

Council Agenda
Regular Meeting of the Mayor and Council
City of Chattahoochee Hills, Georgia
December 3, 2020 / 6:00 p.m.

Call to Order

Review and Approval of Agenda

Approval of Minutes

1. Minutes of the Regular Meeting of November 10, 2020

Presentations / Proclamations *(None)*

Public Comments

Staff Reports

Financial Update: Robbie Rokovitz
Fire Department Report: Greg Brett
Police Department Report: Jim Little
Public Works/Parks Report: Darold Wendlandt
Community Development Report: Mike Morton

Public Hearing *(None)*

Unfinished Business

1. **Item 20-039:** Ordinance to add a New Chapter 13, Emergency Management, to the Code of Ordinances.

New Business

1. **Item 20-046:** Resolution Appointing Chief Judge of the Municipal Court.
2. **Item 20-047:** Resolution Appointing Judge Pro Tempore of the Municipal Court.
3. **Item 20-048:** Ordinance to amend Parking Fines in Chapter 20, Parks and Recreation, Article III, Parking at Cochran Mill Park and Hutcheson Ferry Park, Section 20-57, Enforcement and for Other Purposes – recommendation to reduce fine from \$50 to \$25.
4. **Item 20-049:** Approval of Development of Local Comprehensive Plan Agreement with the Atlanta Regional Commission.
5. **Item 20-050:** Blues and Jazz event at Bouckaert Farm – request for Noise Ordinance extension until 1:00 a.m. on New Year's Eve.

Mayor and Council Comments

Executive Session *(None)*

The City of Chattahoochee Hills Mayor and City Council encourage citizen participation in the government process. Should you by reason of a disability need a special accommodation or need accessibility information, please contact the City Clerk's office at 770-463-8881.

Adjourn Meeting

Town Hall Session

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**Minutes
Regular Meeting of the Mayor and Council
City of Chattahoochee Hills, Georgia
November 10, 2020 / 6:00 p.m.**

Call to Order

Mayor Reed called the meeting to order at 6:00 p.m. Councilmembers in attendance were Ruby Foster, Richard Schmidt, Laurie Searle, Camille Lowe, and Troy Bettis. All members were present. Also present was City Attorney Rick Lindsey.

Review and Approval of Agenda

Mayor Reed called for a motion to amend the agenda as follows:

- 1. Add Item No. 20-045, Resolution adopting 2021 Council meeting schedule*
- 2. Add Fire Department Lieutenant promotion presentation,*
- 3. Table Item No. 20-039, Ordinance to Add a New Chapter 13, Emergency Management, to the Code of Ordinances.*
- 4. Add presentation recognizing Tom Blum.*

Councilmember Schmidt made a motion to approve the agenda as amended.

Councilmember Foster seconded. The motion passed unanimously.

Approval of Minutes

- 1. Minutes of the Special Called Meeting of September 24, 2020*
- 2. Minutes of the Regular Meeting of October 6, 2020*

Councilmember Lowe made a motion to approve the minutes of the Special Called Meeting of September 24, 2020 and the Regular Meeting of October 6, 2020.

Councilmember Bettis seconded. The motion passed unanimously.

Presentations/Proclamations

- 1. Georgia Association of Chiefs of Police Risk Reduction Certificate presentation
Stoney Mathis, Georgia Association of Chiefs of Police 4th Vice President, presented a Risk Reduction Certificate to Police Chief Jim Little. The certificate was earned by Chattahoochee Hills Police Department (CHPD) by implementing ten required policy directives. CHPD is the second department in the state to earn the certificate. Chief Little said one of his goals for the department is to earn State Certification and the Risk Reduction Certificate is the first step in that process. He thanked the Mayor and Council for their support in allowing him to achieve this certification.*

- 2. Proclamation recognizing Dr. Gene "Doc" and Margaret Tyre for their extraordinary efforts serving others.*

Mayor Reed read a proclamation recognizing Dr. Gene and Margaret Tyre for their service to over the years, especially to the Chattahoochee Hills community. The city will also present Dr. Tyer with a Key to the City as a gift of appreciation.

3. Proclamation recognizing Linda Bryant for 27 Years of Service on the Fulton County School Board.

Mayor Reed read a proclamation recognizing her for her service and support of education in Fulton County.

4. Fire Department Lieutenant Promotion

Fire Chief Greg Brett formally promoted Firefighter Brad Wilson to Lieutenant with the pinning of bugle collar pins and badge.

5. Tom Blum recognition

Mayor Reed recognized Tom Blum for his years of community service, particularly his volunteer work doing roadside clean up and presented Mr. Blum with a gift of appreciation.

Public Comment

Amber Lightsey, 11750 Upper Wooten Road – said she supports the Chatt Hills Barn Quilt Trail project but has some concerns. She had questions when she initially became interested in joining the Barn Quilt Trail Committee, but the way the project is currently being managed leaves no time for these questions to be answered or to get appropriate community input. Her concerns include the article in the Chatt Hills newsletter stating that a barn quilt at Beavers House would be installed despite not having come before the Historic Commission for discussion or the City Council for approval; who determines what goes where; and the aesthetic consequences if the project moves forward as currently managed. She is not opposed to the project but asked why the rush. The project should be prioritized in a way that reflects the city's best interest.

Staff Reports

Financial Update: City Manager Robbie Rokovitz

Mr. Rokovitz said the newsletter guidelines have been placed in each of the Council's mailboxes and that they will be discussing it at a future planning session. He reported on the financials as of October 31, 2020. The city is 33.7% through the fiscal year. Total revenue including fund balance is 52.9% and expenditures for all funds are 31.7%.

Fire Department Report: Greg Brett

Chief Brett reported that EMS calls were down but he anticipates an upward trend over the long haul. He also reported that the new Tanker 51 is in service as of 5:45 p.m. today. Public Safety (Fire, Police and Public Works) crews responded to 36 incidents of reported damage from Hurricane Zeta. He said that number does not include the additional clean up work performed by Public Works, and he applauded the Public Works crews. The local Fire Chiefs are requesting the Fulton County Commissioners nominate three Fire Chiefs to the Georgia EMS Region 3 Council for better representation of south Fulton citizens needs. He said citizens can help by writing Commissioner Joe Carns or Commission Chair Rob Pitts and ask them to

nominate Chief Henry Argo (Palmetto), Chief David Bloodworth (Hapeville), and Deputy Chief Ron Taylor (College Park).

Police Department Report: Jim Little

Chief Little reported that call volume was down slightly in October, but the department is starting to see more multi-car accidents and has started to increase traffic violation enforcement. The department has also increased truck enforcement. Officer Wells is finishing up his field training this week. Chief Little said he hopes to have State Accreditation completed by June 2021.

Public Works/Parks Report: Darold Wendlandt

Mr. Wendlandt said all street signs in Crossroads Subdivision have been replaced. Staff spent every day for the last week cleaning up storm damage. The boat ramp at Campbellton Park has been completed. A ribbon cutting ceremony is scheduled for November 20th at 10:00 a.m.

Community Development: Mike Morton

Mr. Morton reported there were a total of 16 building permits issued in October with 11 of them for single family dwellings. There also were seven certificates of occupancy issued and 113 inspections conducted in October. The final public meeting for the Campbellton Historic Crossroads Master Plan was held on November 9th. The city has received the MTAP award for planning in Rico. There currently are no agenda items for the November 19th Planning Commission meeting.

Public Hearing

There were no public hearings.

Unfinished Business

There was no unfinished business.

New Business

1. **Item 20-038:** Request from The Inn at Serenbe, The Farmhouse at Serenbe, The Hill, and Halsa to waive late penalties for hotel/motel and alcohol tax during COVID-19 pandemic.

City Clerk Dana Wicher presented the item. In March, the business office at Serenbe contacted the city and said they would be unable to make timely payments of their hotel/motel and alcohol taxes because of shutdowns due to the COVID-19 pandemic. The businesses were able to start payments back up after a few months and have paid all of the taxes that were due. They are requesting that the late fees be waived.

Mayor Reed called for a motion on Item No. 20-038. Councilmember Searle made a motion to approve Item No. 20-038. Councilmember Bettis seconded. The motion passed unanimously.

2. **Item 20-039:** Ordinance to Add a New Chapter 13, Emergency Management, to the Code of Ordinances. *Tabled. No action taken.*

3. **Item 20-040:** Agreement with Providence Baptist Church to use property at 6405 Campbellton Redwine Road as an emergency shelter.

Fire Chief Greg Brett presented the item. The agreement authorizes Providence Baptist Church to operate an emergency shelter during times that the city deems it necessary during a disaster.

Mayor Reed called for a motion on Item No. 20-040. Councilmember Bettis made a motion to approve Item No. 20-040. Councilmember Lowe seconded. The motion passed unanimously.

4. **Item 20-041:** Resolution declaring three (3) Mossberg 12-gauge pump shotguns as surplus property.

Police Chief Jim Little presented the item. The shotguns are no longer suitable for law enforcement use. The resolution allows the city to surplus the guns to a licensed gun dealer for credit.

Mayor Reed called for a motion on Item No. 20-041. Councilmember Schmidt made a motion to approve Item No. 20-041. Councilmember Foster seconded. The motion passed unanimously.

5. **Item 20-042:** Resolution declaring one (1) 1996 International E-One fire tanker/pumper engine as surplus property.

Fire Chief Greg Brett presented the item. The resolution allows the city to sell or negotiate a reduction in costs for a repair to another apparatus.

Mayor Reed called for a motion on Item No. 20-042. Councilmember Lowe made a motion to approve Item No. 20-042. Councilmember Schmidt seconded. The motion passed unanimously.

6. **Item 20-043:** Resolution for a Capital Lease Purchase Agreement with the Georgia Municipal Association – proceeds of the lease purchase financing to be used to reimburse the purchase price of Fouts/Kenworth 3,000-gallon Tanker-Pumper.

City Manager Robbie Rokovitz presented the item. The capital lease will allow the city to reimburse itself for the recent purchase of the new tanker. The payments are approximately \$53,000 per year for five years.

Mayor Reed called for a motion on Item No. 20-043. Councilmember Schmidt made a motion to approve Item No. 20-043. Councilmember Searle seconded. The motion passed unanimously.

7. **Item 20-044:** Approve the purchase of a Ford F150 SSV Police Vehicle for an amount not to exceed \$32,300.

Police Chief Jim Little presented the item. This vehicle purchase is part of the scheduled replacement program.

Mayor Reed called for a motion on Item No. 20-044. Councilmember Foster made a motion to approve Item No. 20-044. Councilmember Lowe seconded. The motion passed unanimously.

8. **Item 20-045:** Resolution adopting 2021 Council meeting schedule.

Mayor Reed presented the item. He also requested that the December 2020 Work Session and Council Meeting date be changed to December 3rd because of a Fulton County run-off election being held in the Council Chambers on December 1st.

Mayor Reed called for a motion on Item No. 20-045. Councilmember Bettis made a motion to approve Item No. 20-045 with the amendment to the December 2020 meeting. Councilmember Lowe seconded. The motion passed unanimously.

Mayor and Council Comments

Councilmember Foster thanked staff for all their hard work, especially with the recent storm and in dealing with COVID over the last several months. She also announced that decorating of city hall for Christmas would take place on November 20th at 3:00 p.m.

Councilmember Schmidt thanked Chief Little for the greater presence on Wilkerson Mill Road. He also said that the newsletter guidelines will be discussed at the planning retreat. Until then, it will stay in place in its current form, and he encouraged the Council and citizens to submit articles. He also said he supports the Barn Quilt Trail but said it should be brought before the Council before proceeding any further.

Councilmember Searle thanked the Mayor for putting out updates during the power outage. She also said she appreciated Amber Lightsey's comments and said the Barn Quilt Trail project had been discussed by the Council twice.

Councilmember Lowe asked Chief Brett to clarify the new mobile alerts. Chief Brett said it is taking some time to clean up the data that was brought over from the old system. She also asked for an update on the proposed rock quarry in Carroll County. Mayor Reed answered that the proposal is still working its way through the process at the county level.

Councilmember Bettis thanked the crews that were working on storm clean up. He also said he is excited that the newsletter will be changing format. Most of his constituents do not have internet and the newsletter needs to be informative. He asked if all the bridges in the city would support the weight of the new Tanker. Chief

Brett answered that department training includes appropriate routes.

Councilmember Foster announced that she is hosting a coat and toy drive. Renee Prince will be helping her with the drive, and there will be a box at city hall for dropping the donations.

Mayor Reed said that he was impressed with Greystone's response during the recent storm and power outage. He was receiving updates from the Director of Operations, who was working in the field running lines with his guys at 2:00 a.m. He also was getting updates from Chief Brett as city crews were out clearing trees in the early hours. We now have the automatic aid with the City of South Fulton and are continuing to work the other south Fulton cities on the EMS issues. Our little city gets a huge benefit from the level of working relationships with surrounding entities. He also reminded everyone of the Boat Ramp Ribbon Cutting ceremony on November 20th at 10:00 a.m.

Executive Session

There was no Executive Session.

Adjourn Meeting

Councilmember Schmidt made a motion to adjourn the meeting. Councilmember Foster seconded. The motion passed unanimously, and the meeting adjourned at 7:30 p.m.

Approved this _____ day of _____, 2020.

Dana Wicher, City Clerk

Tom Reed, Mayor

City of Chattahoochee Hills, GA
FY2021 Budget
Budget to Actual as of November 23 2020 - 40% of Year Lapsed

Revenues:	FY2020 Amended	FY2020 (YTD) Nov 23	% Collected	FY2021 Adopted	FY2021 (YTD) Nov 23	% Collected
Property Taxes	\$ 1,750,000	\$ 1,523,876	87.1%	\$ 1,750,000	\$ 1,285,272	73.4%
L.O.S.T.	\$ 660,000	\$ 195,928	29.7%	\$ 480,000	\$ 179,966	37.5%
Intangible Tax	\$ 27,000	\$ 12,775	47.3%	\$ 30,000	\$ 9,544	31.8%
Motor Vehicle Tax	\$ 6,400	\$ 3,017	47.1%	\$ 10,000	\$ 2,527	25.3%
Motor Vehicle Tax - Ad Valorem	\$ 19,038	\$ 13,678	71.8%	\$ 20,000	\$ 20,863	104.3%
Real Estate Transfer Tax	\$ 10,000	\$ 6,302	63.0%	\$ 10,000	\$ 4,293	42.9%
Business & Occupation Tax	\$ 16,000	\$ 393	2.5%	\$ 25,000	\$ 1,753	7.0%
Insurance Premium Tax	\$ 200,615	\$ 200,615	100.0%	\$ 180,000	\$ 211,701	117.6%
Alcohol Beverage Tax	\$ 20,000	\$ 7,445	37.2%	\$ 15,000	\$ 7,560	50.4%
Franchise Fees	\$ 145,228	\$ 6,409	4.4%	\$ 145,000	\$ 5,547	3.8%
Licenses & Permits	\$ 100,000	\$ 47,576	47.6%	\$ 80,000	\$ 62,941	78.7%
Charges for Service	\$ 75,000	\$ 22,501	30.0%	\$ 60,000	\$ 33,139	55.2%
Charges for Service (Parking Fees)	\$ 60,000	\$ 32,823	54.7%	\$ 60,000	\$ 53,339	88.9%
Charges for Service (Hunting Lease)	\$ -	\$ -	0.0%	\$ -	\$ -	0.0%
Intergovernmental (Conservation)	\$ 651,540	\$ 502,908	77.2%	\$ 125,000	\$ -	0.0%
Intergovernmetnal (Federal)	\$ -	\$ -	0.0%	\$ -	\$ 134,989	0.0%
Intergovernmental (LMIG Grant)	\$ 110,102	\$ -	0.0%	\$ 138,801	\$ -	0.0%
Intergovernmental (RTP)	\$ -	\$ -	0.0%	\$ -	\$ -	0.0%
Intergovernmental (CDAP)	\$ -	\$ -	0.0%	\$ -	\$ 27,226	100.0%
Fines & Forfeitures	\$ 145,000	\$ 59,925	41.3%	\$ 125,000	\$ 63,510	50.8%
Insurance Proceeds	\$ 28,729	\$ -	0.0%	\$ -	\$ -	0.0%
Contributions & Donations	\$ 1,000	\$ 100	10.0%	\$ -	\$ 19,640	100.0%
Interest	\$ 18,000	\$ 3,640	20.2%	\$ 7,000	\$ 982	14.0%
Other Revenues	\$ 16,125	\$ 41,055	0.0%	\$ -	\$ 33,290	100.0%
PoliceTech Fees	\$ -	\$ 6,411	100.0%	\$ -	\$ (557)	100.0%
Proceeds from Capital Lease	\$ -	\$ -	0.0%	\$ -	\$ -	0.0%
Running Fund Balance From Prior Year	\$ 1,609,630	\$ 977,948	60.8%	\$ 1,108,152	\$ 1,331,323	120.1%
GF Revenue Subtotal:	\$ 5,669,407	\$ 3,665,325	64.7%	\$ 4,368,953	\$ 3,488,849	79.9%

Other Financing Sources:						
Hotel/Motel Tax	\$ 155,000	\$ 49,987	32.2%	\$ 75,000	\$ 57,349	76%
Hotel/Motel Tax Fund Balance	\$ 189,239	\$ 156,344	82.6%	\$ 90,000	\$ 215,401	100%
TSPLOST	\$ 450,000	\$ 123,218	27.4%	\$ 350,000	\$ 120,423	34%
TSPLOST Fund Balance	\$ 120,431	\$ 244,932	0.0%	\$ 303,250	\$ 346,782	100%
Subtotal Other Financing Sources:	\$ 914,670	\$ 574,481	62.8%	\$ 818,250	\$ 739,955	90%
Total Operating Revenue:	\$ 6,584,077	\$ 4,239,806	64.4%	\$ 5,187,203	\$ 4,228,804	82%

Expenditures:	FY2020 Amended	FY2020 (YTD) Nov 23	% Expended	FY2021 Adopted	FY2021 (YTD) Nov 23	% Expended
Mayor & Council	\$ 125,284	\$ 40,858	32.6%	\$ 126,546	\$ 34,431	27.2%
City Clerk	\$ 56,231	\$ 20,415	36.3%	\$ 61,576	\$ 16,463	26.7%
City Manager	\$ 145,403	\$ 63,561	43.7%	\$ 146,397	\$ 58,042	39.6%
General Administration	\$ 159,065	\$ 80,489	50.6%	\$ 147,575	\$ 79,237	53.7%
IT	\$ 31,968	\$ 12,326	38.6%	\$ 33,385	\$ 14,965	44.8%
Non-Departmental Insurance	\$ 91,593	\$ 44,588	48.7%	\$ 69,992	\$ 37,133	53.1%
Municipal Court	\$ 99,806	\$ 28,955	29.0%	\$ 92,095	\$ 35,062	38.1%
Police	\$ 889,292	\$ 378,794	42.6%	\$ 863,513	\$ 298,497	34.6%
Fire	\$ 909,279	\$ 387,728	42.6%	\$ 845,578	\$ 336,329	39.8%
Public Works	\$ 528,114	\$ 232,630	44.0%	\$ 524,255	\$ 202,862	38.7%
Engineering	\$ 5,000	\$ 181	3.6%	\$ 5,000	\$ 2,974	59.5%
Parks & Recreation	\$ 99,422	\$ 40,716	41.0%	\$ 104,986	\$ 34,546	32.9%
Community Development	\$ 245,529	\$ 68,162	27.8%	\$ 219,140	\$ 66,812	30.5%
Contingency - Reserved Fund Balance	\$ 1,083,297	\$ -	0.0%	\$ 384,738	\$ -	0.0%
Unclassified	\$ -	\$ -	0.0%	\$ -	\$ -	0.0%
Subtotal:	\$ 4,469,284	\$ 1,399,403	31.3%	\$ 3,624,778	\$ 1,217,353	33.6%

Other GF Financing Uses:						
Interest - Capital Lease	\$ 16,504	\$ 15,724	95.3%	\$ 11,868	\$ 3,034	25.6%
Capital Lease Payment	\$ 145,341	\$ 136,292	93.8%	\$ 126,866	\$ 49,861	39.3%
Capital Fund	\$ 957,331	\$ 138,606	14.5%	\$ 341,640	\$ 273,104	79.9%
Grants	\$ 202,072	\$ -	0.0%	\$ 263,801	\$ 36,699	13.9%
Subtotal:	\$ 1,321,248	\$ 290,621	22.0%	\$ 744,175	\$ 362,697	48.7%
Total GF Expenditures	\$ 5,790,532	\$ 1,690,025	29.2%	\$ 4,368,953	\$ 1,580,051	36.2%

GF Revenues in Excess of Expenditures	\$ (121,125)	\$ 1,975,300	\$ (0)	\$ 1,908,799
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Other Financing Uses:						
Hotel Motel	\$ 223,115	\$ 34,263	15.4%	\$ 165,000	\$ 22,425	13.6%
TSPLOST	\$ 570,431	\$ 365,000	0.0%	\$ 653,250	\$ -	0.0%
Subtotal Other Financing Uses:	\$ 793,546	\$ 399,263	50.3%	\$ 818,250	\$ 22,425	2.7%

Total ALL FUNDS Expenditures	\$	6,584,078	\$	2,089,288	31.7%	\$	5,187,203	\$	1,602,476	30.9%
Total ALL FUNDS Revenues	\$	6,584,077	\$	4,239,806	64%	\$	5,187,203	\$	4,228,804	82%
Revenues in Excess of Expenditures	\$	(1)	\$	2,150,518		\$	(0)	\$	2,626,328	

Capital Category	Expenditure
Police (Vehicles)	\$ 4,000
Police (Capital)	\$ 3,120
Fire (Apparatus/Capital)	\$ 265,984
PW Vehicle(s)	\$ -
LMIG (Capital)	\$ -
CDAP Grant	\$ 36,699
PW Capital (TSPLOST)	\$ -
TSPLOST (Contract Mgt)	\$ -
TSPLOST Fund	\$ -
Capital Category	Expenditure
LMIG	\$ -

Month To Date	Cash Flow
July 27, 2020 (Balance)	\$ 904,059
August 31, 2020 (Balance)	\$ 937,190
September 30, 2019 (Balance)	\$ 819,879
October 31, 2020 (Balance)	\$ 923,855
November 23, 2020 (Balance)	\$ 1,908,799
December 30, 2020 (Balance)	
January 30, 2021 (Balance)	
February 28, 2021 (Balance)	
March 31, 2021 (Balance)	
April 30, 2021 (Balance)	
May 31, 2021 (Balance)	
June 30, 2021 (Balance)	

GF Bank Account

**AN ORDINANCE TO ADD A NEW CHAPTER 13, EMERGENCY MANAGEMENT,
TO THE CODE OF ORDINANCES.**

WHEREAS, O.C.G.A. §§ 38-3-27 through 38-3-28 and 38-3-54 through 38-3-56 authorizes the City of Chattahoochee Hills to provide emergency management within the City of Chattahoochee Hills; and

WHEREAS, the ~~city governing authority~~ City Council believes that an ordinance should be adopted to protect for the health and safety of persons and property during an emergency or disaster resulting from manmade or natural causes.

WHEREAS, the Georgia Emergency Management Agency is the state agency assigned responsibility for the coordination of all organizations for emergency management activities within this state; and

WHEREAS, the Fulton County Emergency Management Agency is an established emergency management agency; and

WHEREAS, to insure an effective and coordinated response to disasters the City of Chattahoochee wishes to coordinate emergency management activities and response with the Georgia Emergency Management Agency and the Fulton County Emergency Management Agency.

NOW THEREFORE BE IT ORDAINED that the Code of Ordinances of the City of Chattahoochee Hills is amended by creating a new Chapter 13, Emergency Management to read as follows:

“Chapter 13 -- Emergency Management

Sec. 13-1. Regulations continued in effect.

All ordinances, resolutions, motions and orders pertaining to civil defense, emergency management and disaster relief, which are not in conflict with this chapter, are continued in full force and effect. Such ordinances, etc., are on file in the office of the City Clerk.

Sec. 13-2. Emergency management and response powers.

(a) *Declaration of local emergency.*

- (1) *Grant of authority.*** In the event of an actual or threatened occurrence of a disaster or emergency, which may result in the large-scale loss of life, injury, property damage or destruction or in the major disruption of routine community affairs, business or governmental operations in the city and which is of sufficient severity and magnitude to warrant extraordinary assistance by federal, state and local departments and agencies to supplement the efforts of available public and private

resources, the Mayor, in the event a special called meeting of the City Council is not practical, may declare a local emergency for the City of Chattahoochee Hills. If a special called meeting of the City Council is not practical prior to the declaration by the Mayor, a special called meeting of the City Council shall be held as soon as a quorum of the City Council can convene in a safe manner provided that the provisions of the Open Meetings law are met. Unless the City Council affirms the declaration within five business days, the declaration of a local emergency shall expire except in those circumstances in which a quorum of the City Council was prevented from meeting due to the nature of the local emergency. The form of the declaration shall be similar to that provided in subsection (b) of this Code section.

- (2) *Request for state assistance.* Consistent with a declaration of local emergency as set forth in Section 13-2(a)(1), the Mayor may request the Governor to provide assistance, provided that the disaster or emergency is beyond the capacity of the city to meet adequately and state assistance is necessary to supplement local efforts to save lives and protect property, public health and safety, or to avert or lessen the threat of a disaster.
- (3) *Continuance.* The declaration of local emergency shall continue until the Mayor finds that emergency conditions no longer exist, at which time, the Mayor shall execute and file with the City Clerk a document marking the end of the state of emergency. No state of local emergency shall continue for longer than 30 days, unless renewed by the Mayor the time permitted under Section 13-2(a)(1). The city governing City Council authority may, by resolution and in accordance with the city charter, end a state of local emergency at any time.
- (4) *Effect of declaration of local emergency.*
 - a. *Activation of emergency operations plan.* A declaration of emergency by the Governor or a declaration of local emergency by the Mayor shall automatically activate the local emergency operations plan and shall be authority for the deployment of personnel and use of any forces to which the plan applies and for use or distribution of any supplies, equipment, materials, and facilities assembled, stockpiled or arranged to be made available pursuant to the Georgia Emergency Management Act or any other laws applicable to emergencies or disasters.
 1. The City Manager and/or his/her designees shall have the legal authority to exercise the powers and discharge the duties conferred by law, including the implementation of the applicable local emergency operations plan, coordination of the emergency responses of public and private agencies and organizations, coordination of

recovery efforts with county, state and federal officials, and inspection of emergency or disaster sites.

2. In responding to the emergency and conducting necessary and appropriate survey of the damages caused by the emergency, the City Manager or his/her designee is authorized to enter at a reasonable time upon any property, public or private, provided that the private property owner has granted permission for such entry, for the purpose of evaluating sites involved with emergency management functions to protect the health, safety, and welfare of the public.
 3. The City Manager is authorized to execute a right of entry and/or agreement to use property for these purposes on behalf of the city; however, any such document shall be later presented for ratification by the city governing authorityCity Council at the first meeting following the execution of the agreement.
 - ~~4. No person shall refuse entry or access to any authorized representative or agent of the city who requests entry for purposes of evaluating sites involved with emergency management functions to protect the health, safety, or welfare of the public, and who presents appropriate credentials. Nor shall any person obstruct, hamper or interfere with any such representative while that individual is in the process of carrying out his or her official duties.~~
- b. *Emergency powers.* Following a declaration of emergency and during the continuance of such state of emergency, the Mayor is authorized to implement local emergency measures to protect life and property or to bring the emergency situation under control. In exercising this authority, the Mayor may cause to become effective any of the sections of this chapter as appropriate. If any of these sections is included in a declaration of local emergency, the same shall be filed in the office of the City Clerk and shall be in effect until the declaration of local emergency has terminated or was otherwise terminated pursuant to the provisions of Section 13-2(a)(1).
- c. *Authority to waive procedures and fees.* Pursuant to a declaration of emergency, the city governing authorityCity Council is authorized to cause to be effective any of the subsections of section 13-4 of this chapter as appropriate. The implementation of such subsections shall be filed in the office of the City Clerk.
- d. *Additional emergency powers.* The City Manager shall have and may exercise for such period as the declared emergency exists or continues, the following additional emergency powers:

1. To direct and compel the evacuation of all or part of the population from any stricken or threatened area, for the preservation of life or other disaster mitigation, response or recovery;
2. To prescribe routes, modes of transportation and destinations in connection with evacuation;
3. To make provision for the availability and use of temporary emergency housing, emergency shelters and/or emergency medical shelters.
4. To transfer the direction, personnel or functions of any city departments and agencies or units thereof for the purpose of performing or facilitating emergency services;
5. To utilize all available resources of the city and subordinate agencies over which the city has budgetary control as reasonably necessary to cope with the emergency or disaster;
6. To utilize public property when necessary to cope with the emergency or disaster or when there is compelling necessity for the protection of lives, health and welfare; and/or the property of citizens;
7. To suspend any law, code provision or regulation prescribing the procedures for conduct of city business, or the orders, rules or regulations of any city agency, if strict compliance with any ordinance, resolution, order, rule or regulation would in any way prevent, hinder or delay necessary action in coping with the emergency or disaster, provided that such suspension shall provide for the minimum deviation from the requirements under the circumstances ~~and further provided that, when practicable, specialists shall be assigned to avoid adverse effects resulting from such suspension;~~
8. To provide benefits to citizens upon execution of an intergovernmental agreement for grants to meet disaster-related necessary expenses or serious needs of individuals or families adversely affected by an emergency or disaster in cases where the individuals or families are unable to meet the expenses or needs from other means, provided that such grants are authorized only when matching state or federal funds are available for such purposes;
9. To perform and exercise such other functions, powers and duties as may be deemed necessary to promote and secure the safety and protection of the civilian population, including individuals with household pets and service

animals prior to, during, and following a major disaster or emergency.

- (b) *Form of declaration.* Upon the declaration of local emergency, an official “Declaration of Local Emergency,” in substantially the same form set forth below, shall be signed and filed in the office of the City Clerk and shall be communicated to the citizens of the affected area using the most effective and efficient means available. The declaration shall state the nature of the emergency or disaster, the conditions that require the declaration and any sections of this chapter which shall be in effect.

“DECLARATION OF LOCAL EMERGENCY

WHEREAS, the City of Chattahoochee Hills, Georgia has experienced an event of critical significance as a result of *[DESCRIPTION OF EVENT]* on *[DATE]*; and

WHEREAS, in the judgment of the Mayor and City Council of the City of Chattahoochee Hills, there exist emergency circumstances located in *[DESCRIBE GEOGRAPHIC LOCATION]* requiring extraordinary and immediate corrective actions for the protection of the health, safety and welfare of the citizens of the City of Chattahoochee Hills, including individuals with household pets and service animals; and

WHEREAS, to prevent or minimize injury to people and damage to property resulting from this event;

NOW, THEREFORE, pursuant to the authority ~~vested in me~~granted by local and state law;

IT IS HEREBY DECLARED that a local state of emergency exists and shall continue until the conditions requiring this declaration are abated.

WHEREFORE, IT IS ORDERED:

- (1) That the applicable local emergency operations plan is hereby activated;
- (2) That the following sections of the City of Chattahoochee Hills Code be implemented: _____; and
- (3) That the following measures also be implemented: _____

ENTERED at *[TIME]* on *[DATE]*.

[Signed]

Mayor, City of Chattahoochee Hills.”

- (c) *Contracts with local governments.* In addition to the normal agreements embodied in the applicable local emergency operations plan for mutual emergency assistance, the city may contract with any municipality or county for the administration of a local emergency response program.

Sec. 13-3. Enforcement and remedies.

- (a) *Law enforcement.* In accordance with O.C.G.A. § 38-3-4, city police department shall be authorized to enforce the orders, rules and regulations contained in this chapter and/or implemented by the City Manager or ~~local governing authority~~City Council during a declared emergency.
- (b) *Penalties.* Failure to comply with any of the requirements or provisions of the regulations contained in this chapter, or with any code section, order, rule or regulation made effective by the City Manager or ~~local governing authority~~City Council upon or after the declaration of an emergency shall constitute a violation of the provisions of this chapter. Any person who violates any provision in this chapter shall, upon conviction thereof, be punishable by a fine not exceeding \$1,000.00, imprisonment for a term not exceeding 180 days, or both such fine and imprisonment, for each violation. Each person assisting in the commission of a violation, shall be guilty of separate offenses. Each day during which a violation or failure to comply continues shall constitute a separate violation.
- (c) *Injunctive relief.* In accordance with O.C.G.A. § 38-3-5, in addition to the remedies prescribed in this section, the City Manager is authorized to obtain an injunction to restrain violation of laws, code sections, orders, rules and regulations which are contained in the Georgia Emergency Management Act and/or this code, and/or which are implemented by the ~~local governing authority~~City Council during a declared emergency.
- (d) *Enforcement.* Except as otherwise provided in this chapter, this ordinance may be enforced by the city police department.

Sec. 13-4. Authority to waive procedures and fee structures.

- (a) *City business.* Upon declaration of an emergency or disaster by the Governor or Mayor, the affairs and business of the city may be conducted at places other than the regular or usual location, within or outside of the city, when it is not prudent, expedient or possible to conduct business at the regular location. When such meetings occur outside of the city, all actions taken by the ~~city governing authority~~City Council shall be as valid and binding as if performed within the city. Such meetings may be called by the ~~presiding officer~~Mayor, Mayor Pro Tem or any two members of the ~~governing body~~City Council without regard to or compliance with time-consuming procedures and formalities otherwise required by law.
- (b) *Public works contracts.* Upon declaration of an emergency or disaster by the Governor or Mayor, the city may contract for public works without letting such contract out to the lowest, responsible bidder and without advertising and posting notification of such contract for four weeks; provided, however, that the emergency must be of such nature that immediate action is required and that the action is necessary for the protection of the public health, safety and welfare. Any public works contract entered into pursuant to this subsection shall be entered on the minutes of the city as soon as practical and the nature of the emergency described therein in accordance with O.C.G.A. § 36-91-22(e). Any E-Verify

affidavit or other state required affidavit shall be obtained from any contractor if otherwise required by law.

- (c) *Purchasing.* Upon declaration of an emergency or disaster by the Governor or Mayor, the purchasing ordinances, regulations or policies may be suspended. City officials shall continue to seek to obtain the best prices during the state of local emergency.
- (d) *Code enforcement.* Upon declaration of a state of emergency or disaster by the Governor or the Mayor, the ~~city governing authority~~City Council may temporarily suspend the enforcement of the ordinances of the city, or any portion thereof, where the emergency is of such nature that immediate action outside the code is required, such suspension is consistent with the protection of the public health, safety and welfare, and such suspension is not inconsistent with any federal or state statutes or regulations.
- (e) *Fees.* Upon declaration of a state of emergency or disaster by the Governor or the Mayor until the declaration of emergency is terminated, the city may temporarily reduce or suspend any permit fees, application fees or other rate structures as necessary to encourage the rebuilding of the areas impacted by the disaster or emergency. The term “fees” include fees or rates charged by the city for building permits, land disturbance permits, zoning applications, special land use permits, temporary land use permits and other fees relating to the reconstruction, repair and clean-up of areas impacted by the disaster or emergency. The term “fees” does not include fees collected by the city on behalf of the state or federal government or fees charged by the city pursuant to a state or federal statute or regulation.
- (f) *Temporary dwellings.* Upon the declaration of a state of emergency or disaster by the Governor or Mayor until the declaration of emergency is terminated, the city or its designees may issue temporary mobile home, trailer, recreational vehicle or other temporary dwelling structures or parks in any zoning district, even though not otherwise permitted by development code, while the primary dwelling is being repaired. The temporary permit shall not exceed six months in duration. Upon expiration of the temporary permit and/or extension, the temporary dwelling must be removed.

Sec. 13-5. Registration of building and repair services.

- (a) In accordance with O.C.G.A. § 38-3-56, before building, constructing, repairing, renovating or making improvements to any real property, including dwellings, homes, buildings, structures or fixtures within an area in the city designated in a declared emergency or disaster, any person, firm, partnership, corporation or other entity must register with the city clerk and secure a building permit that is posted at the work site. Each day any such entity does business in the city without complying with this ordinance constitutes a separate offense.
- (b) The cost of registration fees in a declared emergency or disaster is fixed at \$50.00 per annum. Registration is nontransferable. The cost of the emergency

building permit shall be equal to the cost for a building permit under existing regulations. The permit shall only be authorized for repairs.

- (c) When registering, any person, partnership, corporation or other entity making application must, under oath, complete an application, providing the following information:
- (1) Name of applicant;
 - (2) Permanent address and phone number of applicant;
 - (3) Applicant's Social Security number or federal Employer Identification number;
 - (4) If applicant is a corporation, the state and date of incorporation;
 - (5) Tag registration information for each vehicle to be used in the business;
 - (6) List of cities and/or counties where the applicant has conducted business within the past 12 months;
 - (7) Georgia sales tax number or authorization;
 - (8) Georgia business license number, if required.
 - (9) Copy of license from Secretary of State, if required.
 - (10) A signed and sworn affidavit verifying the applicant's legal presence in the United States as required by O.C.G.A. § 50-36-1.
 - (11) At least one secure and verifiable document as defined in O.C.G.A. § 50-36-2.
- (d) *Effective date.* This section shall become effective only upon the signing of a declaration of emergency, stating this section is in effect. Unless otherwise specified in the declaration of emergency or otherwise extended by the ~~city governing authority~~City Council, the provisions of this Code section shall remain in effect during the state of emergency and for a subsequent recovery period of three months.

Sec. 13-6. Closed or restricted areas and curfews during emergency.

- (a) To preserve, protect or sustain the life, health, welfare or safety of persons, or their property, within a designated area under a declaration of emergency, it shall be unlawful for any person to travel, loiter, wander or stroll in or upon the public streets, highways, roads, lanes, parks or other public grounds, public places, public buildings, places of amusement, eating places, vacant lots or any other place during a declared emergency between hours specified by the Mayor ~~[and City Council]~~ until the curfew is lifted.
- (b) To promote order, protect lives, minimize the potential for looting and other crimes, and facilitate recovery operations during an emergency, the ~~Mayor~~City Manager shall have discretion to impose reentry restrictions on certain areas. The ~~Mayor~~City Manager shall exercise such discretion in accordance with the applicable local emergency operations plan, which shall be followed during emergencies.

- (c) The provisions of this section shall not apply to persons acting in the following capacities:
- (1) Authorized and essential law enforcement personnel;
 - (2) Authorized and essential health care providers;
 - (3) Authorized and essential personnel of the city;
 - (4) Authorized National Guard or federal military personnel;
 - (5) Authorized and essential firefighters;
 - (6) Authorized and essential emergency response personnel;
 - (7) Authorized and essential personnel or volunteers working with or through an emergency management agency (EMA);
 - (8) Authorized and essential utility repair crews;
 - (9) Citizens seeking to restore order to their homes or businesses while on their own property or place of business;
 - (10) Other authorized and essential persons as designated on a list compiled by City Manager.
- (d) *Enforceability.* This section shall be enforced by officers of the law enforcement personnel approved to provide aid and assistance during the emergency. Nothing contained in this section shall prohibit a law enforcement officer from bringing other charges under state law.
- (e) *Effective date.* This section shall become effective only upon the signing of a declaration of emergency, stating this section is in effect.”

This ordinance shall become effective upon its approval.

| **SO ORDAINED AND EFFECTIVE** this ~~10th~~-3rd day of ~~November~~December, 2020.

CITY OF CHATTAHOOCHEE HILLS, GEORGIA

By: _____
Tom Reed, Mayor

Attest:

Dana Wicher, City Clerk

(SEAL)

**A RESOLUTION APPOINTING RUSSELL ROSS, JR. AS CHIEF JUDGE OF THE
MUNICIPAL COURT FOR THE CITY OF CHATTAHOOCHEE HILLS, GEORGIA
PURSUANT TO ARTICLE IV OF THE CITY CHARTER.**

BE IT RESOLVED by the City Council of the City of Chattahoochee Hills, Georgia while in regular session on December 1, 2020 at 6:00 p.m. as follows:

SECTION 1. That Russell Ross, Jr. is hereby appointed as Chief Judge of the Municipal Court for the City of Chattahoochee Hills, Georgia; and,

SECTION 2. This appointment is effective for a term of four (4) years, commencing January 1, 2021 and expiring on December 31, 2024, pursuant to Article IV of the City Charter; and,

SECTION 3. That this Resolution shall become effective upon its adoption.

RESOLVED this 3rd day of December, 2020.

Approved:

Tom Reed, Mayor

Attest:

Dana Wicher, City Clerk

(Seal)

**A RESOLUTION APPOINTING BETTINA BROWN AS JUDGE PRO TEMPORE OF
THE MUNICIPAL COURT FOR THE CITY OF CHATTAHOOCHEE HILLS,
GEORGIA PURSUANT TO ARTICLE IV OF THE CITY CHARTER.**

BE IT RESOLVED by the City Council of the City of Chattahoochee Hills, Georgia while in regular session on December 1, 2020 at 6:00 p.m. as follows:

SECTION 1. That Bettina Brown is hereby appointed as Judge Pro Tempore of the Municipal Court for the City of Chattahoochee Hills, Georgia; and,

SECTION 2. This appointment is effective for a term of four (4) years, commencing January 1, 2021 and expiring on December 31, 2024, pursuant to Article IV of the City Charter; and,

SECTION 3. That this Resolution shall become effective upon its adoption.

RESOLVED this 3rd day of December, 2020.

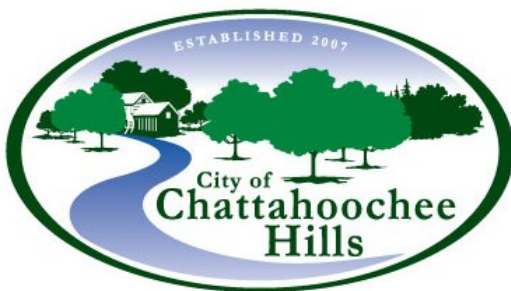
Approved:

Tom Reed, Mayor

Attest:

Dana Wicher, City Clerk

(Seal)



6505 Rico Road Chattahoochee Hills, Georgia 30268

MAYOR

Tom Reed

CITY COUNCIL

Ruby Foster

Richard Schmidt

Laurie Searle

Camille Lowe

Troy Bettis

CITY MANAGER

Robert T. Rokovitz

www.chatthillsga.us

(770) 463-8881

Fax (770) 463-8550

TO: Mayor and Council

CC: Dana Wicher

DATE: November 18, 2020 for the December 3rd, 2020 Council Meeting

RE: Parking Fee Modification

Staff Recommendation:

Staff recommends Council's consideration to amend the parking fee ordinance to reduce the parking fine from \$50.00 to \$25.00

Background:

Ever since the City purchased Cochran Mill Park from the County, it has become more and more utilized by the public who enjoy passive and active recreation. The City has imposed a \$5.00 parking fee to utilize this park. Back in 2016, the City installed a parking kiosk in order to collect \$5.00 from each vehicle using the parking facilities to enjoy this park. Those who do not render payment and obtain a receipt to post in their vehicle are subject to a citation which has a \$50 fine. This fine can only be paid in person and at City Hall. There are no online options.

Discussion:

When those who receive a parking citation from a Chattahoochee Hills police officer, they must come to City Hall to pay a fine. The fine is \$50. A parking pass is only \$25 for non-residents (\$35 for horse trailers). Because of the degree of inconvenience by not offering alternative forms of payments, we would like to reduce the fine to \$25.00 so that the citation recipient will more likely choose to purchase a pass for an additional \$25. Thus, the City still nets \$50 most of the time which is a win-win for the park user and the City. The park user gets an annual pass and the City collects the fine for the violation.

Fiscal Impact:

The fiscal impact will be nominal since the City will still likely net \$50 with the fine paid at \$25 and pass purchased at \$25 for a total of \$50. This is a parking pass that would likely not have been purchased if it were not for the unfortunate citation.

Alternatives:

Do not reduce the fine

Attachments:

Parking Fine Ordinance



AN ORDINANCE TO AMEND PARKING FINES IN CHAPTER 20, PARKS AND RECREATION, ARTICLE III, PARKING AT COCHRAN MILL PARK AND HUTCHESON FERRY PARK, SECTION 20-57, ENFORCEMENT AND FOR OTHER PURPOSES

WHEREAS, the City of Chattahoochee Hills finds and declares that the City will benefit from the charging of a parking fee to visitors of Cochran Mill Park and Hutcheson Ferry Park; and

WHEREAS, it is further found and declared that the revenue derived from these parking fees will be used for the improvement and maintenance of all City parks including the parking lots serving the parks; and

NOW THEREFORE, the Mayor and Council of the City of Chattahoochee Hills, Georgia ordain:

Section 1. Chapter 20 of the City Code of the City of Chattahoochee Hills, Georgia (titled “Parks and Recreation”) Article III, Parking at Cochran Mill Park and Hutcheson Ferry Park, Section 20-57, Enforcement is hereby amended as follows:

“Section 20-57: Enforcement.

- (a) Chattahoochee Hills Police Department shall enforce compliance with this article. Additionally, at least one video camera and a sign with the wording “For Your Safety Park Monitored by Police” may be installed at each park.
- (b) Failure to display the appropriate parking pass shall result in a fine of ~~\$50.00~~ \$25.00. No motor vehicle may be cited for failure to display the appropriate parking pass more than one time each day. Failure to display the appropriate parking pass includes failure to display any parking pass.
- (c) Failure to leave the parking lot of Cochran Mill Park or Hutcheson Ferry Park within one hour of sundown or arrival more than one hour prior to sunup, except at city-sanctioned events, city-approved events or in conjunction with city-permitted activities during which these time restrictions shall not apply, shall result in a fine of ~~\$50.00~~ \$25.00. No motor vehicle may be cited for this offense more than one time per sundown-to-sunup period.”

Section 2. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 3. If any section, clause, sentence or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of this ordinance.

Section 4. This ordinance shall become effective immediately upon its adoption by the Council of the City of Chattahoochee Hills, Georgia.

**STATE OF GEORGIA
COUNTY OF FULTON**

ORDINANCE NO. 20-12-XXX

SO ORDAINED this 3rd day of December, 2020.

Approved:

Tom Reed, Mayor

Attest:

Dana Wicher, City Clerk

DEVELOPMENT OF LOCAL COMPREHENSIVE PLAN AGREEMENT

THIS AGREEMENT is made and entered into as of this _____ day of _____, 20____ by and between the Atlanta Regional Commission (ARC) of Atlanta, Georgia, and the City of Chattahoochee Hills, a political subdivision of the State of Georgia.

WITNESSETH:

WHEREAS, the Regional Commissions were created by the State of Georgia in order to assist local governments on a regional basis and to develop, promote, and assist in establishing coordinate and comprehensive planning in the state; and

WHEREAS, as the Regional Commission for the 10-county Atlanta Region, ARC has been mandated to undertake certain regional responsibilities under the Georgia Planning Act of 1989 (as amended), and does agree to perform prescribed services to local governments; and

WHEREAS, the City of Chattahoochee Hills is required to update its Local Comprehensive Plan by October 31, 2021, according to the schedule set by the Georgia Department of Community Affairs (DCA); and

WHEREAS, the City of Chattahoochee Hills has requested assistance from ARC to update its Local Comprehensive Plan under the requirements set by the Minimum Standards and Procedures for Local Comprehensive Planning found in Chapter 110-12-1 of the DCA Rules, under the Georgia Planning Act (as amended); and

WHEREAS, ARC and the City of Chattahoochee Hills believe it is mutually beneficial of both parties that the City of Chattahoochee Hills, as part of the ARC, has a Local Comprehensive Plan; and

WHEREAS, ARC agrees to provide assistance for development of the City's update of its Local Comprehensive Plan:

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

1. Duties of the ARC. In addition to those services outlined in Attachment A: Scope of Work, attached hereto and incorporated by reference herein, ARC agrees to perform the following services:
 - a. Provide a project manager for the project, to coordinate with the local government point of contact and ensure that the project is moving forward in a timely manner.
 - b. Attend Project Management Team meetings with local government staff.
 - c. Update the existing Community Vision and/or Goals from the existing Comprehensive Plan.
 - d. Complete an analysis of the Needs and Opportunities facing the community.
 - e. Update the Land Use Element.

- f. Provide input on the new Five-Year Community Work Program developed by local government staff.
- g. Provide input on the Capital Improvement Element (CIE) Annual Update developed by local government staff (only if the community already has an approved CIE)
- h. Review any adopted HUD Consolidated Plan, Local Comprehensive Transportation Plan, ARC's Regional Transportation Plan/Transportation Improvement Program (RTP/TIP), and other plans as needed.
- i. Present at, attend, or support the two (2) required public hearings (one at kick-off and one prior to transmittal for regional and state review).
- j. Facilitate a maximum of three (3) Steering Committee meetings.
- k. Facilitate a maximum of one (1) public meeting.
- l. Provide an online public engagement portal and/or survey, hosted by ARC, to solicit plan input, if requested by the local government.
- m. Provide language for official public hearing notices, if requested by the local government.
- n. Provide advertisement and other public involvement materials, if requested.
- o. Prepare and present a final plan presentation.
- p. Complete any plan revisions requested by DCA following the regional and state review.
- q. Prepare the final plan document and other requested supporting materials to document community feedback.

2. Duties of the City of Chattahoochee Hills. In addition to those duties outlined in Attachment A: Scope of Work, the City of Chattahoochee Hills agrees to perform the following duties:

- a. Provide a dedicated and responsive point of contact throughout the process, to coordinate with ARC staff and ensure that the project is moving forward in a timely manner.
- b. Participate as a team member on the Project Management Team.
- c. Complete a Report of Accomplishments showing the current status of each item in the Community Work Program from the existing Comprehensive Plan.
- d. Develop a new Five-Year Community Work Program, with ARC input.
- e. Update the Capital Improvement Element (CIE) Annual Update (only if the community already has an approved CIE), with ARC input.
- f. Provide ARC a list of Steering Committee members, which must include a member of the governing authority (elected official) and representative of the local economic development community.
- g. Provide a schedule for Steering Committee meetings, with ARC input.
- h. Promote public awareness and invitations to Steering Committee and public meetings.
- i. Provide locations for Steering Committee and public meetings that have heat/air conditioning, water, and electricity.
- j. Provide any food or beverages for Steering Committee and public meetings.
- k. Post and conduct public hearings as required by the City's existing procedures.
- l. Provide timely notice to ARC of local government meetings that ARC staff should attend.

- m. Provide ARC with submittal deadlines for relevant City boards and committees at the beginning of the process.
- n. Ensure that the following timelines are met, in order for ARC to guarantee that the City will meet its DCA-designated Plan Update deadline and maintain Qualified Local Government (QLG) status with DCA:
 - 1. Schedule a date for the First Required Public Hearing, as defined at Ch. 110-12-1-.04(1)(a) of the Minimum Standards and Procedures for Local Comprehensive Planning, within thirty (30) days of the signing of this Agreement (note that the meeting itself does not have to occur within those 30 days).
 - 2. Identify and confirm Steering Committee members within thirty (30) days of the signing of this Agreement.
 - 3. Schedule a date for the first Steering Committee meeting within thirty (30) days of the signing of this Agreement (note that the meeting itself does not have to occur within those 30 days).
 - 4. Schedule the Second Public Hearing, as defined at Ch. 110-12-1-.04(1)(c) of the Minimum Standards and Procedures for Local Comprehensive Planning, on a date that provides sufficient time for the City to transmit the final draft Plan Update to ARC to begin the regional and state review, no later than September 1, 2021.

3. Time of Performance, Amendments, Modifications.

- a. This Agreement shall become effective upon execution by both parties and remain in effect until the completion of the project or termination by of the parties as provided below. Notwithstanding anything to the contrary herein, in no event shall the term of this Agreement exceed two (2) years from the effective date.
- b. Either party may terminate this Agreement upon sixty (60) days' written notice to the other parties, provided that the party requesting termination has provided notice and sufficient opportunity for remedy.
- c. Either party may request changes to this Agreement at any time by written notice to the other party's signatory of this Agreement. Such changes as are mutually agreed upon by and between the parties shall be incorporated in written amendments to this Agreement and executed in the same manner as this Agreement. This Agreement may only be modified by an instrument in writing executed by the City of Chattahoochee Hills and ARC. Notwithstanding the foregoing, the City of Chattahoochee Hills and ARC acknowledge that this Agreement may be revised or refined from time to time during its term. The parties agree to cooperate with each other by executing such documents as may be necessary to evidence such mutually agreeable modifications and refinements.

- 4. Rights in Documents, Materials, and Data Produced. For the purposes of this Agreement, 'data' includes, but is not limited to, writings, sound recordings, photographs, films, videotapes, or other graphic representations and works of a similar nature. The City of Chattahoochee Hills and ARC shall have the right to use same without restriction or limitation and without compensation to the other parties of the Agreement.

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

Atlanta Regional Commission (ARC)

Attested, Assistant Secretary

Douglas R. Hooker, Executive Director

Witness:

The City of Chattahoochee Hills

Municipal Clerk

Hon. Tom Reed, Mayor

Approved as to Form:

City Attorney

Approved:

Attachment A:

ARC Comprehensive Plan Services Scope of Work

Pursuant to the 2012 update to the Georgia Department of Community Affairs (DCA) Minimum Standards and Procedures for Local Comprehensive Planning (Chapter 110-12-1), a Regional Commission is required to prepare a Basic Comprehensive Plan for a local government, upon request, during the community's regular planning due date cycle. At no additional cost to the local government, ARC will produce/provide the following for local governments:

- A Project Manager for the project
- Revisions to the existing Community Vision or Goals from the existing Comprehensive Plan
- An analysis of the Needs and Opportunities facing the community, using ARC resources, local data, and input from community stakeholders
- An updated Land Use Element with Character Areas or standard future land use classifications
- A review of any adopted HUD Consolidated Plan, Local Comprehensive Transportation Plan, and ARC's Regional Transportation Plan/Transportation Improvement Program, and other plans as needed
- Presentations/support/attendance at the two (2) required public hearings (one at kick-off and one prior to transmittal for regional and state review)
- A maximum of three (3) steering committee meetings facilitated by ARC staff, at no cost, at a location provided by the local government
- A maximum of one (1) public meeting facilitated by ARC staff, at no cost, at a location provided by the local government
- An online public engagement portal and/or survey hosted by ARC, if requested
- Language for official public hearing notices, if requested
- Advertisement and other public involvement materials to meet the above requirements
- A final plan presentation
- Any plan revisions required by DCA following the regional and state review
- The final plan and other documents from the process
- Assurance that the local government meets its DCA-designated Qualified Local Government (QLG) deadline if (a) the request for assistance is made to ARC in writing at least 12 months before the QLG deadline and (b) the first Steering Committee is held within 10 months of the QLG deadline.

To ensure that the plan meets the needs of the local government and DCA's requirements, the local government requesting this service will be responsible to produce/provide the following:

- A dedicated and responsive point of contact throughout the process, to coordinate with ARC staff and ensure that the project is moving forward in a timely manner
- A Report of Accomplishments showing the current status of each item in the Community Work Program from the existing Comprehensive Plan

- A new Five-Year Community Work Program, with ARC input
- A Capital Improvement Element (CIE) Annual Update (only if the community already has an approved CIE), with ARC input
- A list of stakeholders for the required Steering Committee
- A schedule for Steering Committee meetings, with ARC input
- Public awareness and invitations to Steering Committee and public meetings
- Locations for public meetings that have heat/air conditioning, water, and electricity
- Any food or beverages for Steering Committee and public meetings
- Posting of notices of public hearings as required by the community's existing procedures
- Timely notice to ARC of local government meetings that ARC staff should attend
- Notice to ARC, at the beginning of the process, of submittal deadlines for relevant local government boards and committees
- Assurance that the following timelines are met, in order for ARC to guarantee that the Local Government will meet its DCA-designated Plan Update deadline and maintain Qualified Local Government (QLG) status with DCA:
 - Schedule a date for the First Required Public Hearing, as defined at Ch. 110-12-1-.04(1)(a) of the Minimum Standards and Procedures for Local Comprehensive Planning, within 30 days of the signing of the Agreement (*note that the meeting itself does not have to occur within those 30 days*).
 - Identify and confirm Steering Committee members within 30 days of the signing of the Agreement.
 - Schedule a date for the first Steering Committee meeting within 30 days of the signing of the Agreement (*note that the meeting itself does not have to occur within those 30 days*).
 - Schedule the Second Public Hearing, as defined at Ch. 110-12-1-.04(1)(c) of the Minimum Standards and Procedures for Local Comprehensive Planning, on a date that provides sufficient time for the Local Government to transmit the final draft Plan Update to ARC to begin the regional and state review, no later than 60 days before the QLG deadline.

If the local government seeks to use consultants during the update, ARC will coordinate only with the primary local government contact and will only provide the items listed above to the local government.