specifically, said forms of payment are placed within a working folder, often with the application itself, and stored in the office of the staff member who provided intake. Thus, the risk to proper accounting, receipt protocol, and the potential for misplacement are elevated.

Recommendation

In accordance with proper ACCGov accounting procedures, as well as best practices for internal controls per the Standards of Internal Controls in the Federal Government (a.k.a. Green Book), the acceptance of payment meant for another ACCGov department should be promptly reconciled to avoid potential confusion, misplacement of funds, or the threat of theft. If immediate attention cannot be given to performing this procedure daily, then standard protocol for acceptance of fees should be ensured, such as customer receipts that are logged accordingly, while payment is kept in a secured location. The same person should not be responsible for all steps in this process, such as recording receipt and also processing the transaction; thus, safeguarding from a deficiency of internal controls via segregation of duties. Implementation of these slight changes will still allow continuation of standard practice in accepting this application and fee, therefore not upending the process for both customers and staff, ensuring efficiency and customer service, while maintaining financial control.

Response

The Tax Assessor's Office agrees to revise its internal policy to ensure proper financial controls when accepting application filings with payments.

IMPLEMENTATION TIMELINE:
The Tax Assessor's Office plans to take immediate action to revise this policy for the current year. Once the policy is finalized, the Board of Assessors will approve it as an official adopted policy by the March 2024 meeting.

DESCRIPTION OF ACTION(S) TO BE TAKEN:
A policy is being devised to ensure the intake, securement, and transfer of payments received for certain tax assessment applications. Once the policy is finalized and approved by the Board of Assessors, the adopted policy will become standard operating procedure.

Finding Two

Implement Appropriate Staffing Levels

Observation

The Tax Assessor's Office staff are both competent and experienced, and appear to keep pace with the growing demand in applicable service delivery, as evidenced by increases in assessed property and annual appeals. Naturally associated with any increased primary functions is an ancillary intensity of customer service related activities (calls, appointments, emails, inquiries, etc.). To that end, the Georgia Department of Revenue pointed out, as cited in their 2022 Digest Review of Clarke county, that ACCGov is not within the IAAO (International Association of Assessing Officers) staffing ratio of under 4,000 accounts per appraiser (see pg. 13). Based on the current total of 42,445 real property parcels within the county, plus 5,945 personal property accounts, and 2,477 mobile homes, totaling 50,867 accounts, this would yield a minimum of 12-13 appraisers for ACCGov. At present, the Tax Assessor's Office has 11 licensed appraisers, which includes the chief appraiser and other office supervisors. Concern lies in the potential impact upon both personnel and service delivery. With the number of properties only expected to increase over time, and the number of appeals filed unpredictable from year-to-year (though trending upward), there is a risk for staff burn-out, as well as overall efficiency and capability to meet expectations.

Although the chief appraiser should be commended for maintaining satisfactory service levels over the past decade with no real change in allocated staff positions, it remains questionable for how long such a trend can be sustained, given the statistical increase in workload, specifically the number of properties assessed (real and personal) and appeals processed. Analysis of the past 14 fiscal year budgets indicates that the present FY24 approved staffing level of 14 full-time positions is now equivalent to the FY11 approved staffing level. More than a decade has passed in between, during which the office operated with a staff of only 13. According to the chief appraiser, a reduction was necessitated in FY12 due to mandatory budget cuts associated with the Great Recession.

Recommendation

In accordance with the IAAO's recommended ratio for appraisers, as confirmed by the Georgia Department of Revenue 2022 Digest Review, and in acknowledgement of increasing workloads, OA recommends serious consideration be given to the addition of at least one full-time or two part-time staff positions, when appropriate in the near future, as determined by the chief appraiser. Additionally, this may also improve succession planning and strengthen continuity of operations should unforeseen circumstances arise in personnel. Added staffing has potential justification in the value added to the overall digest, given the increased accuracy and efficiency of appraisals. It is anticipated that such compensation would essentially "pay for itself" in due time.

Response

The Tax Assessor's office agrees that serious consideration needs to be given to increase the appraisal staff according to these recommendations. The Tax Assessor's Office requested and received one additional appraiser position in the FY23 budget. This position was filled in FY24. Despite this additional position, as noted in the audit recommendations, current staffing levels are not within the IAAO recommended staffing ratio. The audit results had not yet been finalized or received by the department prior to the deadline for department operating budget submissions; however, the Tax Assessor's Office was able to submit a recent request for one additional appraiser position for the Mayor & Commission's consideration in the FY25 budget.

IMPLEMENTATION TIMELINE:
Implementation is dependent upon approval by Mayor & Commission. One position has been requested in the FY25 budget, and depending on the result of this request, the Tax Assessor's Office may also request an additional position for consideration in the FY26 budget process. If approved by Mayor & Commission action, the department will proceed with recruitment within the first quarter of FY25.

DESCRIPTION OF ACTION(S) TO BE TAKEN:
The Tax Assessor's Office has submitted a budget request for one appraiser position. If approved, the Tax Assessor's Office will work with Human Resources to recruit for the position. Once a candidate is selected and the position is filled, the department will begin onboarding the new appraiser and ensure proper training is provided.

Finding Three

Explore Electronic Transmission of Notices

Observation

At present, and in historical practice, the Tax Assessor's Office operates predominately via methods of in-person or mail correspondence for official notices. As an example, notices of assessed value are mailed to all property (real and personal) owners, necessitating both paper and postage. Other similar letters, forms and applications are also processed in a manner that encourages in-person and/or mail communication. Currently, no forms or applications reviewed or approved by the Tax Assessor's Office are capable of electronic submittal directly through the webpage. To a degree, the lack of electronic availability of certain forms or applications may be justified, given the requirement to sign or attest in person or by notary. This does not however appear to be case for all such notices or documents, and even those have the capacity in some manner to be submitted electronically (i.e.: email).

Recommendation

The Tax Assessor's Office is highly encouraged to explore the implementation of electronic transmission of various notices when corresponding with the public.

Per the 2022 Georgia Code Title 48 – Revenue and Taxation, Chapter 5 – Ad Valorem Taxation of Property, Article 5 – Uniform Property Tax Administration and Equalization, Part 2 – County Boards of Tax Assessors 48-5-306. Annual Notice of Current Assessment; Contents; Posting Notice; New Assessment Description (a):

"…The taxpayer may elect in writing to receive all such notices required under this Code section by electronic transmission if electronic transmission is made available by the county board of tax assessors…"

Not only could this strategy keep ACCGov at the forefront of advanced practices in an ever changing technological society, but also promote accessibility for those within the community or those taxpayers who reside elsewhere.

Response

The Tax Assessor's Office agrees to explore the implementation of electronic transmission of various notices when corresponding to the public. Increased budget expenses and board approval will factor into any implementation decisions, as well as any regulatory or legal considerations.

IMPLEMENTATION TIMELINE:
Implementation will depend on any course of action that may be taken. Exploration will begin in FY24 and explored further for FY25 & FY26.

DESCRIPTION OF ACTION(S) TO BE TAKEN:
Electronic transmission of various notices will be explored by Tax Assessor's office. Exploration will include contacting other counties about their feasibility and experience with electronic transmission in FY24 and more consideration for FY25 & FY26. Any consideration for such implementation will include budget viability and Board of Assessor approvals.

Conclusion

Chapter Four

In alignment with the primary topics of focus for a periodic audit, the Office of Operational Analysis offers the following closing remarks based upon points of interest or concern, that, although do not warrant immediate attention, are worthy of consideration, potential follow-up, or future investigation. These highlights are in addition to, and not in place of, the formal findings and recommendations previously announced.

From a programmatic standpoint, the Tax Assessor's Office seems to be operating in alignment of their stated mission, goals, and objectives. The department is recognized consistently as one of the premier units in Georgia for timeliness and accuracy. Overall performance indicates that departmental leadership has a firm grasp of daily activities, promotes productivity by acknowledging the highly skilled and competent staff, and maintains needed control as necessary, without micromanaging.

Like many departments/offices/courts within ACCGov, the Tax Assessor's Office is nearing capacity of physical space in which to function. Future plans regarding construction of a new judiciary center will undoubtedly impact the Tax Assessor's Office, with hopes of providing ample space for existing operations, as well as foresight into potential growth. Whether the department maintains a presence within the renovated, historic courthouse or moves into a new judicial building, adequate thought should be put into how the space can increase morale, comfort, efficiency, storage, and expansion. Until then the department should consider the increased use of off-site storage, as legally allowed and operationally feasible, to free up present floor area.

One practical way in which to justify off-site storage, yet maintain vital records information is to continue the digitization of older property cards and microfilm from previous decades. The department has made great strides in securing both hard copies and digital scans of more modern documents, but there is still a number of properties detailed by hand written notes and film images, not easily transferable to present-day software systems. Such an initiative will provide efficiency in performance, as well as physical space, while also protecting critical information by duplicative means.

Associated with official Finding #2 that proposes more adequate staffing, the topic of succession planning is critical to ACCGov as an organization focused on sustainable operations and service delivery. As demonstrated in Figure 16, the current staff tends to lean toward one end of the range or the other for years of experience with the department. This is not to say that these employees do not possess additional time within the profession as gained from other institutions, or that someone is not capable of promotion to another, advanced role as may be available. Rather, it is simply important to note that emphasis should be placed upon the ability of staff to teach those in a subordinate classification, while also learning from those in a supervisory capacity to promote continuity of operations through applied, in-house succession.

Financially, the Tax Assessor's Office has maintained a fairly conservative approach to budgeting and spending. The department is funded by general dollars, and is not revenue generating. Even so, the Financial Review section clearly indicates only modest percentage increases in yearly operating, and is primarily linked to natural adjustments in compensation and benefits, as well as rising costs in associated professional services, such as software programs. Considering the daily site inspections that occur amongst the multiple assessors, the department should be commended for its shared approach to vehicle usage, keeping related fleet expenses to a minimum.

There is an active initiative by the Manager's Office for all departments (under Management's purview) to create a departmental strategic plan with an outlook of 3-5 years. This effort is separate from, and in addition to, the *Mayor & Commission's Strategic Plan Goals,*

Strategies, and Initiatives. Since the Tax Assessor's Office is outside the direct supervision of the county manager, and reports primarily to the Board of Assessors, fulfillment of this project is optional, and to date, not a task of high priority. That said, the department does develop and modify accordingly annual performance measures as part of the budget process, which also states the mission, goals, and objectives for the Tax Assessor's Office. If anything, a formal strategic plan could provide a more comprehensive outlook for the department, and focus on a variety of topics outside the typical data points tied strictly to assessments or appeals. Ultimately, future undertaking of this voluntary endeavor should be considered.

Overall internal control practices seem prevalent, with required methods in place and only minor exceptions that can be easily remedied. As a matter of practice, the Board of Assessors should follow applicable ACCGov policy or guidance pertaining to publicly held meetings, specifically with regard to video livestream and posting of official minutes. Even if such local expectations are above and beyond those otherwise legally required by the state of Georgia, uniformity in how all ACCGov affiliated boards, authorities, and commissions advertise and make accessible their discussions promotes transparency in government operations. Presently, the Board of Assessors is exempted from such initiatives both in state law and the *ACCGov Boards, Authorities, and Commissions Manual* (2019). However, the Government Operations Committee is expected to undertake this topic in the near future, potentially leading to modifications in policy that should be adhered to if adopted.

Follow-Up

In an effort to gauge the effectiveness and emphasize the purpose of conducting a periodic audit, the Office of Operational Analysis intends to follow up with the Tax Assessor's Office within a year's time and report on the status of any resolution to the findings and recommendations made. The exact schedule will also be considerate of the implementation timelines put forth by the department and/or county management as indicated in this report.

A summary response will be requested at the appropriate time from the subject department, and if necessary, staff from OA will conduct inspections to confirm appropriate actions taken. Any unresolved issues will be brought to the attention of the department and/or county management for further discussion. It is expected that a brief memorandum describing the degree of compliance will be forwarded to the Mayor & Commission for informational purposes.

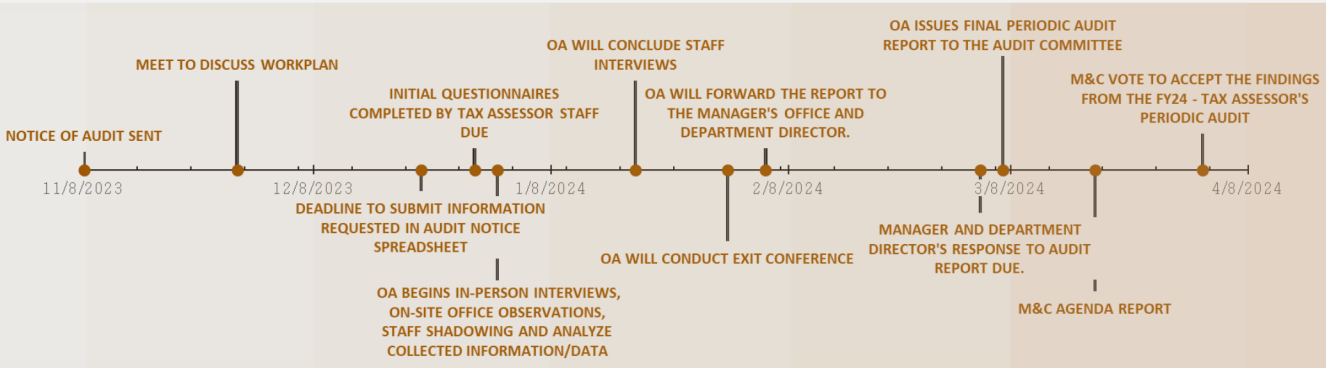
Appendix

Chapter Five

Appendix A

Outcomes and Performance Measures	Goal	DY16	DY17	DY18	DY19	DY20	DY21	DY22	DY23	Comments or Analysis	
Appraise all property located in Athens-Clarke County											
Number of Real Parcels	Data Only	41,805	41,828	41,775	41,913	42,218	42,238	42,278	42,445	Annual digest count	
Number of Personal Property Accounts	Data Only	5,277	5,415	5,451	5,579	5,595	5,604	4,260	5,345	Annual digest count	
Number of Mobile Homes	Data Only	2,496	2,497	2,498	2,498	2,491	2,458	2,467	2,477	Annual digest count	
Achieve fair and equitable valuations of all properties according to state mandated specifications											
Maintain Level of Assessment (FMV)	38%-42%	39.39	39.29	38.73	38.46	38.97	38.27	38.04		Mandated by State of Georgia	
Maintain Level of Uniformity	< 15%	8.90	8.54	8.32	9.12	7.84	10.38	10.03		Mandated by State of Georgia	
Maintain Level of Assessment Bias	95 - 110	101.58	100.66	100.55	99.80	100.06	99.86	100.06		Mandated by State of Georgia	
Georgia Department of Audit Ratio Study	Pass, no findings	Pass, no findings	Pass, no findings	Pass, no findings	Pass, no findings	Pass, no findings	Pass, no findings	Pass, no findings		Mandated by State of Georgia	
Produce a statutorily acceptable digest each year so tax bills can be mailed in a timely manner											
Complete fieldwork reviews by February 1 each year	> 95%	98%	98%	98%	98%	98%	98%	98%	98%	Necessary deadline in producing of tax digest each year	
Complete deed transactions reviews by Feb 1 each year	> 95%	97%	98%	99%	99%	99%	97%	96%	97%	Necessary deadline in producing of tax digest each year	
Complete mapping updates by Feb 1 each year	> 95%	97%	98%	98%	98%	97%	96%	98%	96%	Necessary deadline in producing of tax digest each year	
Complete Personal Property accounts to send notices by first week of May each year	> 95%	99%	96%	99%	99%	*90%	98%	97%	95%	Necessary deadline in producing of tax digest each year	*Pushed back to mid May 2020 due to COVID-19
Complete ratio analysis to send notices by first week of May each year	> 98%	100%	100%	100%	100%	*92%	100%	100%	100%	Necessary deadline in producing of tax digest each year	*Pushed back to mid May 2020 due to COVID-19
Process appeals within 180 days of receipt	< 180	100%	100%	100%	100%	100%	100%	100%	100%	State requirement for processing appeals in timely manner	
Produce timely and acceptable tax digest	August 1 each year	Met	Met	Met	Met	Met	Met	Met	Met	State requirement for tax digest submission is September 1 each year	

TAX ASSESSOR AUDIT TIMELINE



TAX ASSESSOR AUDIT TIMELINE

Date	Event
8-Nov	Notice of Audit Sent
28-Nov	Meet to discuss workplan
22-Dec	Deadline to submit information requested in Audit Notice Spreadsheet
29-Dec	Initial questionnaires completed by Tax Assessor staff due
1-Jan	OA begins in-person interviews, on-site office observations, staff shadowing and analyze collected information/data
19-Jan	OA will conclude staff interviews
31-Jan	OA will conduct exit conference
5-Feb	OA will forward the report to the Manager's Office and Department Director.
4-Mar	Manager and Department Director's response to Audit Report due.
7-Mar	OA issues final Periodic Audit report to the Audit Committee
19-Mar	M&C Agenda Report
2-Apr	M&C Vote to accept the findings from the FY24 - Tax Assessor's Periodic Audit

Tax Assessor's Office

Mission and Goals

The Tax Assessor's Office is responsible for the appraisal of all property located in Athens-Clarke County at its fair market value. The Tax Assessor's Office appraises over 42,000 parcels of real estate, 5,600 business personal property accounts, and 2,500 manufactured homes on an annual basis. To ensure equalization between similar properties, the county is divided into approximately 550 residential neighborhoods and 100 commercial neighborhoods so sales can be analyzed on an annual basis. All property values must be approved by the three-member Board of Tax Assessors prior to any change in value in order to ensure the tax digest is in compliance with state statutes. Members of the Board of Tax Assessors are appointed for a six-year term by the Athens-Clarke County Mayor & Commission. Currently the Tax Assessor's Office has a staff of thirteen appraisers and a total yearly budget of $1,100,000.

Services

Property Appraisal –This service provides for the appraisal of real property, business and personal property, automobiles, boats, and airplanes. The appraised value is used to determine the total value of all taxable property in Clarke County. This information is passed onto the Tax Commissioner's Office in order to compile a yearly digest for billing and collection of taxes. The three members of the Board of Tax Assessors are appointed for six-year staggered terms by the Athens-Clarke County Mayor & Commission. The Board meets at least once every month to set policy, to review correspondence requiring their input, to review and approve appraisal information from staff, and to determine what exemptions and specialized assessments are granted to individual properties. The major role of the assessors is to ensure that the tax digest is in compliance with state statutes before accepting the digest from the chief appraiser each year. The approval of the digest values occurs prior to any changes in value being sent to the property owners.

Information Management–This service provides for the management of tax assessment records in compliance with local and state laws. The Tax Assessor's Office maintains the records of ownership and exemptions for all parcels in the county. The information on past and present owners of property is accessible by the general public on the county website for the appraisal of real property, business and personal property, automobiles, boats, and airplanes. They also maintain and provide geographic information system (GIS) data and maps to other government departments and the general public. The county websites are qublic.net/ga/clarke and www.accgov.com.

Programs

Real Property Appraisal –activities include assessing individual properties such as land, homes, buildings, and other improvements through field visits, calculating property values through the review of comparative sales within the same neighborhood, and maintaining up-to-date valuations of all parcels within the ratios set by state regulations.

Each year the Tax Assessor's Office must review property values for its fair market value and its equality between similar properties. After all sales transactions and all property updates have been entered into the appraisal system, ratio studies are run by neighborhoods to compare the current assessed values of properties against their actual sales prices. The valuation date for assessors is January 1 of each tax year so sales up through December 31 of the previous year are used for the

current year tax digest. Certain measurable statistics must be met each year in order to assure, not only the taxpayers, but also the Departments of Revenue and the Department of Audits that properties are being valued fairly, uniformly, and equally.

Taxes in most of Georgia are based on a property's assessed value which is 40% of the appraised value. Therefore, one of the measured statistics is based on the assessed (40%) value of a property compared to its actual sales price. The arrived output is referred to as an assessment ratio.

Business and Personal Property Appraisal–activities include assessing the value of business and personal property, including boats, airplanes, and commercial equipment/inventory.

They also process Freeport exemptions for commercial entities according to state regulations and local ordinances. The Freeport exemption, approved by ACC voters, exempts 100% of the inventory for certain manufacturers, under certain conditions. These inventories are exempt from ad Valorem taxation, including all such taxes levied for county, educational and for State purposes. All business and personal property schedules are established and set by the State of Georgia.

Each year the Tax Assessor's Office conducts:
- Approximately 5,600 appraisals of business/personal property parcels
- More than 200 field/desk audits of business/personal property

Public Information–activities include information that is made available by the Tax Assessor's Office ~~to the general public~~ through their website. The office staff also responds to requests through phone and in office consultations.

Each year the Tax Assessor's Office:
- Responds to approximately 12,000 taxpayer inquiries
- Receives and delivers hundreds of requests yearly for appraisal data records and information

Property Record Keeping–activities include maintaining records of property ownership, all property ~~sales, property splits, and a le~~gal description of property for all ACC parcels.

Each year the Tax Assessor's Office:
- Records and processes 200 – 1,000 property splits
- Updates ownership transactions from approximately 3,600 – 4,200 deeds
- Maintains the property record information and eligible exemptions of 42,000+ real parcels
- Maintains the property record information and eligible exemptions of 5,600 personal accounts

Geographic Information Systems (GIS)–activities include maintaining the GIS database parcel layer, updating property lines, adding new subdivisions and parcels, and sharing this information with other ACCG departments and with the public on our internet sites qpublic.net/ga/clarke and accgov.com.

Each year the Tax Assessor's Office:
- Updates 200 - 1,000 property line adjustments due to splits/combinations
- Works on approximately 3,600 - 4,200 deeds
- Maintains the property lines of over 42,000 parcels

Annual Timeline of Real Property Assessment Activity

Assess Value	Notify Owner	Answer Inquires	Resolve Appeals
January-April	May-June	J ul y- Oct ober	October-December
Assess Real Property Value	Update Digest/Notify Property Owner	Submit Digest	Attend Hearings/Resolve Appeals
Review Exemptions	Notify Property Owner	Answer Inquiries	Begin New Digest Process

Annual Appraisal Activities

Activities	Activities	Activities	Activities
Office receives deeds information from Clerk of Court & permit information from Planning Department*	Supervisors assure information is updated in WinGAP software*	Administrative Assistant fields telephone, email & walk-in inquiries; forwards to appropriate appraiser ^	Chief Appraiser schedules and conducts settlement meetings
Supervisors and staff enter updates into WinGAP software*	Information is exported from WinGAP software to third-party vendor software	Appraiser reviews inquiry; contacts owner	Chief Appraiser and appraisal staff attend Board of Equalization hearings to provide evidence on assessed value
Staff updates GIS parcel maps per deed information*	Third-party vendor prints assessment notices; mails to address on file	Appraiser compares owner appeal with WinGAP records	Supervisors and appraisal staff update WinGAP software per results of appeals
Appraisers perform field inspections per permitting information*	Administrative assistant receives and files notices returned by USPS ^	Appraiser explains and attempts to resolve assessment appeal with property owner	Chief Appraiser and appraisal staff attend Superior Court hearings to provide evidence on assessed value
Appraisers enter results of field inspections into WinGAP software*	Administrative Assistant distributes returned items and/or update address information per owner requests ^	Appraiser performs field inspections as necessary	Assess new construction by Jan. 1 for percentage of completion for new digest
Office notifies Planning/Code Enforcement Departments as necessary regarding findings*	Staff answers inquiries from property owners ^		

Observed Practices

Assessment Fair Market Value/Uniform	Notifications Accurate/Timely	Inquiries Efficient/Effective	Appeals Outcome/Public Perception
Staff is dependent on manual entry of deed and permitting updates	Vendor for notification mailings is determined annually based on pricing	Inquiries regarding assessment notifications begin with a few days of mailing	Appeals my be settled by Hearing Officer, Board of Equalization or arbitraion
Personal Property Appraiser assists with entry of real property GIS information	Change of address notifications can be made with either Tax Assessor or Tax Commissioner	Significant increase in volume due to real estate market price increases	Appeals often require appraisal staff to spend several hours in proceedings
Appraisers work in pairs to do field visits, using tape measures, digital camera and pencil/paper notes to record information in the field*	Large volume of returned mailings requires space for storage	Appraisers may settle matters through customer contact and make revisions to WinGAP information when necessary	Appeals to Superior Court tend to be somewhat rare
Only IT Supervisor has access to Planning Department software platform (Clariti)	Staff is diligent in helping owners update addresses and seeing they are provided with returned items, upon proper identification	When minor issues cannot be resolved between property owner and assigned appraiser, appeal is recommended	

*indicates year-round activity

^ Indicates year-round activity with greater frequency during indicated seasonal period

County	Population	Tax Assessor Budget	# of Staff	Total Valuation	Equalization Ratio	Answer Telephone In-Person
Athens-Clarke	128,711	$1,226,600	14	$16,724,474,684	38.04	Y
Augusta-Richmond	202, 081	$2,915,280	37	$19,714,691,696	36.02	Y
Chatham	295,291	$6,271,376	38	$59,052,657,204	37.97	N
Columbus-Muscogee	206, 922	$1,752,035	27	$18,203,386,665	36.39	Y
Macon-Bibb	157, 346	$2,373,913	23	$13,537,244,757	39.14	N

	Digital Filing Services Available					
Municipality	Homestead App	Appeal	PP Returns	Change of Address	Online Agendas	Online Minutes
Athens-Clarke	N	N	N	N	Y	N
Augusta-Richmond	N	Y	N	Y	Y	N
Chatham	Y	Y	Y	Y	Y	Y
Columbus-Muscogee	N	Y	Y	N	N	N
Macon-Bibb	N	N	N	N	N	Y

Appendix E

Audit Committee Recommendation
FY24 Audit Workplan

The FY24 Audit Workplan consists of the following audits to be conducted by the Operational Analysis Office, or through a designated consultant, as recommended by the Audit Committee.

Both major and periodic classified audits are subject to administrative changes in objective and scope as dictated by the Internal Auditor and overseen by the Audit Committee, provided the overall intent and contextual goals are maintained. The type of audit, topic, and primary department will remain as approved by the M&C.

Comprehensive Performance Audit (Major) = Constitutes an in-depth, comprehensive review of the stated objective and scope for each topic, usually occurring over a >6-month period of time.

Departmental Mission, Operations, & Internal Controls Audit (Periodic) = Constitutes a brief, focused review of predetermined factors surrounding the three main categories of auditing: financial, performance, & compliance; using a standard objective and prioritized scope that provide a basic update on a department's present position, usually occurring over a 2-month period of time.

Type	Audit Topic	Department(s)	Timeframe (Est.)
Comprehensive Performance Audit	Employee Recruitment, Hiring, & Orientation	Human Resources	6-7 months*

Objective:

- To evaluate practices related to employee recruitment, hiring, and orientation as compared to similar jurisdictions and industry standards, with consideration to the unique expectation of ACCGov. This audit will determine compliance with applicable laws, regulations, and policies; but, also effectiveness in achieving appropriate staffing levels. Focus will be on whether current approaches to employment are efficient, relevant, and impactful based upon present challenges to human resource functions.

Scope:

1. Map the process of recruitment, referral, interview, candidacy, and employment offer in comparison of average timeline.
2. Identify divisions/staff involved in employee recruitment, hiring, and orientation.
3. Review present approach to job marketing, advertisement, and outreach initiatives.
4. Evaluate the use of software (ex: NEOGOV) and application of any quality control measures.
5. Review policies, standard operating procedures, best practices, and regulations that govern the evaluation of applicants, including minimum qualifications, application screening, and referrals.
6. Determine potential impact(s) of benefits offered (ex: health insurance; pension) in relation to recruitment and prolonged retention of employees.
7. Review employee orientation practices, to include onboarding topics and materials, as well as probationary periods.

Type	Audit Topic	Department(s)	Timeframe (Est.)
Dept. Mission, Ops., & Internal Control Audit	Standard Review of Basic Performance, Financial, & Compliance Practices	Housing & Community Development	1-2 months*

Objective:

- The purpose of this audit is to conduct a basic review and analysis of the Housing & Community Development Department for established performance (operations) measures and sound financial management strategies to deliver exceptional service, while also ensuring compliance through internal controls.

Scope:

1. Financial Review & Analysis
    a. Review FY budget & YTD spending
    b. Determine budget oversight & confirm permissions
    c. Review purchase card (P-Card) authority; purchase order (PO) responsibility; journal entry (JE) accuracy; transfer of funds; cash handling & reimbursements
    d. Review adherence to fee collection methods and projected revenue
    e. Evaluate procurement, receipt of goods, & contract administration
    f. Timesheet accuracy & payroll processing
    g. Obtain a detailed accounting of all assets (real estate; equipment; material; resources) and review safeguards
2. Performance Review & Analysis
    a. Review service delivery based on mission statement and objectives
    b. Benchmark against self-stated performance measures
    c. Analyze organizational chart, divisions, staffing, & succession planning
    d. Identify levels of services and approach to customer service (ex: hours of operation)
    e. Review standard operating procedures (SOP) and systematic efficiency/effectiveness
    f. Highlight departmental accomplishments/awards
3. Compliance Review & Analysis
    a. Evaluate adherence to charter and ordinances
    b. Review professional accreditation or industry organization affiliation & status
    c. Review third-party internal/external audits, formal reviews, and/or accreditation reports
    d. Review inter/intra governmental/departmental agreements
    e. Review status of department strategic plan progress, as well as achievement toward M&C Strategic Goals, Commitments, & Initiatives
    f. Analyze & test adherence to existing policies/procedures/practices
    g. Review management of data, software, and degree of information technology usage
4. Apply aspects of the COSA or Green Book model of Internal Controls to the departmental functions being audited, generally, with respect to the tailored nature of this unique approach.
5. Provide other pertinent observations or points of interest made by the Internal Auditor that may warrant future examination (inefficiency, ineffectiveness; customer dissatisfaction; staff vacancies; missing records; misspending; fraud; abuse; negligence; etc.)

Type	Audit Topic	Department(s)	Timeframe (Est.)
Dept. Mission, Ops., & Internal Control Audit	Standard Review of Basic Performance, Financial, & Compliance Practices	Economic Development	1-2 months*

Objective:

- The purpose of this audit is to conduct a basic review and analysis of the Economic Development Department for established performance (operations) measures and sound financial management strategies to deliver exceptional service, while also ensuring compliance through internal controls.

Scope:

1. Financial Review & Analysis
    a. Review FY budget & YTD spending
    b. Determine budget oversight & confirm permissions
    c. Review purchase card (P-Card) authority; purchase order (PO) responsibility; journal entry (JE) accuracy; transfer of funds; cash handling & reimbursements
    d. Review adherence to fee collection methods and projected revenue
    e. Evaluate procurement, receipt of goods, & contract administration
    f. Timesheet accuracy & payroll processing
    g. Obtain a detailed accounting of all assets (real estate; equipment; material; resources) and review safeguards
2. Performance Review & Analysis
    a. Review service delivery based on mission statement and objectives
    b. Benchmark against self-stated performance measures
    c. Analyze organizational chart, divisions, staffing, & succession planning
    d. Identify levels of services and approach to customer service (ex: hours of operation)
    e. Review standard operating procedures (SOP) and systematic efficiency/effectiveness
    f. Highlight departmental accomplishments/awards
3. Compliance Review & Analysis
    a. Evaluate adherence to charter and ordinances
    b. Review professional accreditation or industry organization affiliation & status
    c. Review third-party internal/external audits, formal reviews, and/or accreditation reports
    d. Review inter/intra governmental/departmental agreements
    e. Review status of department strategic plan progress, as well as achievement toward M&C Strategic Goals, Commitments, & Initiatives
    f. Analyze & test adherence to existing policies/procedures/practices
    g. Review management of data, software, and degree of information technology usage
4. Apply aspects of the COSA or Green Book model of Internal Controls to the departmental functions being audited, generally, with respect to the tailored nature of this unique approach.
5. Provide other pertinent observations or points of interest made by the Internal Auditor that may warrant future examination (inefficiency, ineffectiveness; customer dissatisfaction; staff vacancies; missing records; misspending; fraud; abuse; negligence; etc.)

Type	Audit Topic	Department(s)	Timeframe (Est.)
Dept. Mission, Ops., & Internal Control Audit	Standard Review of Basic Performance, Financial, & Compliance Practices	Tax Assessor	1-2 months*

Objective:

- The purpose of this audit is to conduct a basic review and analysis of the Tax Assessor's Office for established performance (operations) measures and sound financial management strategies to deliver exceptional service, while also ensuring compliance through internal controls.

Scope:

1. Financial Review & Analysis
    a. Review FY budget & YTD spending
    b. Determine budget oversight & confirm permissions
    c. Review purchase card (P-Card) authority; purchase order (PO) responsibility; journal entry (JE) accuracy; transfer of funds; cash handling & reimbursements
    d. Review adherence to fee collection methods and projected revenue
    e. Evaluate procurement, receipt of goods, & contract administration
    f. Timesheet accuracy & payroll processing
    g. Obtain a detailed accounting of all assets (real estate; equipment; material; resources) and review safeguards
2. Performance Review & Analysis
    a. Review service delivery based on mission statement and objectives
    b. Benchmark against self-stated performance measures
    c. Analyze organizational chart, divisions, staffing, & succession planning
    d. Identify levels of services and approach to customer service (ex: hours of operation)
    e. Review standard operating procedures (SOP) and systematic efficiency/effectiveness
    f. Highlight departmental accomplishments/awards
3. Compliance Review & Analysis
    a. Evaluate adherence to charter and ordinances
    b. Review professional accreditation or industry organization affiliation & status
    c. Review third-party internal/external audits, formal reviews, and/or accreditation reports
    d. Review inter/intra governmental/departmental agreements
    e. Review status of department strategic plan progress, as well as achievement toward M&C Strategic Goals, Commitments, & Initiatives
    f. Analyze & test adherence to existing policies/procedures/practices
    g. Review management of data, software, and degree of information technology usage
4. Apply aspects of the COSA or Green Book model of Internal Controls to the departmental functions being audited, generally, with respect to the tailored nature of this unique approach.
5. Provide other pertinent observations or points of interest made by the Internal Auditor that may warrant future examination (inefficiency, ineffectiveness; customer dissatisfaction; staff vacancies; missing records; misspending; fraud; abuse; negligence; etc.)

Type	Audit Topic	Department(s)	Timeframe (Est.)
Minor Projects, Limited Scope Audits, & Investigations	T.B.D.	T.B.D.	T.B.D.

Objective:
To provide adequate flexibility for the Operational Analysis Office to initiate related projects that improve overall success; respond to unanticipated occurrences; and, allow continuous research into observed practices that may justify future analysis, per the Internal Auditor's discretion, as based on relevance, timeframe, and impact.

Scope:

1. Ongoing consideration of potential audit examination(s) in the future.
2. Development and implementation of associated initiatives to enhance the auditing function of the Operational Analysis Office and ACCGov. This may include, but not be limited to, policies, programs, and/or projects that strengthen the efficiency and effectiveness of ACCGov's auditing capacity and capability.
3. Allow for expedited review of unanticipated audits that warrant timely coordination/completion based on significance.

*Although it is the goal of the Operational Analysis Office to complete each audit listed within the estimated schedule (fiscal year), such deadlines maybe amended based on mitigating factors, as guided by the Audit Committee and Internal Auditor.

ADOPT-A-HIGHWAY PROCLAMATIONS

APRIL 2, 2024

Adopting Organization	Location
Iota Gamma Sigma Chapter of Sigma Gamma Rho Sorority, Inc.	Rocksprings Street between Glenhaven Avenue and Springdale Street
@WestoverChristrmas	Oglethorpe Avenue between Prince Avenue and Loop 10 on/off ramps
AKHi Temple No. 280	Mitchell Bridge Road between Tallassee Road and High Ridge Drive

Athens-Clarke County Contract Awards
In Excess of $10,000 - February 2024

Contract Award Date	Vendor Name	Commodity or Service	Contract Amount	Department	Funding Source
Manager Awarded Contracts: Total $317,451.80					
2/14/2024	STANTEC CONSULTING SERVICES INC	Project Management: Recycle Water Transmission Line	119,251.80	Public Utilities	Water & Sewer Construction Ent Fund
2/14/2024	NATIONAL BUILDING CONTRACTORS	Roof Replacement: Leisure Services Operations Building	198,200.00	Facilities Management	General Capital Projects Fund
Purchasing Awarded Contracts: Total $1,463,508.78					
02/01/2024	DELTA MUNICIPAL SUPPLY CO	Meter Installation Brass (750)	23,085.00	Meter Management	Water & Sewer Construction Ent Fund
02/01/2024	BENNETT FIRE PRODUCTS CO INC	Fire Gloves (200)	16,000.00	Fire	General Fund
02/01/2024	MOTOROLA INC	Radio Chargers, Antennas & Headsets (110)	11,108.10	Sheriff's Office	General Fund
02/02/2024	ASP&R LLC	Interior Painting: Heard Park	19,100.00	Leisure Services	Grant Spec Revenue Fund
02/02/2024	ALLEGION ACCESS TECHNOLOGIES LLC	Automatic Door Openers: Sandy Creek Nature Center	17,495.00	Leisure Services	General Capital Projects Fund
02/07/2024	DELTA MUNICIPAL SUPPLY CO	5/8" x 3/4" Water Meters (300)	96,000.00	Meter Management	Water & Sewer Construction Ent Fund
02/07/2024	HARCO EQUIPMENT INC	Mower: Gravely Pro-Turn 60" (1) and 48" (1)	57,099.96	Landscape Management	General Fund
02/07/2024	GEO-HYDRO ENGINEERS INC	Construction Materials Testing/Special Inspections: Hickory Street Pedestrian Bridge & Stairs - Classic Center Arena	43,810.00	Program Administration	SPLOST 2020 Cap Proj Fund
02/07/2024	GEO-HYDRO ENGINEERS INC	Construction Materials Testing/Special Inspections: Bishop Park Pool Replacement	39,995.00	Program Administration	SPLOST 2020 Cap Proj Fund
02/07/2024	REXEL USA INC	Electric Vehicle Chargers, Pedestals & Mount Kits (11 each)	37,397.00	Program Administration	SPLOST 2020 Cap Proj Fund
02/07/2024	GEORGIA DEPARTMENT OF TRANSPORTATION	Preliminary Engineering Oversight North Ave from Willow St to Collin Ind Blvd/Freeman Dr	30,000.00	Program Administration	SPLOST 2011 Cap Proj Fund
02/07/2024	KOFILE TECHNOLOGIES, INC	Imaging of Newspapers 1901-1919	20,000.00	Clerk of Courts	Special Programs Spec Rev Fund
02/07/2024	KOFILE TECHNOLOGIES, INC	Imaging of Newspaper 1887-1900	14,000.00	Clerk of Courts	Special Programs Spec Rev Fund
02/08/2024	TYLER TECHNOLOGIES INC	IT Support Maintenance: Tyler System 03/20/24 - 03/19/25	57,500.74	Information Technologies	General Fund
02/08/2024	DELTA MUNICIPAL SUPPLY CO	Meter Boxes & Lids (70)	15,995.00	Meter Management	Water & Sewer Construction Ent Fund
02/09/2024	CI TECHNOLOGIES INC	Software: Renewal - ElPro	10,800.00	Police Field Operations Bureau	General Fund
02/12/2024	GALLAGHER BASSETT SERVICES INC	Quarterly Claims Administration Service Fees - December 2023 through February 2024	17,516.00	Safety & Risk	Self Funded Insurance & Claims Intr Serv
02/13/2024	ALFRED BENESCH & COMPANY	Site Plan: Mall Transit/ Concept Validation	84,560.00	Program Administration	TSPLOST 2018 Cap Proj Fund
02/13/2024	CUSTOM PINE STRAW INC	Trailer Load of Long Leaf Pinestraw	18,480.00	Landscape Management	General Fund
02/13/2024	HOWARD BROTHERS	Mower: Briggs 72" Briggs (1)	15,759.00	Landscape Management	General Capital Projects Fund
02/14/2024	YANCEY BROS CO	Replacement: Generator Batteries at Middle Oconee	16,490.50	Plant Maintenance	Water & Sewer Ent Fund
02/14/2024	JACOBS ENGINEERING GROUP INC	Staff Augmentation - North Avenue RAISE Grant - December 2023	14,703.23	Program Administration	SPLOST 2011 Cap Proj Fund
02/14/2024	YANCEY BROS CO	Replace: Generator Control Panel with Retrofit at Weatherly Woods	13,537.93	Plant Maintenance	Water & Sewer Ent Fund
02/15/2024	BURMAN PRINTING ATHENS COMMERCIAL PRINTERS INC	Mailing Services	28,111.14	Board of Elections	General Fund
02/19/2024	DALTON CARPET ONE INC	Flooring Replacement: Advantage Behavioral side of building only adding Mental Health Facility	87,231.00	Facilities Management	General Capital Projects Fund
02/19/2024	APPLIED TECHNICAL SYSTEMS INC	Replacement: Fire Alarm Monitoring System at City Hall	58,860.00	Facilities Management	General Capital Projects Fund
02/19/2024	WEST CHATHAM WARNING DEVICES INC	Installation: Emergency Vehicle Equipment and Accessory Parts (4)	51,345.26	Fleet Management	Fleet Replacement Intr Serv Fund
02/19/2024	WADE FORD INC	Vehicle: 2023 Utility Ford Interceptor (1) - Police	49,870.00	Fleet Management	Fleet Replacement Intr Serv Fund
02/19/2024	DALTON CARPET ONE INC	Flooring Replacement: Sandy Creek ENSAT Building	23,482.00	Facilities Management	General Capital Projects Fund
02/20/2024	CORE & MAIN LP	Valves and Vault boxes (54)	20,005.68	Meter Management	Water & Sewer Construction Ent Fund
02/20/2024	ACROSS THE STREET PRODUCTIONS, INC	Blue Card Training - Instructors	14,178.28	Fire	General Fund
02/20/2024	MOTOROLA INC	Radio Microphone & Battery Replacements (85)	13,934.16	Police Field Operations Bureau	General Capital Projects Fund
02/20/2024	CUSTOM CAMPER	2023 Ford Lightening Bed Cover (4)	12,800.00	Fire	General Fund
02/21/2024	ATLANTA FORK LIFTS INC	Toyota Electric Fork Lift	67,774.00	Fleet Management	General Capital Projects Fund Fleet Replacement Intr Serv Fund
02/21/2024	DEERE & COMPANY	Tractor: John Deere 5100E	65,850.46	Fleet Management	Fleet Replacement Intr Serv Fund
02/21/2024	ALLAN VIGIL FORD	Vehicle: 2023 Transit Connect Van (1)	38,205.00	Fleet Management	Fleet Replacement Intr Serv Fund
02/21/2024	THE HON COMPANY	Furniture Work Stations	14,975.06	Clerk of Courts	Special Programs Spec Rev Fund
02/22/2024	WEST CHATHAM WARNING DEVICES INC	Installation: Emergency Vehicle Equipment on 3 New F-150 Lightnings	30,992.82	Police Field Operations Bureau	General Fund
02/22/2024	XPRESSMYSELF.COM LLC	Signs & Posts (400)	17,404.99	Program Administration	SPLOST 2020 Cap Proj Fund
02/23/2024	ALLAN VIGIL FORD	Truck: Ford F250 Crew Cab/Short bed (1)	55,958.00	Fire	General Fund
02/23/2024	APPLIED TECHNICAL SYSTEMS INC	Installation: IP Video Door Controls at City Hall (5)	24,000.00	Facilities Management	General Fund
02/27/2024	UTILICOM SUPPLY ASSOCIATES LLC	Traffic Signal Cabinet	18,188.25	Traffic & Operations	General Fund
02/27/2024	MANNING BROTHERS FOOD EQUIPMENT CO INC	Convection Oven	17,050.00	Corrections	General Capital Projects Fund
02/27/2024	MARK C POPE ASSOCIATES INC	Repairs: Ground Power Unit	13,845.22	Airport	Airport Ent Fund
02/28/2024	ALFRED BENESCH & COMPANY	Engineering Support Services - Transit Transfer Facilities - SE Clarke Park	49,015.00	Program Administration	Grant Spec Revenue Fund SPLOST 2011 Cap Proj Fund
Number of Contracts	**47**	**Total of Contract Awarded**	**$ 1,780,960.58**	Submitted by: Jessica Beri Purchasing Administrator March 15, 2024	