

Unified Government of Athens-Clarke County, Georgia
Mayor and Commission
Tuesday, February 4, 2020
6:00 p.m.
City Hall

The Unified Government of Athens-Clarke County, Georgia met this date in regular monthly session. Present: Mayor Girtz; Commissioners Davenport, Parker, Link, Wright, Denson, NeSmith, Edwards, Herod, Thornton, and Hamby. No one was absent. Commissioner NeSmith came at in 6:09 p.m.

Recognition

Mayor Girtz read a proclamation declaring February 4, 2020 as Hailey Campbell day in recognition of her vigilance and responsiveness representing the utmost spirit of our great Athenian citizenry.

On Memorial Day, 2017, a gentleman was walking in the Glenwood neighborhood and collapsed from cardiac arrest. Ms. Campbell was home and immediately provided emergency CPR, reviving him before the ambulance arrived.

On Sunday, January 26, 2020, Ms. Campbell and her daughters, Kyah and Zoe, were hiking near their home along a remote portion of the Middle Oconee River when she discovered a 25-foot wide sinkhole that had formed around a ruptured portion of the Middle Oconee main sewer trunk line.

Her decisive actions saved a neighbor's life and her swift response prevented an environmental disaster.

Ms. Campbell and her daughters accepted the proclamation from Mayor Girtz and Commissioner Edwards.

A motion was made by Commissioner Thornton, seconded by Commissioner Herod, to approve minutes of meetings of Tuesday, January 7 and Tuesday, January 21, 2020. The motion passed with nine YES votes. Commissioner NeSmith was absent.

Written communications

There were no written communications.

Old business - Consent

Items under this section were discussed at prior public meetings and were presented for consideration as a single item. Only one vote was taken.

Citizen input

There was no citizen input

A motion was made by Commissioner Edwards, seconded by Commissioner Herod, to consent to action on the following 11 items. The motion passed by unanimous vote.

1. Reference Rock and Shoals natural area expansion acquisition and budget amendment Greenspace Acquisition Program (SPLOST 2011 Project #28).
 - a) Adopt the following ordinance (#20-02-01) which was presented by title only reallocating a total of \$550,000 from the completed SPLOST 2011 Project #1,(Jail Expansion) funds to the Greenspace Acquisition Program, SPLOST 2011 Project #28, for the acquisition of the Rock and Shoals Natural Area Expansion;

- b) Adopt the following ordinance (#20-02-02) which was presented by title only to establish a budget for the loan revenues and expenditures and the principal forgiveness;
- c) Adopt the following funding resolution for the Georgia Environmental Finance Authority (GEFA), if awarded, in an amount up to \$900,000 as further described in Facts and Issues 12-13 of agenda report dated December 30, 2019; and
- d) Approve the signed Sales Option Agreement, Attachment #4 of said agenda report to acquire approximately 71 acres of property from the JACQUOT Corporation, parcel 251 031B located at 3950 Barnett Shoals Road at approximately \$12,500 per acre; and
- e) Authorize the Mayor and appropriate staff to execute all related documents

AN ORDINANCE TO AMEND THE SPECIAL PURPOSE LOCAL OPTION SALES TAX 2011 BUDGET FOR ATHENS-CLARKE COUNTY SO AS TO PROVIDE ADDITIONAL FUNDING FOR THE SPECIAL PURPOSE LOCAL OPTION SALES TAX 2011 PROJECT #28 GREENSPACE ACQUISITION PROGRAM; 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 Project Fund to provide additional funding for the SPLOST 2011 project #28 Greenspace Acquisition Program. Said Operating and Capital budget is hereby amended as follows:

Special Purpose Local Option Sales Tax 2011 Capital Projects Fund:

EXPENDITURES:

DECREASE:

| | |
|----------------------------|-------------------|
| Project #01 Jail Expansion | up to (\$550,000) |
|----------------------------|-------------------|

INCREASE:

| | |
|--|-----------------|
| Project #28 Greenspace Acquisition Program | up to \$550,000 |
|--|-----------------|

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

AN ORDINANCE TO AMEND THE SPECIAL PURPOSE LOCAL OPTION SALES TAX 2011 BUDGET FOR ATHENS-CLARKE COUNTY, SO AS TO PROVIDE GRANT AND LOAN FUNDING THROUGH THE GEORGIA DEPARTMENT OF NATURAL RESOURCES' LAND CONSERVATION PROGRAM FOR ACQUISITION OF PROPERTY FOR THE GREENSPACE PROGRAM; 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 Special Purpose Local Option Sales Tax 2011 Capital Projects Fund to provide grant and loan funding through the Georgia Department of Natural Resources' Land Conservation Program for acquisition of property for the Greenspace Program.

Said Operating and Capital Budget is hereby amended as follows:

Special Purpose Local Option Sales Tax 2011 Capital Projects Fund:

REVENUES:

Increase:

| | |
|---|------------------|
| Other Financing Sources: GEFA Loan Proceeds | \$675,000 |
| Intergovernmental: Ga. Dept. Nat. Resources | <u>\$225,000</u> |
| Total | <u>\$900,000</u> |

EXPENDITURES:

Increase:

Capital Expenditures:

| | |
|---|-----------|
| Proj. #28: Greenspace Acquisition Program | \$900,000 |
|---|-----------|

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

RESOLUTION OF GOVERNING BODY
Recipient: ATHENS-CLARKE COUNTY UNIFIED GOVERNMENT
Loan Number: LC2019002

At a duly called meeting of the governing body of the Borrower identified above (the "Borrower") held on the 4th day of February, 2020, the following resolution was introduced and adopted.

WHEREAS, the governing body of the Borrower has determined to borrow but not to exceed **\$900,000** from the **CLEAN WATER STATE REVOLVING FUND, ADMINISTERED BY GEORGIA ENVIRONMENTAL FINANCE AUTHORITY** (the "Lender") to finance a portion of the costs of acquiring the land conservation project described in Exhibit A to the hereinafter defined Loan Agreement (the "Project"), pursuant to the terms of a Loan Agreement (the "Loan Agreement") between the Borrower and the Lender, the form of which has been presented to this meeting; and

WHEREAS, the Borrower's obligation to repay the loan made pursuant to the Loan Agreement will be evidenced by a Promissory Note (the "Note") of the Borrower, the form of which has been presented to this meeting;

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borrower that the forms, terms, and conditions and the execution, delivery, and performance of the Loan Agreement and the Note are hereby approved and authorized.

BE IT FURTHER RESOLVED by the governing body of the Borrower that the terms of the Loan Agreement and the Note (including the interest rate provisions, which shall be as provided in the Note) are in the best interests of the Borrower for the financing of the Project, and the governing body of the Borrower designates and authorizes the following persons to execute and deliver, and to attest, respectively, the Loan Agreement, the Note, and any related documents necessary to the consummation of the transactions contemplated by the Loan Agreement.

2. **APPROVE:** The Unified Government of Athens-Clarke County's participation in the Statewide Mutual Aid and Assistance Agreement as per Attachment #1 of agenda report dated December 30, 2019; and authorize the Mayor to execute the agreement through the Georgia Emergency Management Agency (GEMA).

3. **APPROVE:** a) The Unified Government of Athens-Clarke County's participation as a sub grantee relating to the application for grants under the U.S. Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA) Emergency Management Performance Grant as per Attachment #1 of agenda report dated December 30, 2019;
 - b) Authorize the Mayor to execute the Memorandum of Understanding (MOU) Agreement with the Georgia Emergency Management Agency (GEMA) (Attachment #2 of said agenda report); and
 - c) Authorize the Mayor to execute the sub grant agreement for EMPG in addition to the MOU agreement (reference attachment #2, p. 3).

4. **APPROVE:** An exception to Policy/Procedure Statement WS-011: Water and/or Sanitary Sewer Services, to allow public water and sanitary sewer service to be provided to 137 Odd Street, Athens, Georgia as per agenda report dated January 2, 2020, subject to the property owner meeting the following conditions:
 - a) Submittal of properly executed private utility easement to accommodate the private service lines in a form acceptable to the ACCGov Attorney and the Chief Plumbing Inspector; and
 - b) Payment of the appropriate fees as identified under Facts and Issues No. 6 for the property.

5. **APPROVE:** The permanent installation of the rectangular rapid flashing beacons (RRFB) on Baxter Street west of Hull Street as per agenda report dated December 31, 2019.

6. APPROVE: a) Award of a contract to purchase a combination vacuum/jetter truck and associated equipment from Jet-Vac Equipment Company; as per agenda report dated December 27, 2019;
 - b) Declare the existing vacuum/jetter truck (ACCGov vehicle #29-23-524, a 2009 Freightliner with a Vac-Con combination vacuum/jetter assembly) as surplus and authorize its disposal consistent with Unified Government of Athens-Clarke County policies after replacement; and
 - c) Authorize Mayor and appropriate staff to execute all related documents.

7. APPROVE: Change order #1 to the contract for software and professional services with Pioneer Technology Group for the Integrated Public Safety/Judicial Information System (SPLOST 2011 Sub-Project #04-4, #04-5 and #04-6) in an amount not-to-exceed \$225,376 for scanning and indexing Probate Court records, as further described in Facts and Issues of agenda report dated December 31, 2019; and, authorize Mayor and appropriate staff to execute all related documents.

8. APPROVE: A task order to Jacobs Engineering Group, Inc. in the amount of \$266,800 to design launder covers, walkways and improvements on the secondary clarifiers at the North Oconee Water Reclamation Facility (WRF) as per agenda report dated January 2, 2020; and authorize the Mayor and appropriate staff to sign all documents related to the task order.

9. APPROVE: A change order for the Construction Manager at Risk (CMAR) services contract to Astra Group, Inc., for a not-to-exceed value of lump sum fee of \$197,400 to extend pre-construction services and begin construction activities for the Clayton Street Infrastructure and Transportation Improvements (SPLOST 2005 Project #10 and TSPLOST 2018 Project #9, Sub-Project #1) as per agenda report dated December 27, 2019; and authorize the Mayor and appropriate staff to execute all related documents.

10. APPROVE: Contract services through Arcadis to map stormwater infrastructure such as storm pipes, inlets, and manholes and to provide this information to ACCGov as a database that is compatible with our Geographical Information System (GIS) for a cost not to exceed \$374,936 as per agenda report dated December 30, 2019.

11. APPROVE: Taxiway "A" reconstruction and realignment including apron expansion project (design phase services) as per agenda report dated January 9, 2020 as follows.
 - a) The work authorization with Holt Consulting Company in the amount of \$297,230 for design phase services for the Taxiway "A" Reconstruction and Realignment including apron expansion from the project formulation through the bidding; and
 - b) The Unified Government of Athens-Clarke County (ACCGov) acceptance, if awarded, a grant from the Georgia Department of Transportation (DOT) for the reimbursement of design, and the cost for construction, for the Taxiway "A" Reconstruction and Realignment including Apron Expansion Project, or various phases of the project, as funding is available by GDOT and the FAA.
 - c) Authorize the Mayor and appropriate staff to execute all related documents.

Old and new business – Discussion

Citizen input

The following citizen input was received.

1. Paul Cramer – supported Classic Center agreement.
2. Carol Myers – supported Classic Center agreement.
3. Riley Farrell – supported green energy for Classic Center.
4. Michael Smith – supported hold on SPLOST 2020 bonds and Classic Center agreement.

A motion was made by Commissioner Denson, seconded by Commissioner Wright, to approve the Athens-Clarke County Police Department (ACCPD) School Resource Officer (SRO) program contract as per Attachment #1 of agenda report dated December 27, 2019 with the Clarke County School District for the 2020-2021 academic year; and authorize the Mayor and appropriate staff to execute the contract and all related documents; with the provision that all SROs complete SRO training before being placed in the field. The motion passed by unanimous vote.

A motion was made by Commissioner Parker, seconded by Commissioner Wright, reference to Dudley Park Improvements (SPLOST 2011 Project #17) Sub-Project 1 Schematic Design as per agenda report revised February 4, 2020.

- a) Approve the proposed Schematic Design of Sub-Project #1 as illustrated in Attachment #1;
- b) Adopt the following ordinance (#20-02- 03) which was presented by title only, reallocating a total of \$240,000 from the completed SPLOST 2011 Project #1 (Jail Expansion) funds, to the Dudley Park Improvements, SPLOST 2011 Project #17, for the construction of the proposed schematic design;
- c) Authorize staff to advance Sub-Project #1 to the construction phase with the use of in-house staff, on-call construction services contractors, or state contractors in accordance with the proposed schematic design; and,
- d) Authorize 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 THE SPECIAL PURPOSE LOCAL OPTION SALES TAX 2011 PROJECT #17 DUDLEY PARK IMPROVEMENTS; AND FOR OTHER PURPOSES.

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

SECTION 1. The Commission of Athens-Clarke County, Georgia desires to amend the SPLOST 2011 Capital Project Fund to provide additional funding for the SPLOST 2011 project #17 Dudley Park Improvements Program. Said Operating and Capital budget is hereby amended as follows:

Special Purpose Local Option Sales Tax 2011 Capital Projects Fund:

EXPENDITURES:

DECREASE:

| | |
|----------------|-------------------|
| Project #01 | |
| Jail Expansion | up to (\$240,000) |

INCREASE:

| | |
|---------------------------------|-----------------|
| Project #17 | |
| Dudley Park Improvement Program | up to \$240,000 |

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

A motion was made by Commissioner Link, seconded by Commissioner NeSmith, to adopt the following ordinance (#20-02-04) which was presented by title only approving \$136,898 in General Operating Contingency Funds as per Attachment #1 of agenda report revised January 31, 2020 for unforeseen expenses related to the implementation of the new voting system required for both the March 2020 Presidential Preference Primary (PPP) and the May 2020 General Primary Election (GP) and

authorize the Elections Office to apply for reimbursement grant for funds expended for implementation of the new voting system. The motion passed by unanimous vote

AN ORDINANCE TO AMEND THE FY2020 ANNUAL OPERATING AND CAPITAL BUDGET FOR ATHENS-CLARKE COUNTY, GEORGIA SO AS TO PROVIDE FUNDING FOR EXPENSES RELATED TO THE IMPLEMENTATION OF NEW VOTING SYSTEM AND EQUIPMENT IN THE BOARD OF ELECTIONS DEPARTMENT; AND FOR OTHER PURPOSES.

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

SECTION 1. The Commission of Athens-Clarke County, Georgia desires to amend the General Fund Operating Budget to provide funding for expenses related to the implementation of the new voting system and equipment in the Board of Elections Department and related expenses. Said Operating and Capital budget is hereby amended as follows:

General Fund:

EXPENDITURES:

Decrease:

| | |
|------------------------------|-----------|
| Other General Administration | |
| General Fund Contingency | \$136,898 |

Increase:

| | |
|-------------------------------|-----------|
| Board of Elections Department | |
| Personal Services | \$17,700 |
| Operating Expense | \$119,198 |

| | |
|-------|-----------|
| Total | \$136,898 |
|-------|-----------|

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

A motion was made by Commissioner Link, seconded by Commissioner Edwards, to approve a unit-price amendment to the biosolids hauling contract with Denali Water Solutions, LLC, from \$57.10/ton to a not-to-exceed maximum of \$100.00/ton due to increased landfill tipping fee as per agenda report dated January 2, 2020; amend the operating budget by transferring \$440,638 from Water and Sewer Enterprise Fund reserves; and authorize the Mayor and appropriate staff to sign all documents related to the contract. The motion passed by unanimous vote.

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

- a) Approve acquisition of the Tyler Technologies, Inc., Munis Governmental Software System for the Finance and Human Resources Departments as per agenda report dated October 30, 2019;
- b) Adopt the following ordinance (#20-02-05) which was presented by title only for the cost of the Munis Governmental Software System;
- c) Adopt the following resolution and approve the lease document as per Attachment #2 of said agenda report authorizing staff to borrow funds through the Georgia Municipal Association Direct Lease Financing Program; and
- d) Authorize the Mayor and appropriate staff to execute the required documents for this acquisition.

The motion passed by unanimous vote.

AN ORDINANCE TO AMEND THE FY2020 ANNUAL OPERATING AND CAPITAL BUDGET FOR ATHENS-CLARKE COUNTY, GEORGIA SO AS TO PROVIDE FUNDING FOR THE PURCHASE AND INSTALLATION OF ENTERPRISE RESOURCE PLANNING (ERP) SOFTWARE; AND FOR OTHER PURPOSES.

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

SECTION 1. The Commission of Athens-Clarke County, Georgia desires to amend the General Capital Projects Fund to provide funding for the purchase and installation of Enterprise Resource Planning (ERP) software. Said Operating and Capital budget is hereby amended as follows:

GENERAL CAPITAL PROJECTS FUND:

INCREASE:

| | |
|-------------------------|-------------|
| Other Financing Sources | |
| Issuance of Debt | \$1,635,334 |

INCREASE:

| | |
|------------------------------------|-------------|
| Expenditures: Capital Expenditures | |
| Enterprise Resource Planning | |
| (ERP) software | \$1,635,334 |

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

RESOLUTION OF THE MAYOR AND COMMISSION OF THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA APPROVING AND AUTHORIZING THE EXECUTION, DELIVERY AND PERFORMANCE OF A MASTER LEASE WITH GEORGIA MUNICIPAL ASSOCIATION, INC. AND LEASE SUPPLEMENT NO. 1 THERETO WITH RESPECT TO THE FINANCING AND ACQUISITION OF THE ENTERPRISE RESOURCE PROGRAM; AND FOR RELATED PURPOSES

WHEREAS, the Unified Government of Athens-Clarke County, Georgia (the “Unified Government”) desires to acquire the Enterprise Resource Program (reporting and financial software for finance and human resources) (the “Project”), and desires to acquire and finance the Project through the direct lease-purchase program operated by Georgia Municipal Association, Inc. (“GMA”); and

WHEREAS, GMA and the Unified Government propose to enter into a Master Lease and a Lease Supplement No. 1 and related documents (the “Lease Documents”) with respect to the Project, and under the Lease Documents the Unified Government will agree, subject to annual appropriations, to pay installments of principal and interest with respect to the financing; and

WHEREAS, the Lease Documents are authorized by O.C.G.A. § 36-60-13; and

WHEREAS, the financing provided by the Lease Documents will be for a principal amount of approximately \$1,635,334, payable over seven years, and call for interest at 2.60% per annum; and

WHEREAS, no payments on said financing will be required during the current fiscal year

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

Section 1. The execution, delivery and performance of the Lease Documents be and the same are hereby authorized. The Mayor is hereby authorized to execute and deliver such Lease Documents on behalf of the Unified Government, which Lease Documents shall be in substantially the form attached hereto as Exhibit “A” with such changes, insertions or omissions as may be approved by the Mayor of the Unified Government, and the execution of the Lease Documents by the Mayor of the Unified Government as hereby authorized shall be conclusive evidence of any such approval.

Section 2. In connection with the execution and delivery of the Lease Documents, the proper officers, agents and employees of the Unified Government are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents, assignments, allocations and certificates as may be necessary to carry out and comply with the provisions of the Lease Documents and are further authorized to take any and all further actions and to execute and deliver any and all further documents, assignments, allocations and certificates as may be necessary or desirable in connection with the issuance by the Authority of the Lease Documents and the execution, delivery and performance of the Lease Documents.

Section 3. All acts and doings of the Unified Government which are in conformity with the purposes and intents of this Resolution and in furtherance of the issuance of the Lease Documents shall be, and the same hereby are, in all respects, approved and confirmed.

Section 4. This Resolution shall take effect immediately upon its adoption.

A motion was made by Commissioner NeSmith, seconded by Commissioner Davenport, as per agenda report dated January 10, 2020, to

- a) Adopt the following bond resolution authorizing the issuance of Series 2020 SPLOST Bonds to provide \$32,200,000 for specific projects;
- b) Authorize the Mayor and appropriate staff to execute all necessary documents; and
- c) Adopt the following ordinance (#20-02-06) which was presented by title only to establish the SPLOST 2020 Capital Projects Fund and establish budgets for Facilities Space Modernization, Affordable Housing and Classic Center Arena projects.

The motion passed by unanimous vote.

BOND RESOLUTION

A RESOLUTION OF THE MAYOR AND COMMISSION OF ATHENS-CLARKE COUNTY GEORGIA TO REGULATE AND PROVIDE FOR THE ISSUANCE OF \$26,660,000 IN AGGREGATE PRINCIPAL AMOUNT OF UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA GENERAL OBLIGATION SALES TAX BONDS, SERIES 2020 (THE "BONDS") AS AUTHORIZED BY A VOTE OF THE QUALIFIED VOTERS OF THE UNIFIED GOVERNMENT IN AN ELECTION HELD NOVEMBER 5, 2019, PURSUANT TO AND IN CONFORMITY WITH THE CONSTITUTION AND STATUTES OF THE STATE OF GEORGIA; TO REGULATE AND PROVIDE FOR THE FORM OF THE BONDS; TO PROVIDE FOR THE ASSESSMENT AND COLLECTION OF A DIRECT ANNUAL TAX SUFFICIENT IN AMOUNT TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS; TO PROVIDE FOR THE SALE AND ISSUANCE OF THE BONDS; AND FOR OTHER PURPOSES.

AN ORDINANCE TO AMEND THE ANNUAL OPERATING AND CAPITAL BUDGET FOR ATHENS-CLARKE COUNTY, GEORGIA SO AS TO ESTABLISH THE BUDGET AND CAPITAL PROJECTS FUND FOR THE SPECIAL PURPOSE LOCAL OPTION SALES TAX (SPLOST) 2020 PROGRAM; TO ESTABLISH BUDGETS FOR SPECIFIC SPLOST 2020 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 establish the SPLOST 2020 Capital Projects Fund and amend the fiscal year 2020 operating and capital budget of Athens-Clarke County to establish the budget for the following Special Purpose Local Option Sales Tax (SPLOST) 2020 projects: 1) Facilities Space Modernization project, 2) Affordable Housing project and 3) Classic Center Arena project. Said operating and capital budget is hereby amended as follows:

SPLOST 2020 Capital Projects Fund:

REVENUES

| | |
|--|---------------|
| Special Purpose Local Option Sales Taxes | \$156,400,000 |
|--|---------------|

EXPENDITURES

| | |
|-----------------------------------|----------------------|
| Capital Project Expenditures: | |
| 1) Facilities Space Modernization | \$ 77,900,000 |
| 2) Affordable Housing | \$ 44,500,000 |
| 3) Classic Center Arena | <u>\$ 34,000,000</u> |
| | \$156,400,000 |

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

A motion was made by Commissioner Wright, seconded by Commissioner Denson, to approve the intergovernmental contract and lease agreement with the Classic Center Authority as presented with addition of the following lanauage.

- 10.8 The Tenant agrees that any ordinance, resolution, and/or policy providing for a living wage pay provision applicable to employees of the Landlord shall also be applicable in like force and effect

to employees of the Tenant. Accordingly, the Tenant would be subject to the requirements of any such ordinance, resolution, and/or policy adopted by the Mayor and Commission of the Unified Government.

A substitute motion was made by Commissioner NeSmith, seconded by Commissioner Link, to HOLD for 30 or less days the intergovernmental contract and lease agreement with the Classic Center Authority.

The original motion was amended to add to the last sentence of 5.1 of the Lease the following language, "and shall be built in such a way as to be in accord with the 100% CLEAN AND RENEWABLE ENERGY RESOLUTION which states 'UGACCC will obtain 100% of its energy needs from clean and renewable energy sources produced on-or-for Unified Government properties by 2035.'"

A motion was made by Commissioner Davenport, seconded by Commissioner Link, to call the question.

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

A motion was made by Commissioner Wright, seconded by Commissioner Thornton, to reconsider the motion to call the question.

There was a tie roll call vote with Commissioners Wright, Edwards, Herod, Thornton, and Hamby voting YES; and Commissioners Davenport, Parker, Link, Denson, and NeSmith voting NO. (5 YES; 5 NO).

Mayor Girtz broke the tie with a vote of NO.

The substitute motion to HOLD 30 or less days passed by roll call vote with Commissioners Davenport, Parker, Link, Denson, NeSmith, Herod, and Hamby voting YES and Commissioners Wright, Edwards, and Thornton voting NO (7 YES 3 NO)

A motion was made by Commissioner Wright, seconded by Commissioner NeSmith, in connection with Firefly Trail Project – TSPLOST 2018 Project #6 – Sub-Project #2 – Property exchange to

- a) Approve the acquisition of Firefly Trail Parcels 4B-1, 4B-2, 4B-3, and 5B belonging to J. Warren Blackmon (Formerly Mom & Pop Finance Co., Inc.) by property exchange as detailed in an Exchange Agreement of Attachment #1 of agenda report dated November 2, 2019, between the Unified Government of Athens-Clarke County (ACCGov) and J. Warren Blackmon;
- b) Approve conveyance of Parcel 6A belonging to ACCGov by property exchange as detailed in Exchange Agreement, Attachment #1 of said agenda report, between ACCGov and J. Warren Blackmon; and,
- c) Authorize the Mayor and appropriate staff to execute all related documents.

The motion passed by unanimous vote.

Public hearing and deliberation on recommendations from the Athens-Clarke County Planning Commission

A public hearing was held on request from Chris Church for Freedom from Bondage, Inc. for special use in RM-1 (Mixed Density Residential) on .46 acres known as 202, 204, and 206 Highland Park Drive. Proposed use is halfway houses. Type I

Planning Commission recommendation: Approve (unanimous)

Citizen input

The following citizen input was received.

1. Chris Church, petitioner – supported.

Mayor and Commission received this report for information. An application for a zoning decision for a halfway house shall follow the Type I procedure in chapter 9-4 and the hearing provisions set forth in O.C.G.A. §36-66-4, which require that the public hearing be held at least six months and not more than nine months prior to the date of final action on the zoning decision. Therefore, the Mayor and Commission vote on all three proposed halfway houses would be scheduled no sooner than August 2020.

A public hearing was held on request of Daniel Beynart and Levin MacDougald for rezoning from RS-8 (Single-Family Residential) to CN (Commercial Neighborhood) on 0.28 acres known as 202 and 206 Evans Street. Proposed use is commercial. Type II

Planning Commission recommendation: Approve w/conditions (unanimous)

Citizen input

The following citizen input was received.

1. Daniel Beynart, petitioner – supported.

A motion was made by Commissioner Link, seconded by Commissioner Edwards, to adopt the following ordinance (#20-02-07) which was presented by title only. The motion passed by unanimous vote.

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA, WITH RESPECT TO REZONING TWO PARCELS OF LAND TOTALING APPROXIMATELY 0.28 ACRES LOCATED AT 202-206 EVANS STREET FROM RS-8 (SINGLE-FAMILY RESIDENTIAL) TO C-N (COMMERCIAL-NEIGHBORHOOD); AND FOR OTHER PURPOSES.

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

SECTION 1. The map constituting the component part of the Zoning Ordinance of Athens-Clarke County, Georgia, by virtue of and in compliance with Sections 9-3-3 and 9-3-6 thereof, is hereby amended by changing the zoning of two parcels of land comprising approximately 0.28 acres in total, located at 202-206 Evans Street, Athens, Georgia, from RS-8 (Single-Family Residential) to C-N (Commercial-Neighborhood).

Said parcels are shown in that certain document entitled "Survey for Alonzo Evans, Alphonso Evans & Lee G. Evans," recorded in the office of the Clerk of the Superior Court of Athens-Clarke County on April 25, 1995, prepared by J.R. Holland, Georgia registered land surveyor, and being on file and available for public inspection in the office of the Athens-Clarke County Planning Department, 120 West Dougherty Street, Athens, Georgia. The subject parcels are also presently known as Tax Parcel Nos. 122C2 G031A and 122C2 G032 on the Athens-Clarke County tax maps, said maps being on file and available for public inspection in the office of the Athens-Clarke County Planning Department, 120 West Dougherty Street, Athens, Georgia. The date of this amendment to the Official Zoning Map of Athens-Clarke County as shown by Attachment A shall be noted on said Official Zoning Map in the office of the Clerk of Commission, 301 College Avenue, Athens, Georgia, and duly noted in the minutes of the Commission meeting.

SECTION 2. The following conditions of zoning shall be associated with this ordinance:

1. Prior to issuance of a certificate of occupancy, the applicant shall modify and improve the driveway on the subject parcels to meet any applicable provisions of Chapter 7-2 of the Code of Athens-Clarke County, Georgia, and to meet current technical standards.
2. Prior to issuance of a certificate of occupancy, the applicant shall install appropriate buffers along property lines adjoining parcels that have residential zoning. Said buffers shall comply in all aspects with Section 9-15-3 of the Code of Athens-Clarke County, Georgia.

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

Citizen input on items other than those listed on this agenda

The following citizens spoke in favor of a Linnentown resolution.

1. Hattie Thomas
2. Bobby Crook
3. Geneva Johnson

4. Joseph Carter
5. Carol Myers
6. Jamal Johnson
7. Jesse Houle
8. Philip Tapley
9. Krisha White
10. Laura Davis
11. Andrea Farnham
12. Imani Scott-Blackwell
13. Jason Pratt
14. Broderick Flanaqan
15. Stephanie Flores
16. Adam Lassilla
17. Thara Brown
18. Kamua Hull
19. Audie Lee
20. Rosemary Myers
21. Imami Osei-Frimpong
22. Rochelle Berry
23. Robin Wudstone
24. Katy Tefford
25. Jake Brower
26. Erin Stacer

The following citizens spoke on items other than Linnentown.

1. Allen Jones – supported 10' lane widths
2. Bob Gadd – concerned about EMS operations
3. Sam Rafael – concerned about EMS operations
4. Jeff Kelley – concerned about neighborhood safety in Dearing Street area
5. Julie Roth – concerned about neighborhood safety in Dearing Street area
6. Zoe Elizabeth Love – supported parallel ordinance
7. Jeremy Person - supported parallel ordinance
8. Mary Bagby – supported unity

FROM MAYOR GIRTZ:

1. Assigned to Government Operations Committee: Review and make recommendations regarding contracting and procurement activities related to minority, local and underserved businesses, to create a favorable business environment and enhance local wealth creation. This should include outreach efforts and measureable goals and tracking.
2. Assigned to Legislative Review Committee: Review and make recommendations regarding current alcohol serving opportunities for Special Events on public properties and public rights-of-way (both free public activities and ticketed events), including flexibility regarding shape and size requirements of drinking areas, food service requirements, furniture requirements, and consideration of the ratio of police officers required per physical size or occupancy, as well as review of areas managed by Leisure Services that may be available for Special Events that serve alcohol.
3. Announced there will be a joint meeting of Athens-Clarke County and the Clarke County School District on Monday, February 10, 5:30 p.m. at Hilsman Middle School.
4. Announced NACOLE (National Association of Civilian Oversight of Law Enforcement) will conduct training seminars on Monday and Tuesday, February 11 and 12.
5. Announced the following appointments to a Community Police Advisory Task Force.
 1. Jaivious Collins, recent high school graduate
 2. Mokah Jasmine Johnson, Athens Anti-Discrimination Movement
 3. Fabian Jones, Hilsman Middle School Assistant Principal
 4. Beto Mendoza, Athens Immigrant Rights Coalition
 5. Joan Prittie, Project Safe Director
 6. Mykeisha Ross, Athens Anti-Discrimination Movement
 7. Dr. Sarah Shannon, University of Georgia Department of Sociology
 8. Shane Sims, People Living in Recovery
 9. Phil Smith, Concord Coalition Director
 10. Nikema Stovall, Athens Land Trust

Critical questions to consider include:

- What are the community benefits that we seek through creation of an advisory board?
- How can an advisory board provide “front end” guidance to ensure positive police/community relations through policy/process/budget review and input?
- How can an advisory board provide effective response to specific challenging or controversial episodes (e.g. police involved shootings, violent interactions, etc.)?
- What is an ideal composition of an advisory board (size of body, range of backgrounds, affiliations, community representation, rotation of members, etc.)?
- What training and knowledge are critical for advisory board members to have?
- What level of information access is necessary for the advisory board to provide ideal service?
- What level of staffing and budget is necessary for the advisory board to provide ideal service?

6. Announced the following appointments to the Selection Committee for the Athens Music Walk of Fame

Michelle Davis, attorney, music promotions professional, former Flagpole Music Editor
Montu Miller, music and event promoter, producer, East Athens Community Center Recreation Assistant.

Nate Mitchell, musician, DJ, music retail professional
Mariah Parker, musician, educator, District 2 County Commissioner
Velena Vego, artist manager, concert promoter
Dan Wall, Wuxtry Records owner
Andrew Salinas, Athens Cultural Affairs Commission member

7. Thanked citizens who spoke on Linnentown.

FROM MANAGER WILLIAMS:

1. Received for information was a proposed operating transfer of \$15,000 to Leisure Services to provide funding for a recently renamed park.
2. Received for information was a report of contract awards in excess of \$10,000 for month of December 2019.

FROM COMMISSIONER HAMBY:

1. Stated the Corridor Policy Committee will consider lowering of lane widths.
2. Congratulated Leisure Services Community Relations Specialist Cathy Padgett on her 20-year employment anniversary.

FROM COMMISSIONER THORNTON:

1. Thanked Manager Blaine Williams and Traffic Engineer Tim Griffeth for recent meeting to discuss dirt roads.
2. Stated Bethel Homes project is well underway.
3. Stated the Prosperity Package Committee will conduct a public input session February 29.

FROM COMMISSIONER EDWARDS:

1. Stated Linnentown resolution will raise awareness.

FROM COMMISSIONER NESMITH:

1. Stated he will ask for an agenda item regarding \$160,000 funding for Advantage Behavioral supportive housing.
2. Stated he and Commissioner Denson have been working with the courts and police on a pre-arrest diversion program.

FROM COMMISSIONER DENSON:

1. Stated next district meeting will be Monday, February 24, 6:00 p.m. at Rabbit Hole Studio.
2. Stated today is Transit Equity Day and supported free transit.

FROM COMMISSIONERS THORNTON, NESMITH, DENSON, AND PARKER:

1. Supported Linnentown resolution.

A motion was made by Commissioner NeSmith, seconded by Commissioner Davenport, to enter into executive session for an attorney/client conference to discuss threatened or pending litigation and real estate acquisition and/or disposal. The motion passed by unanimous vote.

The meeting adjourned at 9:55 p.m.

Clerk of Commission