

Due to the COVID-19 pandemic, the June 15 Mayor and Commission session was remote. The meeting could be viewed live at www.accgov.com/videos, on YouTube at www.youtube.com/accgov, on Facebook at www.facebook.com/accgov, and on ACTV Cable Channel 180 or the live ACTV stream at www.accgov.com/actvlive

Unified Government of Athens-Clarke County, Georgia
Mayor and Commission
Tuesday, June 15, 2021
6:00 p.m.
City Hall/WebEx

The Mayor and Commission of the Unified Government of Athens-Clarke County met this date in a special called session. Present: Mayor Girtz; Commissioners Davenport, Parker, Link, Wright, Denson, Houle, Edwards, Myers, Thornton, and Hamby. No one was absent.

The purpose of the meeting was to consider adoption of the FY22 operating and capital budget and other items of business.

Manager Williams introduced newly hired Assistant Manager Niki Jones and Organizational Development Administrator Patrice Nyatuame who both made brief comments.

Public input

The following input was received.

1. Mara Zaniga - opposed homeless resolution.

Old business - Discussion

A motion was made by Commissioner Davenport, seconded by Commissioner Houle, to DENY request of Frank Pittman/Pittman Engineering estate of Ronald Cooper for rezoning from C-N (Commercial Neighborhood) to C-G* (Commercial General zoning with conditions) on 4.156 acres known as 4430 and 4432 Lexington Road. Proposed use is self-service storage. Type II.

The motion passed with nine YES votes. Commissioner Wright was temporarily absent.

A motion was made by Commissioner Myers, seconded by Commissioner Denson, to

- a) Approve the concept of extending the public sanitary sewer along parcels on Old Jefferson Road by allowing the installation of a Sanitary Sewage Pump Station;
- b) Approve the concept of a 14KW DC grid tied solar array as recommended by staff and noted in a memo dated May 28, 2021 after further discussions with the developer, which would require a \$252,500 deposit for the project, as opposed to the originally recommended \$250,000 deposit;
- c) Authorize staff to accept the Old Jefferson Road Pump Station as a fixed asset to the Public Utilities Department for public operation and maintenance; and
- d) Authorize the Mayor and appropriate staff to prepare all related documents.

The motion passed by unanimous vote.

A motion was made by Commissioner Parker, seconded by Commissioner Thornton, to DENY community benefits agreement for proposed Tax Allocation District (TAD) funding request for 2400 Lexington Road. The motion passed by unanimous vote.

A motion was made by Commissioner Hamby, seconded by Commissioner Wright, to adopt the FY22 operating and capital budget as per agenda report revised June 10, 2021 with numerous amendments to which reference is made and is a part of the official file; and to authorize the manager to

identify and reduce general fund budgets equal to the appropriated revenue replacement amount and transfer eligible general fund expenses to the ARP special revenue fund in FY22.

- a. Adopt an Ordinance Attachment #1 of agenda report revised June 10, 2021 that will accomplish the below listed actions:
 - (1) Establish the Operating and Capital Budgets for the Fiscal Year beginning July 1, 2021 and ending June 30, 2022 (FY22); and
 - (2) Establish the 2021 property tax (millage) rate for the Unified Government of Athens-Clarke County (ACCGov) at 13.70 mills and the Athens Downtown Development Authority at 1.0 mill; and
 - (3) Establish the annual compensation for the Manager, Attorney and Internal Auditor as set by the Mayor and Commission for FY22; and
 - (4) Establish the rates and structure of the FY22 Health Insurance Program for Employees and Retirees; and
 - (5) Adopt the Schedule of Fees and Charges for FY22.
- b. Adopt an amendment to Section 7-1-555 of the ACCGov Code of Ordinances (Attachment #2) to update General Building fees and reference to the annual Schedule of Fees and Charges.
- c. Authorize the Manager to transfer budget amounts from the Other General Administration Pay Adjustment Budget Account to Departmental Budgets to fund approved pay adjustments for employees.
- d. Authorize the balances of appropriations from the Athens CARES Package programs, the Prosperity Package programs and the COVID-19 Resiliency Package programs be designated at fiscal yearend and re-appropriated in the following fiscal year until the programs are complete or they are amended by the Mayor and Commission.
- e. Approve the renewal of and authorize Mayor and appropriate staff to execute all required documents associated with the annual contract with the Georgia Public Defender Standards Council (GPDSC) to provide indigent defense services in specified courts of the Unified Government of Athens-Clarke County in the estimated amount of \$1,894,124 for FY22 (July 1, 2021 through June 30, 2022).
- f. Approve the renewal of and authorize Mayor and appropriate staff to execute all required documents associated with the annual intergovernmental agreement between the Georgia Department of Corrections and ACCGov to house state offenders (Attachment #3).
- g. Approve and authorize Mayor and appropriate staff to execute all required documents associated with a Memorandum of Understanding and annual financial agreement between the Board of Regents of the University of Georgia Cooperative Extension and ACCGov for support and provision of Cooperative Extension services in Athens-Clarke County (Attachment #4).
- h. Approve a budget ordinance (Attachment #6) to establish a Special Revenue Fund and budget in FY21 for proceeds from the American Rescue Plan Act of 2021 grant.

A substitute motion was made by Commissioner Parker, seconded by Commissioner Denson, to adopt the FY22 operating and capital budget as per agenda report revised June 10, 2021 with numerous amendments to which reference is made and is a part of the official file; and to authorize the manager to identify and reduce general fund budgets equal to the appropriated revenue replacement amount and transfer eligible general fund expenses to the ARP special revenue fund in FY22.

- a. Adopt an Ordinance Attachment #1 of agenda report revised June 10, 2021 that will accomplish the below listed actions:
 - (1) Establish the Operating and Capital Budgets for the Fiscal Year beginning July 1, 2021 and ending June 30, 2022 (FY22); and
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 - (3) Establish the annual compensation for the Manager, Attorney and Internal Auditor as set by the Mayor and Commission for FY22; and
 - (4) Establish the rates and structure of the FY22 Health Insurance Program for Employees and Retirees; and
 - (5) Adopt the Schedule of Fees and Charges for FY22.
- b. Adopt an amendment to Section 7-1-555 of the ACCGov Code of Ordinances (Attachment #2) to update General Building fees and reference to the annual Schedule of Fees and Charges.
- c. Authorize the Manager to transfer budget amounts from the Other General Administration Pay Adjustment Budget Account to Departmental Budgets to fund approved pay adjustments for employees.
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- e. Approve the renewal of and authorize Mayor and appropriate staff to execute all required documents associated with the annual contract with the Georgia Public Defender Standards Council (GPDSC) to provide indigent defense services in specified

- courts of the Unified Government of Athens-Clarke County in the estimated amount of \$1,894,124 for FY22 (July 1, 2021 through June 30, 2022).
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 - g. Approve and authorize Mayor and appropriate staff to execute all required documents associated with a Memorandum of Understanding and annual financial agreement between the Board of Regents of the University of Georgia Cooperative Extension and ACCGov for support and provision of Cooperative Extension services in Athens-Clarke County (Attachment #4).
 - h. Approve a budget ordinance (Attachment #6) to establish a Special Revenue Fund and budget in FY21 for proceeds from the American Rescue Plan Act of 2021 grant.

The substitute motion passed by roll call vote with Commissioners Davenport, Parker, Link, Denson, Houle, Edwards, and Myers voting YES; and Commissioners Wright, Thornton, and Hamby voting NO. (7 YES, 3 NO)

The following ordinances (#21-06-61, #21-06-62, and #21-06-63) which were presented by title only were declared adopted.

AN ORDINANCE TO PROVIDE FOR THE RAISING OF REVENUES AND THE APPROPRIATION OF FUNDS FOR ATHENS-CLARKE COUNTY, GEORGIA, FOR THE FISCAL YEAR 2022 BEGINNING JULY 1, 2021 AND ENDING JUNE 30, 2022 TO PROVIDE FOR THE OPERATIONS OF GOVERNMENT DEPARTMENTS, BOARDS, AGENCIES, ELECTED OFFICES, AND OTHER GOVERNMENTAL ACTIVITIES; TO PROVIDE FOR THE LEVEL OF PERSONNEL AUTHORIZED FOR THE VARIOUS DEPARTMENTS AND AGENCIES; TO PROVIDE FOR A CAPITAL BUDGET; TO ESTABLISH 2021 PROPERTY TAX RATES; TO ESTABLISH COMPENSATION FOR THE CHARTER OFFICERS; TO ESTABLISH RATES AND STRUCTURE OF FISCAL YEAR 2022 HEALTH INSURANCE PROGRAMS; TO ESTABLISH FEES AND CHARGES; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE EFFECTIVE DATES; AND FOR OTHER PURPOSES.

THE COMMISSION OF ATHENS-CLARKE COUNTY, GEORGIA, HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Pursuant to Section 7-405 of the Charter, the sums of money as summarized in Exhibit A attached hereto and made a part of this Ordinance, shall be and are hereby adopted as the Operating Budget and the Capital Budget for Athens-Clarke County for Fiscal Year 2022 (FY22), beginning July 1, 2021 and ending June 30, 2022.

SECTION 2. The appropriation of funds for all departments and agencies shall be as provided for in Exhibit A and supporting schedules.

SECTION 3. Each of the Enterprise and Internal Service Funds shall be operated in accordance with Proprietary Fund accounting standards and procedures and shall not be governed by the Governmental Fund budgetary accounting principles; however, the budgetary estimates upon which such budgets are adopted shall be retained in memorandum form for budget control purposes and utilized in the preparation of comparative operating statements.

SECTION 4. The personnel levels provided for in the Personnel Authorization Schedule for all departments and agencies, as provided in the budget document entitled "FY2022 Annual Operating and Capital Budget: The Unified Government of Athens-Clarke County July 1, 2021–June 30, 2022" are hereby adopted as the maximum employment levels for such departments and agencies and shall not be increased without the approval of the Mayor and Commission.

SECTION 5. All financial operations shall be accounted for in accordance with Generally Accepted Accounting Principles and Standards.

SECTION 6. In accordance with the Official Code of Georgia Annotated Sections 33-8-8.1 and 33-8-8.2, the proceeds from the tax on insurance premiums, estimated to be \$9,545,000 for FY22, shall be used for the provision of services to all residents of Athens-Clarke County.

SECTION 7. In accordance with the Official Code of Georgia Annotated Section 46-5-133, 46-5-134, and 46-5-134.2; the monthly "9-1-1 charge" of \$1.50 per exchange access facility, the \$1.50 per month "wireless enhanced 9-1-1 charge", and the \$1.50 per retail transaction for the "pre-paid wireless charge" are reaffirmed for the period July 1, 2021 – June 30, 2022.

SECTION 8. The Manager is further authorized to transfer sums up to \$15,000 from the General Fund Contingency to meet unbudgeted obligations of the Government. The Manager is required to notify

the Mayor and Commission of each of these transfers from Contingency at the next scheduled regular meeting under the provisions of Section 7-408 of the Charter of the Unified Government of Athens-Clarke County, Georgia.

SECTION 9. The Manager is further authorized to transfer sums within each fund's capital budget among projects and accounts up to \$100,000 to meet project obligations of the government. The Manager is required to notify the Mayor and Commission of each of these transfers at the next scheduled regular meeting under the provisions of Section 7-408 of the Charter of the Unified Government of Athens-Clarke County, Georgia.

SECTION 10. The Manager is further authorized to approve the application for grants and accept grants on behalf of the government up to \$50,000 and to amend the Operating or Capital Budget for the grants as needed. This authority is permitted if the grant meets all of the following conditions: (1) matching funds are appropriated or the grant does not require matching funds; (2) the government will not be required to otherwise commit resources or maintain any services after the end of the grant period; (3) no positions will be added with the grant; and (4) no vehicles will be added to the government's Fleet Replacement Program as a result of acceptance of the grant.

The Manager is required to notify the Mayor and Commission of approval or acceptance of each grant at the next scheduled regular meeting under the provisions of Section 7-400 of the Charter of the Unified Government of Athens-Clarke County, Georgia. The Manager and appropriate staff are authorized to execute all required documents associated with grants accepted under this provision.

SECTION 11. The budget document, entitled "FY2022 Annual Operating and Capital Budget: The Unified Government of Athens-Clarke County July 1, 2021–June 30, 2022" shall be maintained on file in the Office of the Clerk of Commission.

SECTION 12. The ad valorem tax rate for Athens-Clarke County is hereby levied for the year 2021 upon all real and personal property within the government not exempt from taxation under law as follows:

Maintenance and Operations (General Fund)	13.70 mills
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SECTION 13. Under authority of the Act creating the Downtown Athens Development Authority, 1977 Ga. Laws 3533-3538, there is hereby levied and assessed for the year 2021 on the real property in the downtown Athens area (said downtown area most recently defined in House Bill No. 590, 2017 Ga. Laws 3900-3903), a tax of one (1) mill upon the value of said real estate as fixed by the Tax Digest of Athens-Clarke County.

SECTION 14. Pursuant to Sections 4-101, 4-103, and 4-104 of the Charter of the Unified Government of Athens-Clarke County, the annual compensation of the charter officers, as provided for by ordinance and contract for FY22, shall be \$187,887 plus a \$6,000 car allowance for the Manager, shall be \$155,257 plus a \$4,800 car allowance for the Attorney and shall be \$89,307 plus a \$4,800 car allowance for the Internal Auditor.

SECTION 15. Pursuant to Official Code of Georgia Annotated Section 48-13-93(a)-(2), the proceeds of the excise tax on the rental charge for motor vehicles, projected to be \$175,000 during FY22, shall be used for promoting industry, trade, commerce, and tourism. The proceeds from this tax in FY22 shall be used to support the Athens-Clarke County Economic Development Department, with an estimated budget of \$1,127,000.

SECTION 16. Pursuant to Section 1-9-19 of the Code of Ordinances of the Unified Government of Athens-Clarke County, the Benefits Summary of the Health Insurance and Health Benefits Program and the premiums or contributions for employees and retirees, as applicable, shall be as follows:

(a) Pursuant to Athens-Clarke County Code Section 1-9-19(a), the government shall provide as an option to employees the plans of health insurance coverage as described in the Summary Plan Document entitled "Consumer Healthy Solutions (CHS) Plan with a Health Savings Account (HSA) Medical Benefit Booklet for the Unified Government of Athens-Clarke County," effective January 1, 2021, and prepared by Anthem for the Unified Government of Athens-Clarke County. This booklet is on file and available for public inspection in the office of the Clerk of Commission, Room 204, City Hall, 301 College Avenue, Athens, Georgia and on file and available for public inspection in the office of the Human Resources Department, 375 Satula Ave., Athens, Georgia. Any plan changes effective January 1, 2022 may result in new summary plan documents, which will be available for public inspection in the office of the Clerk of Commission in or around January, 2022. This Section 16 shall be subject to amendment by the Commission to incorporate any such plan changes prior to the effective date of such changes.

(b) During the first open enrollment period, employees have the option to select from among the following health insurance coverage: the option described in the preceding paragraph or the plans of health insurance coverage as described in the Summary Plan Document entitled "BlueChoice Option Point of Service Open Access dated January 1, 2021 –Conventional Plan Benefit Booklet for the Unified Government of Athens-Clarke County," Administered by Anthem, incorporated herein by reference. This

booklet is on file and available for public inspection in the office of the Clerk of Commission, Room 204, City Hall, 301 College Avenue, Athens, Georgia and on file and available for public inspection in the office of the Human Resources Department, 375 Satula Ave., Athens, Georgia. Any plan changes effective January 1, 2022 may result in new summary plan documents, which will be available for public inspection in the office of the Clerk of Commission in or around January, 2022. This Section 16 shall be subject to amendment by the Commission to incorporate any such plan changes prior to the effective date of such changes.

(c) Pursuant to Athens-Clarke County Code Section 1-9-19(b), the Designated Plan for retirees not yet 65 years of age and the Designated Dependent Plan for spouses of retirees not yet 65 years of age, and eligible dependent children, shall be that plan described as the BlueChoice Point of Service (POS) Open Access Plan of health insurance coverage as further described in the Summary Plan Document entitled "BlueChoice Option Point of Service Open Access dated January 1, 2021– Traditional Plan Benefit Booklet for the Unified Government of Athens-Clarke County," administered by Anthem, incorporated herein by reference. This booklet is on file and available for public inspection in the office of the Clerk of Commission, Room 204, City Hall, 301 College Avenue, Athens, Georgia and on file and available for public inspection in the office of the Human Resources Department, 375 Satula Ave., Athens, Georgia. The plan options for retirees and for retiree dependent coverage shall be any other health insurance coverage plans offered to employees in (a) and (b) above. Any plan changes effective January 1, 2022 may result in new summary plan documents, which will be available for public inspection in the office of the Clerk of Commission in or around January, 2022. This Section 16 shall be subject to amendment by the Commission to incorporate any such plan changes prior to the effective date of such changes.

(d) Those retirees not yet 65 years of age who are eligible for PPO shall be provided the plan of health insurance coverage as described in the Summary Plan Document entitled "Blue Choice PPO Benefit Booklet for the Unified Government of Athens-Clarke County," administered by BlueCross Blue Shield of Georgia, dated January 1, 2021 incorporated herein by reference. This booklet is on file and available for public inspection in the office of the Clerk of Commission, Room 204, City Hall, 301 College Avenue, Athens, Georgia and on file and available for public inspection in the office of the Human Resources Department, 375 Satula Ave., Athens, Georgia. Any plan changes effective January 1, 2022 may result in new summary plan documents, which will be available for public inspection in the office of the Clerk of Commission in or around January, 2022. This Section 16 shall be subject to amendment by the Commission to incorporate any such plan changes prior to the effective date of such changes.

(e) The premiums to be paid for the programs of health insurance for employees are set forth in the document entitled "The Unified Government of Athens-Clarke County 2021 Benefits Enrollment Guide: Enhancing Your Total Reward as a Valuable Resource for Our Community," incorporated herein by reference and on file and available for public inspection in the office of the Clerk of Commission, Room 204, City Hall, 301 College Avenue, Athens, Georgia and on file and available for public inspection in the office of the Human Resources Department, 375 Satula Ave., Athens, Georgia. The premiums to be paid for plans effective January 1, 2022 will be set forth in the document entitled "The Unified Government of Athens-Clarke County 2022 Benefits Enrollment Guide," which will be made available for public inspection in the office of the Clerk of Commission in or around October, 2021. This Section 16 shall be subject to amendment by the Commission to incorporate any such changes in premiums.

(f) The premiums to be paid for the programs of health insurance for those retirees, under age 65, subject to such insurance as described in paragraphs (c) and (d) hereof are set forth in the document entitled "The Unified Government of Athens-Clarke County Pre-65 Retiree Rate Sheet – Effective January 1, 2021 – December 31, 2021," incorporated herein by reference and on file and available for public inspection in the office of the Clerk of Commission, Room 204, City Hall, 301 College Avenue, Athens, Georgia and on file and available for public inspection in the office of the Human Resources Department, 375 Satula Ave., Athens, Georgia. The premiums to be paid for plans effective January 1, 2022 will be set forth in the document entitled "The Unified Government of Athens-Clarke County 2022 Retiree Benefits Enrollment Guide," which will be made available for public inspection in the office of the Clerk of Commission in or around October, 2021. This Section 16 shall be subject to amendment by the Commission to incorporate any such changes in premiums.

(g) Pursuant to Athens-Clarke County Code Section 1-9-19(c) the government shall provide to retirees who are age 65 or older those health benefits as described in the "2021 Enrollment Guide: Enroll in Additional Medicare Coverage" and "Via Benefits Reimbursement Guide: The Unified Government of Athens-Clarke County Health Reimbursement Arrangement HRA," and incorporated herein by reference. Such documents are on file and available for public inspection in the office of the Clerk of Commission, Room 204, City Hall, 301 College Avenue, Athens, Georgia and on file and available for public inspection in the office of the Human Resources Department, 375 Satula Ave., Athens, Georgia.

SECTION 17. Pursuant to the Code of Athens-Clarke County, Georgia, Section 2-6-2 "Schedule of Fees to be adopted annually", the Schedule of Fees and Charges as provided for in the budget document entitled "FY2022 Annual Operating and Capital Budget: The Unified Government of Athens-Clarke County July 1, 2021–June 30, 2022" are hereby adopted.

SECTION 18. The effective date of this ordinance shall be July 1, 2021.

SECTION 19. All Ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

Exhibit A

GENERAL FUND

**SUMMARY FY22 ANNUAL OPERATING AND CAPITAL BUDGET
FOR THE YEAR ENDING JUNE 30, 2022
COMMISSION APPROVED**

	FY21 Approved Budget	FY22 Approved Budget	\$▲	%▲
Revenues:				
Property Taxes	68,175,350	73,488,850	5,313,500	7.8%
Sales Tax	24,650,000	25,900,000	1,250,000	5.1%
Other Taxes	21,960,500	22,955,000	994,500	4.5%
Licenses & Permits	961,310	865,880	(95,430)	-9.9%
Intergovernmental Revenues	1,380,403	1,204,790	(175,613)	-12.7%
Charges for Services	13,788,970	11,992,685	(1,796,285)	-13.0%
Fines & Forfeitures	3,586,382	1,896,943	(1,689,439)	-47.1%
Other Revenues	670,725	716,325	45,600	6.8%
Other Financing Sources	3,993,283	3,850,175	(143,108)	-3.6%
Total Revenues	\$139,166,923	\$142,870,648	\$3,703,725	2.7%
Prior Year Fund Balance	1,313,629	2,443,136	1,129,507	86.0%
Prior Year Fund Balance - Capital	0	3,139,000	3,139,000	--
Total Revenues & Other Sources	\$140,480,552	\$148,452,784	\$7,972,232	5.7%
Expenditures:				
General Government	29,508,105	31,802,047	2,293,942	7.8%
Judicial	11,163,075	11,442,605	279,530	2.5%
Public Safety	59,926,499	61,629,362	1,702,863	2.8%
Public Works	15,680,291	16,436,332	756,041	4.8%
Cultural And Recreation	8,535,108	8,499,761	(35,347)	-0.4%
Housing And Development	4,440,583	3,662,355	(778,228)	-17.5%
Independent Agencies	5,826,343	5,936,922	110,579	1.9%
Debt Service	1,312,446	1,315,141	2,695	0.2%
Total Operating Expenditures	\$136,392,450	\$140,724,525	\$4,332,075	3.2%
Other Financing Uses - Oper.	1,576,102	2,077,259	501,157	31.8%
Total Operating Expenditures & Other Financing Uses	\$137,968,552	\$142,801,784	\$4,833,232	3.5%
Other Financing Uses - Capital	2,512,000	5,651,000	3,139,000	125.0%
Total Operating & Capital Expenditures	\$140,480,552	\$148,452,784	\$7,972,232	5.7%

ALL FUNDS

**SUMMARY FY22 ANNUAL OPERATING AND CAPITAL BUDGET
FOR THE YEAR ENDING JUNE 30, 2022
COMMISSION APPROVED**

	FY22 Operating Budget	FY22 Capital Budget	FY22 Approved Budget
Revenues:			
Property Taxes	71,470,850	2,512,000	73,982,850
Sales Tax	25,900,000		25,900,000
Other Taxes	25,525,000	30,000	25,555,000
Licenses & Permits	2,503,082	0	2,503,082
Intergovernmental Revenues	8,664,295		8,664,295
Charges for Services	103,805,913	10,828,525	114,634,438
Fines & Forfeitures	2,156,693		2,156,693
Other Revenues	1,908,157		1,908,157
Other Financing Sources	9,136,709	5,651,000	14,787,709
Total Revenues	\$251,070,699	\$19,021,525	\$270,092,224
Prior Year Fund Balance	5,365,751	3,139,000	8,504,751
Use of Unrestricted Net Position	4,535,546	29,324,475	33,860,021
Total Revenues & Other Sources	\$260,971,996	\$51,485,000	\$312,456,996
Less Interfund Transfers & Charges	(32,214,965)	(5,651,000)	(37,865,965)
Total Revenues	\$228,757,031	\$45,834,000	\$274,591,031
Expenditures:			
General Government	75,454,523	821,600	76,276,123
Judicial	12,944,364		12,944,364
Public Safety	65,472,967	1,116,144	66,589,111
Public Works	60,392,159	43,346,256	103,738,415
Cultural And Recreation	9,184,761	550,000	9,734,761
Housing And Development	9,160,024		9,160,024
Independent Agencies	8,191,382		8,191,382
Debt Service	13,852,226		13,852,226
Total Operating Expenditures	\$254,652,406	\$45,834,000	\$300,486,406
Other Financing Uses	5,959,370	5,651,000	11,610,370
Total Expenditures & Other Financing Uses	\$260,611,776	\$51,485,000	\$312,096,776
Less Interfund Transfers & Charges	(32,214,965)	(5,651,000)	(37,865,965)
Total Expenditures	\$228,396,811	\$45,834,000	\$274,230,811
Designated for Future Capital Improvements & Debt Service Requirements	360,220	0	360,220
Total Expenditures & Designations	\$228,757,031	\$45,834,000	\$274,591,031

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA, WITH RESPECT TO PERMIT FEES; AND FOR OTHER PURPOSES.

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

SECTION 1. Section 7-1-555 of the Code of Athens-Clarke County, Georgia, entitled "General building fees," is hereby amended by replacing the words "General building fees" in the title of the section with the words "Permit fees, plan review fees, and other related fees" so that the title of the section now reads as follows:

“Sec. 7-1-555. – Permit fees, plan review fees, and other related fees.”

SECTION 2. Section 7-1-555 of the Code of Athens-Clarke County, Georgia, entitled “General building fees,” is hereby amended by replacing the words “The following fees shall apply to construction in general and shall be computed on a valuation rounded to the nearest thousand.” in subsection (a) with the words “Permit fees, plan review fees, and other related fees can be found in section 2-6-2 of the Code of Athens-Clarke County. Fees are evaluated on an annual basis and approved by the Mayor and Commission as a part of the annual budget process” so that said subsection now reads as follows:

“(a) Permit fees, plan review fees, and other related fees can be found in section 2-6-2 of the Code of Athens-Clarke County. Fees are evaluated on an annual basis and approved by the Mayor and Commission as a part of the annual budget process.”

SECTION 3. Section 7-1-555 of the Code of Athens-Clarke County, Georgia, entitled “General building fees,” is hereby amended by replacing the words “of \$75.00” in subsection (a)(1) with the words “as set forth in the Fee Schedule referenced in (a) above” so that said subsection now reads as follows:

“(1) Where the valuation does not exceed \$100.00, no fee shall be required, unless an inspection is necessary, in which case there shall be a minimum fee as set forth in the Fee Schedule referenced in (a) above.”

SECTION 4. Section 7-1-555 of the Code of Athens-Clarke County, Georgia, entitled “General building fees,” is hereby amended by replacing the words “For a valuation over \$100.00 up to and including \$5,000.00, there shall be a minimum fee of \$75.00” in subsection (a)(2), with the words “The Permit Fee Multiplier shall be .0030. Permit fees shall be calculated by multiplying the Permit Fee Multiplier by the valuation and adding the minimum fee to this amount,” so that said subsection now reads:

“(2) The Permit Fee Multiplier shall be .0030. Permit fees shall be calculated by multiplying the Permit Fee Multiplier by the valuation and adding the minimum fee to this amount.”

SECTION 5. Section 7-1-555 of the Code of Athens-Clarke County, Georgia, entitled “General building fees,” is hereby amended by replacing the words “For a valuation over \$5,000.00, there shall be a Permit Inspection Fee equal to the valuation amount that exceeds \$5,000.00 multiplied by the Permit Fee Multiplier (PFM), plus the \$75.00 minimum fee,” in subsection (a)(3), with the words “Valuation of construction on a square foot basis shall be as set forth in the Athens-Clarke County Building Valuation Table, which is posted in the Athens-Clarke County Building Inspection Department and hereby made a part of this ordinance by reference herein. Estimated project cost may be used as the project valuation to calculate permit fees at the discretion of the Building Official,” so that said subsection now reads as follows:

“(3) Valuation of construction on a square foot basis shall be as set forth in the Athens-Clarke County Building Valuation Table, which is posted in the Athens-Clarke County Building Inspection Department and hereby made a part of this ordinance by reference herein. Estimated project cost may be used as the project valuation to calculate permit fees at the discretion of the Building Official.”

SECTION 6. Section 7-1-555 of the Code of Athens-Clarke County, Georgia, entitled “General building fees,” is hereby amended by replacing the words “The Permit Fee Multiplier shall be .0030,” in subsection (a)(4) with the words “The Athens-Clarke County Building Valuation Table, the Permit Fee Multiplier and building permit fees will be reviewed for adjustment annually,” so that said subsection (a)(4) now reads as follows:

“(4) The Athens-Clarke County Building Valuation Table, the Permit Fee Multiplier and building permit fees will be reviewed for adjustment annually.”

SECTION 7. Section 7-1-555 of the Code of Athens-Clarke County, Georgia, entitled “General building fees,” is hereby amended by deleting subsections (a)(5) and (a)(6) in their entirety.

SECTION 8. Section 7-1-555 of the Code of Athens-Clarke County, Georgia, entitled “General building fees,” is hereby amended by replacing the words “*Swimming pool permits*. Permit fees for swimming pools shall be in accordance with subsection (a) hereinabove,” in subsection (b) with the words “*Moving permits*. The permit fee for the moving of any building or structure shall be \$100.00 in accordance with the fee schedule set forth in section 2-6-2 of the Code of Athens-Clarke County. Permit fees for on-site construction shall be in accordance with subsection (a) hereinabove. When required, a performance bond shall be filed with the permit application for moving, relocation, or demolition permits,” so that said subsection (b) now reads as follows:

“(b) *Moving permits*. The permit fee for the moving of any building or structure shall be \$100.00 in accordance with the fee schedule set forth in section 2-6-2 of the Code of Athens-Clarke County. Permit fees for on-site construction shall be in accordance with subsection (a) hereinabove.”

When required, a performance bond shall be filed with the permit application for moving, relocation, or demolition permits.”

SECTION 9. Section 7-1-555 of the Code of Athens-Clarke County, Georgia, entitled “General building fees,” is hereby amended by deleting subsections (c), (d), (e), (f), (g), (h), and (i) in their entirety.

SECTION 10. Section 7-1-556 of the Code of Athens-Clarke County, Georgia, entitled “Electrical codes,” is hereby deleted in its entirety and the section is reserved for future use so that so that section now reads as follows:

“Sec. 7-1-556. – Reserved.”

SECTION 11. Section 7-1-557 of the Code of Athens-Clarke County, Georgia, entitled “Plumbing codes,” is hereby deleted in its entirety and the section is reserved for future use so that so that section now reads as follows:

“Sec. 7-1-557. – Reserved.”

SECTION 12. Section 7-1-558 of the Code of Athens-Clarke County, Georgia, entitled “Heating, ventilating and air conditioning fees,” is hereby deleted in its entirety and the section is reserved for future use so that so that section now reads as follows:

“Sec. 7-1-558. – Reserved.”

SECTION 13. Section 7-1-559 of the Code of Athens-Clarke County, Georgia, entitled “Special type permit fees” is hereby deleted in its entirety and the following new section is inserted in lieu thereof:

“Sec. 7-1-559. – Special type permit fees.

(a) Any person who commences any work on a building, structure, electrical, gas, mechanical, or plumbing system before obtaining the necessary permits shall be subject to a fee of 100 percent of the usual permit fee in addition to the required permit fees. The payment of this fee shall not exempt any person from compliance with all other provisions of either this code or the technical codes nor from any penalty prescribed by law.

(b) Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation shall be made before the permit may be issued for such work.

(c) Reinspection Fees. The building official may assess a reinspection fee for work that has not been approved subsequent to the original inspection during a reinspection of the work. Reinspections fees shall be as set forth in section 2-6-2 of the Code of Athens-Clarke County. Any person aggrieved by the decision of the building official to charge a reinspection fee may appeal the decision to the administrative hearing officer pursuant to the provisions of section 1-5-1 of the Code of Athens-Clarke County.”

SECTION 14. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

AN ORDINANCE TO AMEND THE FY2021 ANNUAL OPERATING AND CAPITAL BUDGET FOR ATHENS-CLARKE COUNTY, GEORGIA SO AS TO ESTABLISH A SPECIAL REVENUE FUND AND BUDGET FOR THE AMERICAN RESCUE PLAN ACT OF 2021 (ARP) - CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS (CSLFRF) GRANT 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 FY21 Budget to establish a Special Revenue Fund and budget for the American Rescue Plan Act of 2021 (ARP) - Coronavirus State And Local Fiscal Recovery Funds (CSLFRF) Grant. Said Operating and Capital budget is hereby amended as follows:

American Rescue Plan – CSLFRF Special Revenue Fund:

REVENUES:

Increase:

American Rescue Plan Act of 2021 Grant	\$28,794,422
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SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

New business– Consider under suspension of Rules

A motion was made by Commissioner Parker, seconded by Commissioner Davenport, to suspend Rules of Commission for consideration of new business items. The motion passed by unanimous vote.

A motion was made by Commissioner Edwards, seconded by Commissioner Wright, to

- a) Approve the Proposed Project Concept for the Costa Building Renovation Project as generally described in Attachment #1 (SPLOST 2011 Project 32) of agenda report dated June 9, 2021;
- b) Authorize staff to advance the Project to the Schematic Design Phase in accordance with the approved Project Concept;
- c) Designate the SPLOST 2011 – Project 32 Costa Building Renovation as appropriate for Public Art with a proposed Public Art Budget of \$35,700; and,
- d) Adopt the following ordinance (#21-06-64) which was presented by title only, reallocating a total of \$1,399,118 from the SPLOST 2011 Projects #01 to the SPLOST 2011 – Project 32 Costa Building Renovation for identified budget shortfall and contingency.
- e) Authorize the Mayor and appropriate staff to execute all related documents.

The motion passed by unanimous vote.

AN ORDINANCE TO AMEND THE SPECIAL PURPOSE LOCAL OPTION SALES TAX 2011 BUDGET FOR ATHENS-CLARKE COUNTY SO AS TO PROVIDE ADDITIONAL FUNDING FOR SPECIAL PURPOSE LOCAL OPTION SALES TAX 2011 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 SPLOST 2011 Capital Projects Fund to provide additional funding for the SPLOST 2011 Project #32 – Costa Building Renovation. Said Operating and Capital budget is hereby amended as follows:

SPLOST 2011 Capital Projects Fund:

EXPENDITURES:

DECREASE:

Project #01 - Jail Expansion (\$1,399,118)

Total (\$1,399,118)

INCREASE:

Project #32 – Costa Building Renovation \$1,399,118

Total \$1,399,118

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

A motion as made by Commissioner Edwards, seconded by Commissioner Parker, to

- a) Approve the TSPLOST 2023 Program Goals and Project Selection Criteria as described in Attachment #1 of agenda report dated June 8, 2021;
- b) Approve an Implementation Schedule for the proposed TSPLOST 2023 Program as described in Attachment #2; and
- c) Approve the “Charge” to the TSPLOST 2023 Advisory Committee as described in Attachment #3.

The motion passed by unanimous vote.

A motion was made by Commissioner Edwards, seconded by Commissioner Denson, to

- a) Accept the \$35,000 of Georgia Tech Enterprise Innovation Institute Economic Development Research Program (EDRP) grant funds to the Economic Development Department for an Innovation Ecosystem Needs Assessment as per Attachment #2 of agenda report dated June 10, 2021;
- b) Adopt the following ordinance (#21-06-65) which was presented by title only; and
- c) Authorize the Mayor and appropriate staff to execute all related documents.

AN ORDINANCE TO AMEND THE FY2021 ANNUAL OPERATING AND CAPITAL BUDGET FOR ATHENS-CLARKE COUNTY, GEORGIA SO AS TO PROVIDE GRANT FUNDING FROM THE GEORGIA TECH ENTERPRISE INNOVATION INSTITUTE ECONOMIC DEVELOPMENT RESEARCH PROGRAM GRANT 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 Tech Enterprise Innovation Institute Economic Development Research Program Grant. Said Operating and Capital budget is hereby amended as follows:

Grants Special Revenue Fund:

REVENUES:

Increase:	
Georgia Tech EII EDRP Grant	\$35,000

Expenditures:

Increase:	
Economic Development Operating Expenses	\$35,000

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

A motion was made by Commissioner Edwards, seconded by Commissioner Houle, to adopt the following ordinance (#21-06-66) which was presented by title only assessing taxes for the year 2021 as requested by the Clarke County School District. The motion passed by unanimous vote.

AN ORDINANCE TO LEVY AND ASSESS TAXES FOR THE CLARKE COUNTY BOARD OF EDUCATION FOR THE CLARKE COUNTY SCHOOL DISTRICT, ATHENS- CLARKE COUNTY, GEORGIA, FOR THE YEAR 2021; AND FOR OTHER PURPOSES.

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

SECTION 1. The following tax, as authorized by the Georgia Constitution, Article VIII, Section VI, Paragraph I, is hereby levied and assessed for the year 2021; and the following described property shall be subject to the tax hereinafter prescribed.

SECTION 2. There is hereby levied and assessed for the year 2021 on all of the taxable property in Athens-Clarke County, Georgia, ad valorem taxes for school purposes for maintenance and operation at the rate of 20.00 mills, as certified by the Clarke County Board of Education, upon the value of said property as fixed by the Tax Digest of Athens-Clarke County.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

A motion was made by Commissioner Houle, seconded by Commissioner Link, to adopt the following resolution. The motion passed by roll call vote with Commissioners Parker, Link, Denson, Houle, Myers, and Thornton voting YES, and Commissioners Davenport, Wright, Edwards, and Hamby voting NO. (6 YES; 4 NO)

**Resolution to Address Homelessness with Immediacy
and Strategic Planning
Athens-Clarke County Unified Government**

WHEREAS, housing is a human right, and the current housing crisis faced by Athens-Clarke County (ACC) has contributed to an elevated number of community members who are unsheltered; and

WHEREAS, stable housing is a necessary precursor to the wellbeing of individuals and communities, and Housing First-informed interventions such as Permanent Supportive Housing (PSH) and Rapid Re-Housing (RRH) have been proven effective in improving the lives of individuals experiencing homelessness;¹ and

WHEREAS, individuals and families who face evictions currently encounter a scarcity of options in ACC, and people evicted from informal encampments are currently given no legal options for a place to where they may relocate within ACC; and

WHEREAS, on December 16, 2019, the United States Supreme Court denied a petition for writ of *certiorari* in City of Boise, Idaho v. Martin, et al., 140 S.Ct. 674 (2019),² letting stand the ruling of the Ninth Circuit Court of Appeals in Martin v. City of Boise, 902 F.3d 1031 (9th Cir. 2018),³ which held that it is a violation of the Eighth Amendment's prohibition on cruel and unusual punishment to prosecute people criminally for sleeping outside on public property when those people have no home or shelter to go to; and

WHEREAS, it is reasonably foreseeable that many unsheltered persons residing in encampments on private land will soon be forced on to public lands under threat of criminal prosecution, such that the Athens-Clarke County Unified Government (ACCUG) must move expeditiously to plan for the inevitable relocation of unsheltered persons onto public land; and

WHEREAS, homelessness is a complex issue that requires a multisectoral approach and integrated responses, cutting across fiscal, economic, labor, housing, health, social protection, urban development, and environmental policies; and which necessitates policies that are inclusive of and responsive to the needs and aspirations of individuals, especially those in disadvantaged or vulnerable situations;⁴ and

WHEREAS, individuals experiencing homelessness have differing and distinct needs from families experiencing homelessness, and while differing situations vary in their visibility to the public, there is a large and increasing need for support of both populations; and

WHEREAS, a designated encampment where unsheltered community members are safe to reside can promote their stability, safety, wellbeing and dignity as we work toward longer term strategies to address homelessness and its related issues, including but not limited to provision of permanent shelter, employment programming, a transformed and compassionate approach to public safety, and the expansion of healthcare initiatives, including mental healthcare, among other interventions; and

WHEREAS, similar projects utilizing sanctioned encampments as part of a continuum of shelter and care have been implemented with success in Seattle, Washington;⁵ Santa Rosa⁶ and Sacramento, California;⁷ Denver, Colorado;⁸ Douglas County⁹ and Savannah, GA;¹⁰ and other peer communities;¹¹ and

WHEREAS, many people currently experiencing homelessness in ACC have expressed an interest in

¹ <https://endhomelessness.org/why-housing-first-why-not-housing-second-or-third>

² https://drive.google.com/file/d/1sx9G9U6dA63XT8r_0NfO3wA6TunBOWRC/view?usp=sharing

³ https://drive.google.com/file/d/1sx9G9U6dA63XT8r_0NfO3wA6TunBOWRC/view?usp=sharing

⁴ Adapted from the United Nations Resolution on Homelessness, 2020

⁵ <https://www.seattle.gov/homelessness/city-permitted-villages>

⁶ <https://www.latimes.com/california/story/2021-04-08/santa-rosa-neighborhood-went-from-fighting-to-embracing-tent-city-for-homeless>

⁷ <https://www.sacbee.com/news/local/homeless/article250507364.html>

⁸ https://www.coloradopolitics.com/denver/denvers-second-sanctioned-homeless-camp-is-now-open-and-at-full-capacity/article_d63e68bd-8189-5384-a8cf-ac96ad846d7d.html

⁹ <https://www.gpb.org/news/2021/03/16/legal-homeless-camps-proposed-in-general-assembly-bill>

¹⁰ <https://fox28media.com/news/local/first-group-of-homeless-to-move-into-citys-sanitary-homeless-camp-monday>

¹¹ See also https://nlchp.org/wp-content/uploads/2018/10/Tent_City_USA_2017.pdf at 44.

utilizing a sanctioned encampment space;¹² and

WHEREAS, establishment of a designated encampment provisioned with basic sanitation, security, and other services is in alignment with ACCUG’s strategic goals for creating a safe and prepared community as well as a healthy, livable, sustainable community; and

WHEREAS, we recognize the important and effective work being done by numerous community organizations, many of whom manage to achieve significant outcomes despite working with scarce resources, including Advantage Behavioral Health Systems, Alliance Recovery Center, The Ark, Athens Alliance Coalition, Athens Area Homeless Shelter, Athens Homeless Coalition, Athens Mutual Aid Network, Bigger Vision, Family Promise of Athens, Project Safe, Salvation Army, Sparrow’s Nest, and others; and

WHEREAS, ACCUG is committed to growing partnerships and improving relationships with the above-mentioned organizations, recognizing the lingering and growing need for the Athens community to invest more in collaborative work to meaningfully address homelessness; and

WHEREAS, funds from the 2021 American Rescue Plan (ARP) are allocated to ACCUG via the Coronavirus State and Local Fiscal Recovery Funds to enable response to and recovery from the COVID-19 pandemic; and

WHEREAS, ARP guidelines allow expenditure of these funds on programs including but not limited to: “Addressing health disparities and the social determinants of health,” “services to address behavioral healthcare needs exacerbated by the pandemic,” and “services to address individuals experiencing homelessness”;¹³

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

SECTION 1. ACC staff, in consultation with nonprofit agencies, shall identify a suitable site (hereafter referred to as “the site”) for establishment of a sanctioned encampment and return a recommendation (hereafter referred to as “the proposal”) to the Mayor and Commission for consideration of formal adoption at the Special Called Session on Tuesday, July 20, 2021, or at such other date as may be subsequently designated by the Mayor. Staff is encouraged to consider the precedent of one person per 100 square feet, as set forth in Seattle Ordinance 124747,¹⁴ in determining site capacity during their site selection process. The ACC-owned property at 395 Willow Street consisting of a vacant warehouse, parking lot, and trees shall be among those considered.

SECTION 2. ACC staff shall prepare a Request for Proposals (RFP) or a Request for Qualifications (RFQ) for the purpose of identifying qualified nonprofit agency(ies) to assist ACCUG with the development and operation of a sanctioned encampment and return a recommendation (hereafter referred to as “the proposal”) to the Mayor and Commission for consideration of formal adoption on a date to be subsequently designated by the Mayor. The proposal shall include specifications on how the site will be provisioned with basic sanitary and health supplies, serviced by solid waste pickup and public transit, and connected to functional water, sewer, electricity, and Wi-Fi. Portable toilets and/or water cubes will be on-site until fully functioning restrooms, wash stations, or shower facilities are constructed. Common social areas (e.g., tables, grill), pallets or tent pads, a bike rack and repair station, laundry facilities, and security measures (e.g., lockers or fencing) shall also be provided as able.

SECTION 3. The proposal shall include a budget for operating costs, for any site improvements or amendments to meet the above needs, for liability insurance, and for periodic cleaning, provisioning, and monitoring of the site.

SECTION 4. The proposal shall include an action plan, in accordance with Section 5 below, that defines how the site will be periodically cleaned, provisioned, and monitored to ensure the safety and wellbeing of people utilizing the site and living in adjacent properties. Staff are encouraged to consider the precedent established in Seattle Ordinance 124747,¹⁵ which calls for a committee composed of members of neighboring communities and the site manager to be formed to discuss and give feedback

¹² Structured Encampment Field Research Report, November 2020, ABHS Street Outreach Team, Envision Athens, and Backpack Project of Athens

¹³ <https://home.treasury.gov/system/files/136/SLFRP-Fact-Sheet-FINAL1-508A.pdf>

¹⁴ http://clerk.seattle.gov/~archives/Ordinances/Ord_124747.pdf

¹⁵ http://clerk.seattle.gov/~archives/Ordinances/Ord_124747.pdf

on issues that may arise at the site.

SECTION 5. In evaluating the responsive proposals as part of the RFP/RFQ process, ACCUG shall seek to select qualified nonprofit agencies that will be beneficial in helping to ensure that the site is part of a continuum of available shelter and housing.¹⁶ The RFP/RFQ shall include as a component of the evaluation matrix some consideration of the degree to which responding Agencies have demonstrated commitment to and established relationships with individuals in the existing unsanctioned encampments.

SECTION 6. The proposal shall include a proposed budget for approval by the Mayor and Commission providing for the allocation of sufficient funds from ACCUG's ARP allocation to adequately support engagement in the following activities, (as may be legally authorized under the ARP and other applicable state and federal laws and regulations), by Agencies approved by the Commission as part of the RFP/RFQ process:

- (a) provide management and supportive services sufficient to ensure the encampment serves as a safe, low-barrier alternative to sleeping on the streets;
- (b) facilitate and help support a model of self-determination and trauma-informed dispute resolution within the encampment with due regard for the need for the autonomy and privacy of residents;
- (c) offer intensive and persistent outreach and engagement services and supports that respect the experience, human dignity, and human rights of those receiving them, with a focus on locating permanent housing, including the provision of case management services, individualized and group counseling, assistance with benefit applications, assistance with finding and sustaining employment, and other supportive services;
- (d) develop individualized permanent housing plans in consultation with consenting residents to support their transition out of the encampment and into permanent, stable housing with both short-term objectives and long-term goals;
- (e) provide on-site case management services to ensure implementation of individualized plans, which may include referrals for assistance with benefit applications, individualized and group counseling, and other supportive services;
- (f) empower residents by facilitating meaningful work opportunities within the encampment;
- (g) ensure residents have access to potable water, showers, laundry, toilets, common spaces for eating and meeting, access to mail and voicemail, lockers for storing belongings and meals, and solid waste collection; and
- (h) provide temporary shelter materials for new residents as necessary, such as tents, pallets, tarps, ropes, or rain shields.

SECTION 7. Ingress and egress to the site and its essential amenities shall be wheelchair accessible.

SECTION 8. Subject to state and federal laws and regulations, there will be no costs or fees associated with use of the site or its facilities.

SECTION 9. The Mayor and Commission, in collaboration with ACC staff and partner agencies, shall work diligently to expand affordable housing stock and provide operational funding to partner agencies that manage shelters, transitional facilities, and long-term housing facilities for individuals and/or families experiencing homelessness. This expanded housing stock shall be made available to very low and extremely low income¹⁷ residents through a housing-first approach that operates in conjunction with continuum of care services,¹⁸ and for which residents will not be rendered ineligible by their current housing status, eviction history, or criminal record.

SECTION 10. A multi-year strategic plan to address homelessness (hereafter referred to as "the strategic plan"), including family homelessness and individual homelessness, shall be formulated by

¹⁶ See National Law Center for Homelessness & Poverty publication "Tent City, USA" at p. 66 (identifying factors contributing to success of 50-person encampment).

¹⁷ 0-50% of area median income (AMI); <https://www.huduser.gov/portal/datasets/il/il2021/2021summary.odn>

¹⁸ <https://endhomelessness.org/resource/what-is-a-continuum-of-care>

ACC staff in partnership with local organizations, including those nonprofit Agencies selected as part of the RFP/RFQ process. Staff shall share an update on a preliminary plan with the Mayor and Commission for review in a Work Session by September 2021.

SECTION 11. The strategic plan shall include measurable goals and a plan for evaluating outcomes.

Such goals shall include but are not limited to:

- (a) numbers of individuals to (re)house;
- (b) numbers of families to (re)house;
- (c) reductions in the overall number of individuals experiencing homelessness;
- (d) reductions in the overall number of families and/or children experiencing homelessness; and
- (e) reductions in the number of evictions for failure to pay.

SECTION 12. The strategic plan shall also outline or define policies for ACC staff, including ACCPD, Leisure Services, and Code Enforcement. These policies shall include but are not limited to:

- (a) methods and expectations for engaging with homeless encampments;
- (b) responding to 211, 911 or 988 calls related to homelessness or individuals perceived to be homeless; and
- (c) approaches to evictions of individuals or encampments from public and private lands.

SECTION 13. ACCUG will leverage ARP funds, grants, and other available monies to pay for the above, utilizing strategies outlined by Rethinking Homelessness to target programming and resources in a manner that addresses those with the highest needs first, while strategically using separate funding sources in conjunction as part of a unified funding strategy.^{19 20}

SECTION 14. In response to these good faith efforts by Athens-Clarke County Unified Government and non-profit partners, the Athens-Clarke County Mayor & Commission humbly request that CSX Transportation, Inc. delay until at least September 30, 2021 any evictions or removal of any individuals currently residing in or inhabiting parcel 163D1 A003 located at Willow Street in Athens-Clarke County, Georgia.

A motion was made by Commissioner Edwards, seconded by Commissioner Link, to adopt the following ordinance (#21-06-67) which was presented by title only. The motion passed by unanimous vote.

AN ORDINANCE FOR THE EIGHTEENTH DECLARATION OF A LOCAL STATE OF EMERGENCY RELATED TO COVID-19; AND FOR OTHER PURPOSES.

WHEREAS, Athens-Clarke County, Georgia has experienced an event of critical significance as a result of the Coronavirus (COVID-19) disease ("COVID-19"); and

WHEREAS, the Centers for Disease Control and Prevention, (the "CDC") indicates that COVID-19 is a new and contagious respiratory disease caused by a novel (new) coronavirus that was first detected in China and which has now been detected in more than 219 countries and territories around the world, including in the United States; and

WHEREAS, COVID-19 is officially a global pandemic according to the WHO; and

WHEREAS, COVID-19 can spread from person to person, and can result in no symptoms, minor symptoms, or serious illness causing permanent organ damage and death; and

¹⁹ <https://www.dropbox.com/s/jx47tpwgwdtig7g/Rethinking%20Homelessness%20Webinar%20-%20Maximizing%20Resources%20to%20Solve%20Homelessness%20%26%20Support%20Vulnerable%20Communities%20%285.13.2021%29.pptx?dl=0>

²⁰ <https://www.urban.org/features/where-prioritize-emergency-rental-assistance-keep-renters-their-homes>

WHEREAS, individuals age 65 or over or living with certain medical conditions identified by the CDC (members of Vulnerable Populations) and members of other populations identified by the CDC ("Other Populations at Risk") are at risk of severe and lasting harm to health or death from COVID-19; and

WHEREAS, COVID-19 also has been reported to cause severe and permanent damage to some children; and WHEREAS, the CDC has noted that COVID-19 spreads very easily and sustainably when an infected person (who may not exhibit symptoms at all, or only minor symptoms) talks, sneezes, or coughs in close proximity with others (within six feet); and

WHEREAS, on March 13, 2020, President Donald Trump declared a national emergency for the United States of America in response to COVID-19; and

WHEREAS, on March 14, 2020 Governor Brian Kemp declared a Public Health State of Emergency in Response to Covid-19 and renewed his declaration on April 8, 2020, April 30, 2020, May 28, 2020, June 29, 2020, July 31, 2020, August 31, 2020, September 30, 2020, October 30, 2020, November 30, 2020, December 30, 2020, January 29, 2021, February 26, 2021, March 31, 2021, April 23, 2021, and again on May 28, 2021, so that it will remain in effect at least through Tuesday, June 29, 2021; and

WHEREAS, on March 16, 2020, the Mayor and Commission of the Unified Government of Athens-Clarke County, Georgia adopted an Ordinance for the Declaration of Local State of Emergency related to COVID-19;

WHEREAS, on March 19, 2020, pursuant to their authority under the Athens-Clarke County Emergency Management Ordinance, the Athens-Clarke County Mayor and Commission adopted a Second Declaration of Local Emergency activating certain emergency powers in order to allow Athens-Clarke County to quickly respond to the COVID-19 pandemic and renewed that declaration on April 21, 2020, June 2, 2020, July 7, 2020, July 30, 2020, August 18, 2020, September 15, 2020, October 6, 2020, November 4, 2020, December 1, 2020, January 6, 2021, February 2, 2021, March 2, 2021, April 6, 2021, May 4, 2021, and again on June 1, 2021; and WHEREAS, as indicated above, the state of Georgia remains under a state of emergency as a result of the COVID-19 pandemic; and

WHEREAS, pursuant to the authority of O.C.G.A. § 38-3-28(a), local governments are specifically empowered to enact rules and regulations as may be necessary for emergency management purposes; and

WHEREAS, O.C.G.A. § 38-3-28(a) also grants political subdivisions the power to supplement the Governor's Executive Orders; and WHEREAS, this emergency order is authorized by O.C.G.A. §§ 38-3-4 and 38-3-28 and the local control provisions of Governor Kemp's Executive Order of April 23, 2021, and it is specifically intended to supplement such declaration, as amended, and should not be construed to be inconsistent therewith; and

WHEREAS, pursuant to O.C.G.A. § 38-3-51, the Governor's declared public health emergency authorizes the Mayor and Commission to use emergency powers in O.C.G.A. §§ 38-3-1 through 38-3-64; and

WHEREAS, pursuant to O.C.G.A. § 38-3-6, during an emergency, O.C.G.A. §§ 38-3-1 through 38-3-64 are supposed to be liberally construed to effectuate their purposes; and

WHEREAS, pursuant to Section 1-104 (d) of the Charter of the Unified Government of Athens-Clarke County, Georgia, the Mayor and Commission have the right, duty, power, privilege and authority to exercise and enjoy all other powers, duties, functions, rights, privileges, and immunities necessary and proper to promote or protect the safety, health, peace, security and general welfare of said government and its inhabitants and to exercise all implied powers necessary to carry into execution all powers granted in this Charter as fully and completely as if such powers were fully enumerated herein and to do and perform all of the acts pertaining to its property, affairs and local government which are necessary or proper in the legitimate exercise of its corporate powers and governmental duties and functions; and

WHEREAS, pursuant to Sub-Sections (36) and (39) of Section 8-114 of the Charter of the Unified Government of Athens-Clarke County, Georgia, the Mayor and Commission have the following additional powers:

(17) Health: To prescribe and enforce health and sanitation standards; and

(36) Emergencies: To provide for the determination, proclamation and combatting of emergencies; and

(39) General health, safety, and welfare: To define, regulate and prohibit any act, practice, conduct or use which is detrimental to the health, sanitation, cleanliness, welfare, and safety of the inhabitants of the unified government; and

WHEREAS, the Mayor and Commission of Athens-Clarke County, Georgia have

determined that it is necessary to continue its Declaration of a Local State of Emergency; and

WHEREAS, in the judgment of the Mayor and Commission of the Unified Government of Athens-Clarke County, Georgia, with advice from other subject matter experts, there exist emergency conditions as a result of COVID-19 within the geographical boundaries of the Unified Government as described in Section 1-102 of the Charter requiring extraordinary and immediate corrective actions for the protection of the health, safety, and welfare of the citizens of Athens-Clarke County and the surrounding communities; NOW, THEREFORE, the Commission of Athens-Clarke County, Georgia hereby ordains and declares that a local state of emergency continues to exist within the territorial limits of the Unified Government of Athens-Clarke County, Georgia, and shall continue until the conditions requiring this declaration are abated.

NOW, THEREFORE, because of the local state emergency ordained and declared above, the Commission of Athens-Clarke County, Georgia hereby ordains and orders the following:

SECTION 1.

The Athens-Clarke County Office of Emergency Management shall continue with its activation of the Emergency Operations Plan and that the following sections of the Code of Athens-Clarke County, Georgia, shall continue to be implemented:

(a) Section 3-4-5 Additional Emergency Powers

(b) Section 3-4-9. Authority to Waive Procedures and Fee Structures

SECTION 2.

Any provisions of the Alcoholic Beverages Ordinance, Chapter 6-3 of the Code of Athens-Clarke County, Georgia, prohibiting an establishment licensed to sell beer or wine on premises from selling unopened bottles, cans, or growlers of beer and wine for take-out consumption off premises shall be temporarily suspended for the duration of this local declaration. It is the intent of this order that any establishment licensed to sell beer and/or wine shall be authorized to sell unopened bottles or cans and sealed growlers of such beverages for take-out consumption off premises through the duration of the declared Local Emergency, including any extension thereof. All other provisions of the Alcoholic Beverages Ordinance not in conflict with this order shall remain in full force and effect.

SECTION 3.

Any provisions of the Alcoholic Beverages Ordinance which requires that each applicant for a new alcohol license submit to the Finance Department classifiable sets of fingerprints be temporarily suspended for the duration of the COVID-19 Local Emergency where said required sets of fingerprints are already on file with the Finance Department. It is the intent of this order that applicants who already possess a current alcoholic beverage license and whose sets of fingerprints are already on file with the Finance Department shall not have to provide new classifiable sets of fingerprints for the duration of the Local Emergency. All other provisions of the Alcoholic Beverages Ordinance not in conflict with this order shall remain in full force and effect.

SECTION 4.

Any provisions of the Alcoholic Beverages Ordinance which prohibit any person from having in his or her possession any alcoholic beverages in any open container be temporarily suspended as it applies to patrons or employees of any restaurant possessing a Class D (retail liquor by the drink), D1 (retail liquor by the drink, low volume restaurant), E (retail beer by drink), or F (retail wine by the drink) license who are transporting, serving, or consuming alcoholic beverages in an outdoor seating area within 100 feet of the outer wall of licensed premises or who are transporting alcoholic beverages across public streets, sidewalks or rights-of-way for the purpose of serving or consuming said beverages as described herein.

SECTION 5.

Any provisions of the Alcoholic Beverages Ordinance which prohibit any person from having in his or her possession any alcoholic beverages in any open container be temporarily suspended as it applies to patrons or employees of any licensee possessing a Class D (retail liquor by the drink), D1 (retail liquor by the drink, low volume restaurant), E (retail beer by drink), or F (retail wine by the drink) license who is participating in the Outdoor Retail Area Program pursuant to policy number MGR-008D entitled "A Policy to Extend the Outdoor Retail

Areas Pilot Program for the Remainder of 2020," and who are transporting, serving, or consuming alcoholic beverages in the Outdoor Retail Area as approved by the Athens-Clarke County Central Services Department or who are transporting alcoholic beverages across public streets, sidewalks or rights-of-way for the purpose of serving or consuming said beverages in said Outdoor Retail Area.

SECTION 6.

The April 1, 2020 and the April 1, 2021 deadlines for payment of 2020 and 2021 Occupation Tax and regulatory fees is extended to and including Friday, July 20, 2021. Any provisions of Athens-Clarke County's Occupation Tax in conflict in with the extension granted herein are hereby temporarily suspended. All other provisions of the Occupation Tax Ordinance, Chapter 6-1 of the Code of Athens-Clarke County, Georgia, remain in full force and effect.

SECTION 7.

For the protection of members of the public, including members of Vulnerable Populations and members of other Populations at Risk, facial coverings or masks shall be required within Athens-Clarke County to slow the spread of the novel coronavirus disease known as COVID-19 as follows:

- (a) The provisions of this Ordinance shall only be enforced when the prevalence in Athens Clarke County of confirmed cases of COVID-19 over the previous fourteen (14) days is equal to or greater than one hundred (100) cases per one hundred thousand (100,000) people according to the Georgia Department of Public Health.
- (b) For purposes of this Ordinance, the following terms are hereby defined as follows:
 - (1) *Entity* means any private business, establishment, corporation, non-profit corporation, or organization, including the curtilage thereof.
 - (2) *Facial covering or mask* means a device to cover the nose and mouth of a person and impedes the spread of saliva, respiratory droplets, or other fluids during speaking, coughing, sneezing or other intentional or involuntary action. Medical grade masks are not required; coverings may be fashioned as advised by the CDC and from other suitable fabrics. The mask must cover the mouth and nose of the wearer.
 - (3) *Polling place* means the room provided in each precinct for voting at a primary or election.
 - (4) *Public place* means any place other than a personal vehicle, residential property, or an entity including the curtilage thereof.
- (c) Except as otherwise provided in this Ordinance all persons in an entity or a public place shall wear a facial covering or mask over the mouth and nose at all times where other physical distancing measure may be difficult to maintain from non-cohabitating persons.
- (d) Facial coverings or masks are not required in the following circumstances:
 - (1) In personal vehicles or upon residential property;
 - (2) When a person is alone in enclosed spaces or only with other household members;
 - (3) When the individual has a bona fide religious objection to wearing a facial covering or mask;
 - (4) While drinking or eating;
 - (5) When a licensed healthcare provider has determined that wearing a facial covering or mask causes or aggravates a health condition for the individual or when such person has a bona fide medical reason for not wearing a facial covering or mask;
 - (6) When wearing a facial covering or mask would prevent the receipt of personal services or performing work in the course of employment;
 - (7) When complying with the directions of a law enforcement officer or for the purposes of verifying a person's identity, such as when purchasing alcohol, tobacco, or prescription drugs or when engaging in a financial transaction;
 - (8) Children under the age of ten (10) years;
 - (9) When the individual is having difficulty donning or removing a face mask or face covering without assistance;

- (10) At any polling place and no individual shall be denied ingress or egress to or from a polling place for failure to wear a facial covering or mask; and
- (11) When outdoors and maintaining social distancing from anyone other than individuals with whom they cohabitate.
- (e) (1) Every entity subject to this Ordinance which does not consent to enforcement of this Ordinance upon its property shall post a clearly legible sign in one inch Arial font at all public entrances of such entity stating the following: "This location does not consent to enforcement of any local face covering requirement upon this property."
 (2) If an entity does not post the signage described in subparagraph (1) of this paragraph it shall be conclusively presumed to have consented to enforcement of this Ordinance on its property and failures by individuals to wear facial coverings or masks as required by this ordinance shall be determined to be violations and enforced as contemplated in paragraph (f).
- (f) Violations of this Section 6 may be enforced by a notice of ordinance violation issued by any police officer, code enforcement officer, or other authorized law enforcement official, as provided below:
 - (1) A person who fails to comply with paragraph (c) of Section 6 of this Ordinance shall be first given a warning and an opportunity to put on a facial covering or mask, leave the entity, or comply with one of the exceptions in paragraph (d) of Section 6.
 - (2) If the person violating this Ordinance refuses or fails to comply with this Ordinance after being given a warning pursuant to subparagraph (1) of this paragraph then such person may be subject to a civil penalty of not more than \$25.00 on the first offense and not more than \$50.00 on the second and any subsequent offenses.
 - (3) A notice of violation may be served by delivery into the hands of the suspected violator or by other reasonable process for serving notice of ordinance violations used by Athens-Clarke County.
 - (4) Violations of this ordinance shall not be enforced against any entity and shall not be taken against any owner, director, officer, or agent of an entity for the failure of their customers to comply with this ordinance.
 - (5) Notwithstanding the foregoing, every effort shall be made to bring an individual into voluntary compliance with the terms of this Ordinance prior to issuance of any notice of violation, including providing complimentary masks, explaining the importance of wearing facial coverings during this pandemic, and issuing verbal and written warnings.
- (g) In all locations where facial coverings or masks are not required to be worn pursuant to this Ordinance, they are strongly encouraged to be worn.

SECTION 8.

This Ordinance shall become effective at 8:00 a.m. on the next day following the Mayor's approval.

Sections 1, 2, 3, 5, 6, and 7 of this Ordinance will continue to be in effect until 11:59 p.m. on Tuesday, July 20, 2021, or until the expiration of the Statewide Judicial Emergency declared in Response to COVID-19, whichever shall first occur, unless it otherwise extended, rescinded, superseded, or amended by an ordinance of the Commission.

Section 4 of this Ordinance will continue to be in effect until 11:59 p.m. on Tuesday, July 20, 2021, or until it otherwise extended, rescinded, superseded, or amended by an ordinance of the Commission.

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 with this Ordinance are, to the extent of such conflict, hereby repealed or set aside.

SECTION 9.

Copies of this Ordinance shall be: (1) promptly posted at Athens-Clarke County City Hall, 301 College Avenue, Athens, Georgia; (2) promptly posted on the www.accgov.com website; and (3) provided to any member of the public requesting a copy of this Order.

FROM MAYOR GIRTZ:

Mayor Girtz nominated Blaine Williams as county manager and requested authorization to execute renewal of the manager's employment agreement consistent with any expectations articulated in the evaluation process subject to the manager being required to sign an employment agreement to confirm acceptance of his reappointment.

A motion was made by Commissioner Edwards, seconded by Commissioner Davenport, to approve said nomination and authorize execution of the employment agreement. The motion passed by unanimous roll call vote.

Mayor Girtz nominated Stephanie Maddox as internal auditor and requested authorization to execute renewal of the internal auditor's employment agreement consistent with any expectations articulated in the evaluation process subject to the internal auditor being required to sign an employment agreement to confirm acceptance of her reappointment.

A motion was made by Commissioner Thornton, seconded by Commissioner Edwards, to approve said nomination and authorize execution of the employment agreement. The motion passed by roll call vote with Commissioners Davenport, Parker, Link, Denson, Houle, Edwards, Myers, Thornton, and Hamby voting YES and Commissioner Wright voting NO. (9 YES; 1 NO)

Mayor Girtz nominated Judd Drake as county attorney and requested authorization to execute renewal of the attorney's employment agreement consistent with any expectations articulated in the evaluation process subject to the attorney being required to sign an employment agreement to confirm acceptance of his reappointment.

A motion was made by Commissioner Edwards, seconded by Commissioner Houle, to approve said nomination and authorize execution of the employment agreement. The motion passed by unanimous roll call vote.

Mayor Girtz nominated Ryan Hope as municipal court judge and administrative hearing officer and requested authorization to execute renewal of the municipal court judge/administrative officer's employment agreement consistent with any expectations articulated in the evaluation process subject to the judge/administrative hearing officer being required to sign an employment agreement to confirm acceptance of his reappointment.

A motion was made by Commissioner Edwards, seconded by Commissioner Thornton, to approve said nomination and authorize execution of the employment agreement. The motion passed by unanimous roll call vote.

Mayor Girtz nominated the reappointment of Denny Galis as personnel hearing officer.

A motion was made by Commissioner Edwards, seconded by Commissioner Myers, to approve said recommendation. The motion passed by unanimous roll call vote.

The meeting adjourned at 7:56 p.m.

Clerk of Commission