



CITY OF FAIRBURN
CITY HALL
56 Malone Street
Fairburn, GA 30213
July 16, 2018
6:00 PM

WORKSHOP AGENDA

- I. Meeting Called to Order: **The Honorable Elizabeth Carr-Hurst, Mayor**
- II. Roll Call: Interim City Clerk
- III. Presentations: None
- IV. Discussions:
 1. Community Development/Planning and Zoning Ms. Tarika Peek
Directional Signage. Fairburn's Sign Ordinance does not have regulations
For directional/wayfinding.
 2. City of Fairburn Ms. Donna M. Gayden
An Ordinance to amend sections 46-136 and 46-144 of chapter 46, article
III, of the Fulton County Code of Ordinances (Marijuana)
 3. City of Fairburn Personnel Policy Handbook Ms. Donna M. Gayden
 4. South Fulton Comprehensive Transportation Plan Ms. Donna M. Gayden
 5. Discussion of Municipal Court Audit Ms. Donna M. Gayden
- V. Review of Agenda Items for Council Session:
- VI. Adjournment:



CITY OF FAIRBURN

CITY COUNCIL AGENDA ITEM

SUBJECT: Directional Signage

☐ AGREEMENT ☐ POLICY / DISCUSSION ☐ CONTRACT
☐ ORDINANCE ☐ RESOLUTION ☒ OTHER

Submitted: June 22, 2018 Work Session: July 16, 2018 Council Meeting: July 16, 2018

DEPARTMENT: Community Development/Planning and Zoning Office

BUDGET IMPACT: None

PUBLIC HEARING? ☐ Yes ☒ No

PURPOSE: Fairburn's Sign Ordinance does not have regulations for directional/wayfinding signage. Directional/wayfinding signage indicates to motorist or pedestrians which direction they should travel to reach a building or business entrance. This type of signage can be beneficial to shopping centers, educational campuses, office parks, and other similar land uses. The creation of directional/wayfinding sign regulations would require careful research and wording to ensure that the regulations control sign aesthetics (i.e. sign height and square footage) but does not illegally control the content of the sign (violation of freedom of speech under the First Amendment).

Staff is seeking the will of the Mayor and City Council for staff to research and draft an ordinance for directional/wayfinding signage. Staff will work with the City's Attorneys to ensure that the proposed directional/wayfinding sign ordinance is "content neutral".

HISTORY:

RECOMMENDED ACTION: Informational Only.

Donna M. Gayden, City Administrator

Elizabeth Carr-Hurst, Mayor

BOARD OF COMMISSIONERS OF FULTON COUNTY

FULTON COUNTY GOVERNMENT CENTER

141 PRYOR STREET SW, SUITE 10032

ATLANTA, GEORGIA 30303

Robert L. (Robb) Pitts
CHAIRMAN

TELEPHONE (404) 613-2330
robb.pitts@fultoncountyga.gov



The Honorable Elizabeth Carr-Hurst
Mayor of Fairburn
56 SW Malone St
Fairburn, GA 30213

Dear Mayor Carr-Hurst,

I am writing to share legislation that was adopted by the Fulton County Board of Commissioners (BOC) at its June 6 meeting regarding marijuana.

This legislation states that those arrested for possession of less than one ounce of marijuana shall be punished by a fine not exceeding \$75.00 and shall not be subject to any term of imprisonment. This change in our code affects the unincorporated area of Fulton County – the Fulton Industrial District.

The BOC believes that imprisonment for possession of less than one ounce of marijuana, with no intent to distribute is excessive punishment and not in the best interest of its citizens or utilization of its resources.

Recent years have seen an increasing number of other jurisdictions and municipalities enacting legislation providing that possession of less than one ounce of marijuana should not be punished by imprisonment. Fulton County now joins the cities of Atlanta and South Fulton, as well as many other municipalities and several states in passing legislation that addresses the need for this change.

I have attached a copy of the legislation for your review and hope that you will consider changing your laws, ordinances and regulations to eliminate imprisonment for possession of less than one ounce of marijuana.

Sincerely,

A handwritten signature in black ink, appearing to read "Robb Pitts".

Robb Pitts

1 AN ORDINANCE TO AMEND SECTIONS 46-136 AND 46-144 OF CHAPTER 46
2 (OFFENSES), ARTICLE III (OFFENSES INVOLVING PUBLIC PEACE AND ORDER),
3 OF THE FULTON COUNTY CODE OF ORDINANCES, SO AS TO PRESCRIBE THE
4 MAXIMUM PENALTY TO BE IMPOSED FOR A VIOLATION STEMMING FROM
5 POSSESSION OF LESS THAN ONE OUNCE OF MARIJUANA; TO PROVIDE THAT
6 A VIOLATION OF THESE SECTIONS SHALL NOT BE PUNISHABLE BY ANY TERM
7 OF IMPRISONMENT; AND FOR OTHER PURPOSES.

8
9 WHEREAS, Fulton County has an interest in maintaining the public safety and
10 general welfare of the residents and citizens of Fulton County; and

11 WHEREAS, the Fulton County Board of Commissioners has authority pursuant
12 to 1976 Ga. Laws, page 1880 [Fulton County Code § 1-115 hereof] and Fulton County
13 Code § 1-116 to adopt ordinances and regulations for the governing and policing of the
14 unincorporated areas of Fulton County for the purpose of protecting and preserving the
15 health, safety, welfare, and morals of the citizens thereof, as it may deem advisable,
16 that are not in conflict with general laws of this state and of the United States, and to
17 provide penalties for violation of said ordinances or regulations, setting the nature and
18 amount of such penalty or punishments, and is further authorized to designate the court
19 or courts which shall have jurisdiction in Fulton County over such offenses; and

20 WHEREAS, Chapter 46 (Offenses) of the Fulton County Code of Ordinances
21 contains County laws adopted pursuant to Fulton County Code §§ 1-115 and 1-116
22 relating to disorderly conduct which are consistent with state law [O.C.G.A. § 16-11-39];
23 and

24 WHEREAS, current Fulton County laws punish the possession of marijuana as
25 part of a disorderly conduct violation pursuant to Fulton County Code § 46-136(a)(6) or
26 as part of loitering pursuant to Fulton County Code § 46-143; and

27 WHEREAS, under current Fulton County Code § 46-145, Fulton Industrial

1 Boulevard, the only current unincorporated area of Fulton County, is designated a "drug
2 free commercial zone" pursuant to O.C.G.A. § 16-13-32.6, which makes it a felony to
3 "manufacture, distribute, dispense, or possess with intent to distribute" a controlled
4 substance, which would including marijuana under state law; and

5 **WHEREAS**, the Board of Commissioners of Fulton County believes that
6 imprisonment for possession of less than one ounce of marijuana, with no intent to
7 distribute, is an excessive punishment and not in the best interest of the citizens of
8 Fulton County or utilization of its resources; and

9 **WHEREAS**, the Board of Commissioners takes notice that an increasing number
10 of other jurisdictions and municipalities are enacting legislation providing that
11 possession of less than one ounce of marijuana should not be punished by
12 imprisonment; and

13 **WHEREAS**, the Board of Commissioners deems it the policy of Fulton County to
14 seek the elimination of imprisonment as a punishment for possession of less than one
15 ounce of marijuana throughout Fulton County and its municipalities; and

16 **WHEREAS**, it is the desire of the Board of Commissioners to specifically amend
17 its Code of Ordinances to provide that a person convicted of a violation of Fulton County
18 Code § 46-136(a)(6) or Fulton County Code § 46-143 that involves the possession of
19 less than one ounce of marijuana shall be punished by a fine not exceeding \$75.00 and
20 shall not be subject to any term of imprisonment; and

21 **WHEREAS**, it is the desire of the Board of Commissioners to specifically amend
22 its Code of Ordinances to modify the penalty provision of Fulton County Code § 46-144

1 for those loitering violations involving possession of less than one ounce of marijuana to
2 a fine not exceeding \$75.00 and not punishable by a term of imprisonment.

3 **NOW, THEREFORE, BE IT ORDAINED**, by the Board of Commissioners, that
4 Article III, Division 1, Chapter 46, Section 136, subpart (b) of the Fulton County Code of
5 Ordinances shall be amended such that it shall read as follows (with additions
6 underlined):

7 (b) *Penalty.* Upon finding of guilt for the violation of this section, the offender
8 shall be subject to imprisonment for a term not exceeding one month or by fine not
9 exceeding \$500.00, or both; provided that notwithstanding anything contained herein to
10 the contrary, upon a finding of guilt for the violation of section 46-136(a)(6), based solely
11 upon the misdemeanor violation of possession of less than one ounce of marijuana, an
12 offender may be prosecuted by alternative enforcement procedures provided by this
13 section and be offered a civil penalty of a \$75.00 fine for all first time offenses.
14 Subsequent offenses shall have a mandatory minimum fine schedule of \$150.00 for a
15 second offense, \$300.00 for a third offense, \$450.00 for a fourth offense, and for all
16 subsequent offenses, a mandatory minimum fine schedule of \$500.00 and may include
17 imprisonment for up to 60 days. Violators who are under the age of 21 must appear in
18 court and may be ordered to drug treatment. Violators who are 21 or older must appear
19 in court after a third offense and may be ordered into drug treatment.

20 **BE IT FURTHER ORDAINED**, by the Board of Commissioners, that Article III,
21 Division 2, Chapter 46, Section 144 of the Fulton County Code of Ordinances shall be
22 amended such that it shall read as follows (with additions underlined in bold font):

1 "A person convicted of a violation of sections 46-141, 46-142 or 46-143 shall be
2 punished by a fine not exceeding \$1,000.00, imprisonment in the county jail for a term
3 not exceeding 60 days, or any combination thereof; provided that notwithstanding
4 anything contained herein to the contrary, a person convicted of a violation of section
5 46-143 based exclusively on possession of less than one ounce of marijuana shall be
6 subject to a fine not exceeding \$75.00 and shall not be punished by imprisonment for
7 any term.

8 **BE IT FURTHER ORDAINED**, that this Ordinance shall be effective upon its
9 adoption by the Board of Commissioners.

10 **BE IT FURTHER ORDAINED**, that all ordinances and parts of ordinances in
11 conflict with this Ordinance are hereby repealed to the extent of the conflict.

12 **BE IT FURTHER ORDAINED**, that the Board of Commissioners recommends
13 that the State of Georgia and all jurisdictions and municipalities within Fulton County
14 review their laws, ordinances, and regulations and consider eliminating imprisonment
15 for possession of less than one ounce of marijuana.

16 **BE IT FINALLY ORDAINED**, that the Clerk to the Commission is instructed to
17 take all necessary steps to ensure that this Ordinance is codified in the Fulton County
18 Code of Ordinances as set forth herein.

19 **SO PASSED AND ADOPTED**, this 6 day of June, 2018.

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ITEM # 18-0319 RM 6/6/18
REGULAR MEETING

FULTON COUNTY BOARD OF
COMMISSIONERS

CO-SPONSORED BY:

Marvin S. Arrington, Jr.

Marvin S. Arrington, Jr., Commissioner,
District 5

CO-SPONSORED BY:

Robert L. Pitts

Robert L. Pitts, Chairman

CO-SPONSORED BY:

Natalie Hall

Natalie Hall, Commissioner, District 4

ATTEST:



Tonya R. Grier

Tonya R. Grier, Interim Clerk to the
Commission

APPROVED AS TO FORM:

Patrise Perkins-Hooker

Patrise Perkins-Hooker
County Attorney

P:\CALegislation\BOC\Ordinances\6.6.18 Ordinance to limit marijuana possession to fines and not imprisonment.docx

ITEM # 18-0319 RM 6/6/18
REGULAR MEETING



**CITY OF FAIRBURN
CODE OF ORDINANCES
CHAPTER 2, ADMINISTRATION
ARTICLE III
DIVISION 1, SECTION 2-57.
PERSONNEL MANUAL**

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2-50 GENERAL INFORMATION

2-50.1 PURPOSE AND INTERPRETATION

This section of the City of Fairburn ("the City") Code of Ordinances shall be known as the City's "Personnel Policy." The information in this Personnel Policy is designed as an advisory guide to help the City and its supervisors with the effective management of personnel and is not meant to address every conceivable situation or issue that may arise in the workplace. The provisions in this Personnel Policy are not binding on the City and may be changed, suspended, terminated, or interpreted by the City, in whole or in part, at any time, at the City's sole option, and without prior notice to employees. This Personnel Policy is not intended to cover every situation which may arise or to create specific policy to be applied in every instance. Instead, it is intended only to give management general advice about personnel decisions. Also, this Personnel Policy and any practice or policy of the City will be applied consistent with all applicable laws.

Further, certain job positions may have additional rules and requirements that apply to those specific job duties and are generally outlined in Department Standard Operating Procedures/Guidelines (SOPs/SOGs). Each employee is subject to all rules and requirements that have been established for employee's position with the City. In the event of a conflict between any SOP/SOG and this Personnel Policy, the provisions of this Personnel Policy will govern. A copy of each SOP/SOG is maintained by the Human Resources Director and is available for employee review upon request.

Interpretation and administration of the policies and procedures in this Personnel Policy is governed by, and is the responsibility of, the Human Resources Director under the supervision of the City Administrator. Whenever clarification or assistance in interpretation is required, employees should contact the Human Resources Director.

Should any provision in this Personnel Policy be determined to be invalid, such finding does not invalidate the entire Personnel Policy, but only that particular provision.

2-50.2 EMPLOYMENT AT WILL

Nothing in this Personnel Policy is intended to create, comprise, or define, nor should it be construed to constitute, any type of oral or written employment contract, promise, or guarantee, express or implied, between the City and any one or all of its employees. Nothing in this Personnel Policy is intended to provide any assurance of continued employment.

In the absence of a specific agreement to the contrary, authorized in writing by the City's Mayor and Council, employment with the City is for no definite period of time and may be terminated by the City or the employee at any time, for any reason, with or without cause, and with or without notice. Any written or oral statements or promises to the contrary are hereby expressly disavowed and should not be relied upon by prospective or existing employees.

2-50.3 APPLICABILITY

This Personnel Policy applies to all City employees. Elected officials, as well as City boards, authorities, commissions, committees, consultants and independent contractors are not covered by this Personnel Policy unless any such individual or organization is specifically included by language contained herein or by contractual agreement with the City or unless required by federal, state, or local law.

This Personnel Policy supersedes any and all other previous City Personnel Policy, or other employee policies in conflict with this Personnel Policy, whether written or oral.

2-50.4 THE CITY'S EMPLOYEE RELATIONS PHILOSOPHY

The City is committed to providing the best possible work environment for maximum development and achievement of goals for all employees. Our practice has always been to treat each employee as an individual. We have always sought to develop a spirit of teamwork; individuals working together to attain a common goal.

In order to maintain an atmosphere where these goals can be accomplished, we have provided a workplace which is comfortable and progressive. Most importantly, we have a workplace where communications are open and problems can be discussed and resolved in a mutually respectful atmosphere taking into account individual circumstances and the individual employee.

In this regard, the City maintains an "open door policy" in which we believe the best way to resolve any difficulties is to speak directly to each other. If you feel you have a problem, you should present the situation to your supervisor so that the problem can be settled by examination and discussion of the facts. We hope that your supervisor will be able to satisfactorily resolve most matters. However, if you find that you still have questions after meeting with your supervisor or that you would like further clarification, you may request a meeting with the Human Resources Department. Human Resources will review the issues and meet with you to discuss possible solutions. Finally, if you still believe that your problem has not been fairly or fully addressed, you may request a meeting with the City Administrator. We firmly believe that by communicating with each other directly in this manner, we can continue to resolve any difficulties that may arise and develop a mutually beneficial relationship.

Of course, if an employee has an issue or problem, a complaint that is covered by the EEO Policy or any other City policy, an employee is encouraged to use the City's Reporting Procedure, which is contained in this Manual.

2-50.5 EQUAL EMPLOYMENT OPPORTUNITY POLICY

A. EEO Policy

The City is committed to maintaining a workplace that is free of inappropriate or unlawful conduct on the basis of race, color, religion, sex, sexual orientation, marital or civil union status, age, national origin, ancestry, disability, citizenship, military or veteran status, genetic information, order of protection status, pregnancy, child birth or related medical conditions, gender, gender identity or expression, or on any other basis prohibited by law. In keeping with

this commitment, the City prohibits the unlawful treatment of employees, including harassment, discrimination, and retaliation, by anyone, including any supervisor, coworker, contractor, subcontractor, vendor, resident, visitor, or agent. It is the City's policy to comply with all applicable federal, state, and local laws.

B. Equal Employment Opportunity

The City is proud to be an equal opportunity employer. It is our policy to provide equal employment opportunities to all qualified applicants and Associates without regard to their race, color, religion, sex, sexual orientation, marital or civil union status, age, national origin, ancestry, disability, citizenship, military or veteran status, genetic information, order of protection status, pregnancy, child birth or related medical conditions, gender, gender identity or expression, or on any other basis prohibited by law.

We make reasonable accommodations when necessary for all employees and/or applicants with disabilities, provided the individual is otherwise qualified to perform the essential functions of the job. Such individuals are encouraged to discuss their need for a reasonable accommodation with Human Resources or their supervisor.

If you feel that you have been discriminated against in any respect, you should immediately bring the matter to the attention of management through the complaint procedure contained in this Manual, or by approaching any member of management with whom you would feel comfortable discussing your complaint.

C. Sexual or Other Unlawful Harassment

The City prohibits unlawful harassment in the workplace. Unlawful harassment can take many forms, not just including conduct based on an individual's sex, but also conduct based on an individual's race, color, religion, sex, sexual orientation, marital or civil union status, age, national origin, ancestry, disability, citizenship, military or veteran status, genetic information, order of protection status, pregnancy, child birth or related medical conditions, gender, gender identity or expression, or on any other basis prohibited by law.

Unwelcome sexual advances, requests for sexual favors, and other physical, verbal, or visual conduct based on a protected class constitute harassment when (1) submission to the conduct is an explicit or implicit term or condition of employment; (2) submission to or rejection of the conduct is used as the basis for an employment decision; or (3) the conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. Inappropriate conduct may include explicit sexual propositions; sexual innuendo; suggestive comments; sexually oriented or racial "kidding" or "teasing;" "practical jokes;" jokes about gender-specific or disability-specific traits; foul or obscene language or gestures; displays of foul, obscene, or racial material; sexually-related emails and text messages; and physical contact, such as patting, pinching, or brushing against another's body.

Employees are prohibited from engaging in any conduct that constitutes unlawful harassment. An individual who has witnessed or been subjected to harassment should follow the City's Complaint Procedure, which is contained in this Manual.

D. Americans with Disabilities Act

It is the City's policy to provide equal employment opportunity to applicants and employees with covered disabilities under the Americans with Disabilities Act ("ADA") or other applicable law. This policy applies to all aspects of employment and application for employment. As required by the ADA or other applicable law, the City will provide reasonable accommodations to qualified individuals with a disability unless such accommodations present an undue hardship or if the individual is a direct threat to the health or safety of the individual or others.

An individual with a disability may request a reasonable accommodation at any time during the application process or during employment. Reasonable accommodations are changes made to the work environment or to the manner or circumstances in which the job customarily is performed that allow an individual with a disability to perform all essential job functions of a position. The City is not required, however, to provide an accommodation if doing so would cause an undue hardship to the City or if the individual is a direct threat to the health or safety of the individual or others in the workplace.

All requests for accommodations will be addressed in connection with an interactive dialogue with the affected individual. To request an accommodation, which may include unpaid leave or modification of the working environment, an individual should complete an Accommodation Request Form (which is available in the Human Resources Department) and return it to the Human Resources Director.

Upon receiving a request for accommodation, the City will seek an interactive process with the individual to clarify the individual's needs and identify the appropriate reasonable accommodation. During this process, the City may request reasonable documentation, including medical documentation, of the individual's disability and need for a reasonable accommodation. Failure to provide required medical information or to otherwise participate in a meaningful way in the interactive dialogue process regarding an accommodation request may result in denial of an accommodation. Because of the personal nature of some disability issues, the City will take every reasonable effort to ensure confidentiality during the review process.

Any individual believing that a reasonable accommodation has not been provided should follow the City's Complaint Procedure, which is contained in this Manual.

2-50.6 REPORTING PROCEDURE

A. Procedure

All employees have the responsibility to help ensure there is no unlawful or inappropriate conduct in the City's workplace by reporting such conduct under this Procedure. If you feel that there has been: (1) harassment; (2) discrimination; (3) retaliation; (4) improper denial of a request for accommodation; (5) improper denial of requested leave under the FMLA, ADA, or

otherwise; (5) violation of any policy contained in this Manual; (6) failure to pay overtime or minimum wages, or any other violation of the FLSA or wage payment laws; (7) other unlawful or inappropriate conduct by anyone, including elected or appointed City officials, employees, supervisors, coworkers, contractors, subcontractors, vendors, residents, visitors, or agents, you are to provide notification of such conduct immediately (preferably in writing within 24 hours); or (8) any other violation of City Policy. In the case of unlawful or inappropriate conduct under the City's EEO Policy, notification should be provided to the Human Resources Director. In the case of non-EEO related issues, an employee should first speak to the employee's supervisor if the employee feels comfortable doing so. If the employee is not comfortable speaking to the employee's supervisor, the employee should raise the issue with the Human Resources Director. Questions regarding these procedures may be directed to the Human Resources Director.

If you are not contacted promptly about your complaint or you are not satisfied with the response you receive, you may draft a written inquiry to the City Administrator.

B. Review

The City will undertake an objective and appropriate review of any complaint and expects all employees to fully and honestly cooperate with internal investigations that may be initiated by the City to examine any perceived violation of City policy or procedure or any other matter. To the extent practicable and appropriate, the City will keep any complaint and the terms of its resolution confidential, subject to any applicable laws governing disclosure of public records or information.

The City will take corrective action as appropriate, including discipline, up to and including termination of employment. Individuals will be notified of any findings and recommendations relating to their complaint. If you have any questions about the status of your pending complaint, you should contact the Human Resources Director or the City Administrator.

C. EEOC Charges

Nothing contained in these Personnel Policies will be construed to take away an employee's right to file a charge of discrimination with the Equal Employment Opportunity Commission (EEOC) or to file such other allegations of unlawful conduct with other government agencies as provided by law.

2-51 HOURS AND ATTENDANCE

2-51.1 WORK SCHEDULES

The City's standard workweek for full-time, non-public safety employees is Monday through Friday from 8:00 a.m. to 5:00 p.m., with a mandatory one-hour unpaid lunch period for hourly employees. Department heads or a designee will advise exempt and non-exempt employees regarding their specific working schedules. Part-time and temporary employees will also work the hours as specified by their department heads. Public safety department heads will establish work schedules for their departments in the department Standard Operating Guidelines (SOGs).

Business requirements may sometimes require employees to work outside of their normal schedules. Working periods may also be modified to accommodate business needs. Department heads and supervisors will try to inform employees in advance of any such requirement.

2-51.2 WORK TIME AND OVERTIME

The City complies with the requirements of the Fair Labor Standards Act ("FLSA") and any other applicable laws with respect to wages and hours. All City positions are designated as either "exempt" or "non-exempt" according to the FLSA.

For all non-exempt, non-public safety employees, the applicable work period for determining overtime is 40 hours in a 7-day work cycle running from 12:00 a.m. Wednesday through 11:59 p.m. Tuesday. For all non-exempt law enforcement officers, the applicable work period for determining overtime is 84 hours in a 14-day work cycle running from Wednesday through the second Tuesday. For all non-exempt firefighters, the applicable work period for determining overtime is 106 hours in a 14-day work cycle running from Wednesday through the second Tuesday.

There may be times when employees will need to work overtime so the City can successfully meet the needs of its citizens and customers. Generally, employee may work overtime without prior written authorization from a supervisor. Any employee working unapproved overtime will be subject to disciplinary action, up to and including termination of employment. Public safety employees may work overtime if the public safety employee receives verbal permission from the employee's supervisor or without permission in the case of emergencies.

Non-exempt employees will be given compensatory time off or paid overtime at a rate of one and one-half times their regular hourly rate for all hours worked in excess of the applicable work period. Exempt employees do not receive overtime pay and are paid a fixed salary for all hours worked in a week. Exempt salaried employees are subject to deductions from their salaries only for lawful reasons.

If an employee has received an improper salary deduction, has been improperly classified as exempt or non-exempt, or has not been paid minimum wage or overtime for any hours worked, the employee should utilize the City's Complaint Procedure, which is contained in this Manual. If it is determined that an improper deduction was made or that an employee was not paid minimum wage or any overtime due, the City will reimburse the employee.

2-51.3 COMPENSATORY TIME OFF

Non-exempt employees who work overtime may receive compensatory time off in lieu of overtime wage payments. Such compensatory time off will be paid at a rate of one and one-half hours for each overtime hour worked, instead of overtime pay. Department heads must approve the use of such an election and notify employees in advance. Employees also must acknowledge in writing their understanding and agreement to such an election prior to working the overtime hours.

Employees requesting to use their compensatory time off will be allowed to use such time within a reasonable period after making the request, upon approval by the City, if such use does not interfere with the City's operations. The City limits employees' accrual of compensatory time off to 80 hours. Employees who have accrued 120 hours of compensatory time off must thereafter be paid wages for any overtime hours worked.

Upon termination of employment, employees will be paid for all earned but unused compensatory time off.

2-51.4 ATTENDANCE AND PUNCTUALITY

Punctual and consistent attendance is an essential function of all positions of employment with the City. We work as a team, and this requires that each person be in the right place at the right time. Failure to meet expectations for attendance and punctuality will result in disciplinary action, up to and including termination.

Employees who are unable to come to work or arrive to work on time, must notify their supervisor or department head as soon as possible and do so before their workday is scheduled to begin. To notify one's supervisor or department head, an employee should first attempt to call and speak to the supervisor or department head, or such other person in the employee's chain of command directly. If the employee is unable to reach their supervisor, department head, or some other person in the employee's chain of command directly, then the employee may send a text or email message; provided, further, that the employee, after commencement of the workday, confirms that the text or email message was received. If an employee's absence continues beyond one day, the employee should continue to report further absences each day.

An employee who is absent without authorization or who fails to make proper notification is subject to disciplinary action, up to and including termination. If an employee is absent for three days without notifying the City, it will be assumed that the employee has voluntarily abandoned employment with the City, and the employee will be removed from the payroll.

In addition, even when proper notification is given, excessive absenteeism and tardiness will result in disciplinary action, up to and including termination of employment. Excessive absenteeism and tardiness is generally considered to be more than two (2) unexcused absences. An unacceptable pattern of unexcused absences and/or tardiness over a six (6) month period will be evaluated and discussed with the employee. An absence from work will be considered excused if the employee has available sick leave.

An employee's attendance simply is one aspect of the employee's job performance and will be considered together with overall performance and attitude.

This policy will be applied in accordance with all applicable laws. If an employee or immediate family member has a medical condition that results in one or more absences, the employee may qualify for unpaid leave under the federal Family and Medical Leave Act ("FMLA"), and the absence or tardy will not be considered unexcused. Likewise, if an employee absence is approved leave under the Americans with Disabilities Act ("ADA"), the absence will not be considered.

If you believe that an absence or tardy has been improperly considered unexcused, please utilize the City's Complaint Procedure, which is contained in this Manual.

2-51.5 MEAL PERIODS

A 60-minute unpaid meal break must be taken each day by all non-exempt employees. Employees are completely relieved of their duties during this meal break. The employee's department head or designee will schedule such meal periods. The scheduling of meal periods may vary depending on business needs. Scheduling of and payment for meal periods for public safety personnel may be subject to different or additional requirements. Non-exempt employees must clock in and out for each meal period.

An employee needs written authorization from the employee's supervisor before performing work during a non-regularly scheduled work period or after the employee's scheduled shift. If an employee is asked to perform work without clocking in, the employee should immediately contact the City Administrator.

2-51.6 TRAVEL TIME AND WORK OUT OF TOWN FROM THE OFFICE

When a non-exempt employee works out of town, either on a one-day trip or on an overnight visit, employee will be paid for all compensable time, as provided for by applicable federal and state law. Employees should discuss their compensation for an out of town trip with the Human Resources Director prior to the day of departure.

2-51.7 CALL-IN

All employees are subject to call in emergencies or as needed by the City to provide necessary services to the public. An example of such necessary service would be to provide administrative support for meetings outside the normal work hours. A refusal to respond to a call in may be grounds for immediate disciplinary action, up to and including termination. Non-exempt employees called back to duty will be paid a minimum of 2 hours beginning from the time they leave home to report for duty at their appropriate rate of pay for hours worked (the overtime rate, if applicable) along with any additional compensation required by law. Exempt employees do not receive additional pay for such call ins, as their fixed salary already compensates them for all hours worked in a week.

2-51.8 RECORDING YOUR TIME.

Accurately recording time worked is the responsibility of every nonexempt employee. Federal and state laws require the City to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties.

All non-exempt employees must accurately record the time they begin and end their work, as well as the beginning and ending time of each meal period. Non-exempt employees must also record the beginning and ending time of any split shift or departure from work for non-work-related reasons.

The City wants to be sure that non-exempt employees are paid fairly for all the time they work. To accomplish this, the City must have an accurate record of the time that employees work. To accomplish this, the City uses an electronic timekeeping system to keep time records for non-exempt employees. Employees are required to login to the designated computer workstation when they begin work and log out when they end their work. Employees' supervisors will explain how the system is used. The important points to remember are:

- Be sure that you clock in at the start of your shift;
- Be sure you clock out at the end of your shift;
- If you leave the building on non-City business, you must clock out; and
- Accurately record any meal break in your electronic time record.

If an employee is asked or instructed by anybody in the City to perform work "off the clock" (in other words, perform work without reporting it on the time system), the employee should refuse and also immediately report the situation by utilizing the City's Complaint Procedure, which is contained in this Manual.

If an employee forgets to log in or out for any reason, employee must notify his/her supervisor or department head before leaving for the day. If the supervisor or department head is not available, the employee should leave a message via e-mail, voice mail, or whatever means is available. This is extremely important because paychecks will be calculated from the daily time log that is maintained by logging in and out during appropriate times.

Any change or omission from a timekeeping entry must be approved by the employee's supervisor. At the end of each pay period, employees are required to review and approve their time worked and any leave hours recorded for the pay period. If an employee believes any of the information reflected is incorrect, employee will have the opportunity to explain the issue, which then will be reviewed by the Human Resources Director. By approving the electronic timecard, employees are certifying that the information they submitted is complete and accurate. Employees may be subject to disciplinary action up to and including termination for submitting any inaccurate information on their report.

Altering, falsifying, tampering with or submitting inaccurate information in any way in connection with time records or using or accessing any timecard or time record other than your own will result in disciplinary action up to and including termination of employment. Additionally, violators may be criminally charged.

Exempt employees will be paid on a salary basis (26 pay-periods per year) and do not keep time records for payroll purposes unless otherwise instructed to do so; however, exempt employees who wish to utilize vacation or sick pay must submit a request to their supervisor who will, after approval, forward the request to payroll for processing.

2-51.9 SEVERE WEATHER CONDITIONS

Severe weather is sometimes to be expected. Although driving may at times be difficult, when caution is exercised, the roads are normally passable. Except in cases of severe storms, we are all expected to work our regular hours.

Procedures - The City Administrator may direct City offices to be closed due to inclement weather conditions. This decision may be made prior to normal business hours or at any time during the workday should weather conditions dictate the need to close City offices. City employees shall be notified as soon as possible in the event of a closing.

When City administrative offices are closed for partial days, employees who are at work may receive pay for the remainder of the business day for which the employee was scheduled to work. When City administrative offices are delayed from opening at the normally scheduled time (e.g., opens at 10:00 a.m. rather than at 8:00 a.m.) employees who report to work at the rescheduled time of opening, may receive full pay for the day.

Pay For Inclement Weather - Offices Open - When City offices remain open during inclement weather, employees are expected to attempt to report to and remain at work. If a non-essential employee is unable to get to work or needs to leave before the end of shift, the employee must contact his/her supervisor. The employee may use vacation or compensatory time if unable to report to or remain at work because of inclement weather. If a non-exempt employee does not have accrued paid time off, the employee shall be required to take the time off without pay.

Pay For Inclement Weather - Offices Closed - When City offices are closed due to inclement weather, employees whose jobs are essential to ensure public safety and other employees as determined by their department head (e.g., police, fire, public works, water and sewer personnel, Human Resources payroll, etc.) may be required to report to work. Non-essential employees may receive their normal pay during closure of City administrative offices with the approval of the City Administrator.

Essential employees who report to work will receive one day of vacation leave for each full shift worked during closure of City administrative offices due to inclement weather in addition to their pay.

Essential employees who fail to report to work and who were not excused by their department head must use vacation, sick or compensatory time to receive pay during their absence. These employees may also be subject to disciplinary action.

2-52 EMPLOYMENT PRACTICES

2-52.1 IMMIGRATION LAW COMPLIANCE

The City employs only United States citizens and those non-U.S. citizens who are authorized to work in the United States in compliance with all applicable federal and state laws.

To comply with state law, the City utilizes E-Verify to verify the work eligibility of its employees. E-Verify is an Internet-based system operated by Department of Homeland Security in partnership with Social Security Administration that allows participating employers to electronically verify the employment eligibility of their newly hired employees. E-Verify works by electronically comparing the information on an employee's 1-9 form with SSA and DHS records to verify the identity and employment eligibility of each newly hired employee.

Also, in accordance with state law, the City complies with the Systematic Alien Verification for Entitlements (SAVE) program in order to verify the lawful presence in the United States of any applicant for a public benefit and verify that the applicant is legally entitled to receive the benefit for which they applied. Employees who apply for benefits with the City covered by the SAVE program will be required to certify this information to the City as part of the application process, and the City may take steps to verify this information and/or report it to state or federal government agencies in accordance with SAVE requirements.

The Finance Director is responsible for completing the City's required reporting under these laws. However, if you have questions pertaining to these issues as they apply to your employment, please contact the Human Resources Director.

2-52.2 RECRUITMENT

All recruiting, transfer, and reassignment decisions will be made in accordance with the City's Equal Employment Opportunity Policy. The City may fill job vacancies from within or recruit external applicants. Job vacancies may be announced to City employees prior to any public advertisement, but such is not required. Current employees who wish to apply for a job vacancy should comply with the normal application process.

In order to determine suitability for employment and protect the health, safety, and welfare of its residents and employees, employees and applicants for employment, promotion, and transfer with the City may be asked to supply personal information and consent for evaluations such as physical evaluations, drug testing, driving history investigations, credit history investigations, and criminal background investigations.

2-52.3 EMPLOYMENT APPLICATIONS

We rely upon the accuracy of information contained in the employment application and the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information may result in exclusion of the applicant from further consideration for employment or, if the person has been hired, disciplinary action, up to and including termination of employment.

2-52.4 BACKGROUND CHECKS

The City conducts background checks on all employees, job applicants, and volunteers. These background checks may include credit reports, criminal background checks, driving history, and review of social media and other internet content. It is the City's policy to conduct such background checks in accordance with all applicable federal, state, and local laws.

With respect to criminal background checks in particular, they will be job related and consistent with business necessity. A prior criminal conviction is not an absolute bar to employment or volunteer service. A prior arrest or criminal conviction may bar an employee from serving in certain public safety positions. Upon receipt of information reflecting a prior criminal conviction, the City will conduct an individualized assessment considering the nature of the crime, the time elapsed, and the nature of the job, and also providing the individual an opportunity to explain the circumstances and why it should not exclude the individual from employment or volunteer service.

The failure to comply with this policy, including falsification of information related to background checks, will result in disciplinary action, up to and including termination of employment or disqualification from employment.

2-52.5 NEW EMPLOYEE ORIENTATION

Upon starting employment with the City, all employees will be given a copy of this Manual and may be asked to complete certain personnel, payroll and benefit forms. Your supervisor and/or department head will provide instructions to you about job assignments and other matters needed to orient you to your new position. They are a good source of information about your job and should be your primary contact for any questions about your duties.

2-52.6 CATEGORIES OF EMPLOYMENT

A. Introductory Period

All new employees (or any employee in a new position following a transfer or promotion) will be employed on an introductory status until they have completed six months (180 days) of service with the City in that position, unless otherwise extended. The decision whether to continue your employment in this position or extend your introductory period will be made by your supervisor and department head, in consultation with the City Administrator. However, any employee, during both the introductory period, and subsequent employment with the City, may be terminated at any time for any reason, with or without notice.

This introductory period is designed, primarily, to give both the City and the employee an opportunity to determine whether the employee will be able to adequately perform in the assigned job position. At the end of the introductory period, your performance will be reviewed and a decision made regarding your continued employment or any extended introductory period.

B. Employment Status

Full-time employees work a regular workweek (usually 40 hours) and may be eligible for benefits as set forth in this Manual and other applicable plan documents.

Part-time employees normally work fewer than 30 hours per week and are eligible for statutory benefits only.

With approval of the City Administrator, temporary employees may be used to perform a specific job for a specified period of time, such as during emergencies or other peak workload

periods; to temporarily replace regular employees absent due to disability, illness, annual leave or other approved leave; or to temporarily fill a vacancy until a regular employee is hired. Temporary employees are eligible for statutory benefits only.

It is important for all employees to understand that: (1) no employee is guaranteed any certain number of hours per week or a particular schedule; and (2) employees may be shifted from part-time to full-time or vice versa, and the City specifically reserves the right to make changes to employees' hours and schedule without any advance notice or consent by the employee.

2-52.7 EMPLOYEE PERSONNEL RECORDS AND PERSONAL DATA

The City maintains a personnel file for each employee in the Human Resources Department, and access is limited to the Human Resources Director or designee, the City Administrator, and other City officials with a need to access such information. An employee's personnel file may contain information such as the employee's name, title and/or position held, job description, department to which the employee is assigned, salary, changes in employment status, training received, performance evaluations, personnel actions affecting the employee, including discipline, and other pertinent information.

An employee has the right to review their personnel file under the supervision of the Human Resources Director or designee. Employees are not permitted to remove documents from their personnel file without prior written permission from the Human Resources Director. Personnel files are kept confidential to the maximum extent permitted by law; however, the City is required to comply with valid court orders, public disclosure requirements of the Georgia Open Records Law, and other applicable laws and directives requiring the City to provide information from the employee's personnel file.

The City needs to maintain up-to-date information about its employees. It is thus each employee's responsibility to provide notice of changes of address, phone numbers, marital status, number of dependents, next of kin and/or beneficiaries, and other personal information as they occur. This may be done by contacting the Human Resources Director.

2-52.8 JOB DESCRIPTIONS

The City will maintain job descriptions for all positions, which will include information such as general purpose, supervision exercised, examples of duties, and minimum qualifications.

A job description does not constitute an employment agreement between the City and employee and is subject to change as the needs of the City and the requirements of the job change. The examples of duties listed in a job position description are intended only as general illustrations of the various types of work performed. The omission of specific statements of duties does not exclude the requirement of additional duties and /or responsibilities for the position.

Job descriptions may be reviewed at the request of the employee or department head.

2-52.9 PAYDAYS

All employees are paid on a biweekly basis, every other Friday. In the event that a regularly scheduled payday falls on a federal holiday, employees will normally be paid on the day prior to the federal holiday.

2-52.10 PAYROLL DEDUCTIONS

The City will withhold from an employee's paycheck those deductions required by law and any voluntary deductions authorized by the employee, as long as such voluntary deductions comply with applicable law. If you believe an improper deduction has been made from your paycheck, please use the Complaint Procedure that is contained in this Manual.

2-52.11 PAY ADVANCES

Pay advances or loans will not be granted to employees.

2-52.12 CONFIDENTIALITY OF COMPENSATION AND BENEFITS

The City prohibits improper or unauthorized use of the City's records or computer systems to access confidential employee compensation and benefits. Improper or unauthorized access to the City's records or computer system may violate federal or state law. This policy does not prohibit individuals from discussing their own compensation and benefits with other employees, so long as you did not come into possession of such information through improper means.

2-52.13 EMPLOYMENT OF RELATIVES

An otherwise qualified candidate is excluded from consideration for a vacancy or transfer if a potential conflict of interest involving a relative would be created. For purposes of this policy, a relative includes an individual who is related by blood, marriage, or adoption. Examples of relatives include a spouse, parent, child, sibling, aunt, uncle, niece, nephew, grandparent, grandchild, or corresponding in-law or step family relation.

Candidates are ineligible for employment, promotion, or transfer to a job where an employee who is a relative would recommend or approve the appointment, hiring, termination, performance appraisals, pay changes, disciplinary actions, or promotions for the candidate. No employee may directly or indirectly supervise a relative. Failure to disclose a relative who is a City employee is grounds for discipline, including termination.

Relatives of the Mayor and members of the City Council will not be hired by the City; however, the election of a relative to the position of Mayor or a seat on the City Council will not cause a current employee to be terminated from employment. However, if an elected official takes steps to influence or determine any aspect of the relative employee's employment or taking any other action that may otherwise create an actual or potential conflict of interest, as determined by the City Administrator, the employee may be discharged..

2-52.14 NON-FRATERNIZATION

The City prohibits dating or romantic relationships between a supervisor and a subordinate who reports either directly or indirectly to that supervisor. This prohibition applies to all employees regardless of their marital status. In the event a supervisor and subordinate desire to date or enter into a romantic relationship, the supervisor should immediately notify the Human Resources Director so that the City may take appropriate steps to avoid any adverse impact in the workplace. This may include the transfer, reassignment, or resignation of one (or both) of the employees involved. The City will address these situations as confidentially and discreetly as possible. When a violation of this policy is determined to have occurred, appropriate disciplinary action, up to and including discharge, will be taken.

2-52.15 PERFORMANCE REVIEWS

Each employee's job performance is important to the City. Your supervisor or department head will review your job performance on a periodic basis. Such a review will be held once a year, near the time of your anniversary date. However, circumstances may result in reviews being conducted at different times and/or on a more or less frequent basis. In addition, new employees typically are reviewed at the end of their introductory period.

Performance reviews are designed to provide a basis for better understanding between you and the City, with respect to your job performance, potential and development within the City. Such reviews will be in writing, and you will be asked to complete a self-review prior to meeting with your supervisor; provided, however, you will not be required to complete a self-review.

Please understand, however, that receiving a positive performance review, does not guarantee an increase in compensation, a promotion, or even continued employment because all terms and conditions of employment are determined by the discretion and needs of the City.

2-52.16 NOTICE OF RESIGNATION

Employees who decide to voluntarily leave their employment with the City are expected to provide at least two weeks' notice to their department head and the Human Resources Director. Your thoughtfulness in providing such notice will be appreciated and will be noted favorably should you ever wish to reapply for employment with the City. Upon resignation, employees must return all City property to the City. In addition, all employees who voluntarily resign or who are involuntarily terminated will be asked to complete a written exit interview form, which will be presented to the employee at the time of the resignation or termination. This written exit interview form will become a part of the employee's permanent personnel file and may be shared with the Mayor and Members of City Council if so requested.

2-52.17 JOB REFERENCES

City employees are not authorized to provide any reference regarding a current or former employee's employment with the City. Any request for a reference or employment history of any kind must be directed to the Human Resources Director. In response to such requests, the Human Resources Director or designee's response will be limited to providing position(s) held, dates of

employment, and the eligibility for rehire. Upon written request by the former employee, the City may provide additional information, such as salary history. Again, this information only may be given by the Human Resources Director or designee, and no other employee is authorized to provide any information of any kind concerning a current or former employee.

2-53 TIME OFF AND OTHER BENEFITS

2-53.1 BENEFITS

Employees' rights and benefits are determined in accordance with the provisions of the applicable benefit policy, and such benefits are effective only if an employee is eligible for the benefit (including any insurance) and remain covered or insured in accordance with policy terms. Any benefit policy is subject to amendment, suspension, modification, or termination in accordance with any provision thereof or at the discretion of the City without the consent, notice to or concurrence of any person covered or insured thereunder.

The City reserves the right to amend, suspend, modify, or terminate these benefits at any time and for any reason. No employee has authority to contravene the terms of this policy, including waiving any condition or restriction of any benefit plan, extending the time for making a payment, or binding the City by making any promise or representation. Unless otherwise required by applicable law, once an employee is terminated, the City will not pay benefits under any benefit plan, except for that amount in which the employee is vested, or that the employee has contributed into the plan and has not yet utilized up to the time of termination, or in accordance with any laws requiring the continuation of such benefits.

2-53.2 RETIREMENT BENEFITS

The City maintains a retirement plan that provides for the payment of monthly benefits to eligible employees after retirement. The retirement plan document is located in the Human Resources Department, and a copy is available upon request.

2-53.3 MEDICAL INSURANCE

Eligible employees may participate in the City's group medical insurance benefit plan. Full-time employees are also covered at the current time under the City's life insurance plan. Information regarding these benefits is available upon request from the Human Resources Department.

2-53.4 CONTINUANCE OF MEDICAL COVERAGE (COBRA)

Upon an employee's termination from employment, the employee may be eligible to elect to continue health insurance benefits, at the employee's option and expense, to the extent provided under COBRA (the Consolidated Omnibus Budget Reconciliation Act). Information regarding rights under COBRA is available from the Human Resources Department.

2-53.5 EDUCATION ASSISTANCE

Eligible regular, full-time employees who have successfully completed their Introductory Period may be eligible to receive tuition assistance. Education assistance is dependent on the City's budget and employees should contact the Human Resources Director for more information.

2-53.6 EMPLOYEE ASSISTANCE PROGRAM

The City maintains for its employees and their immediate family members a counseling and treatment program referred to as the Employee Assistance Program, or EAP. This program, provided by an outside professional medical organization, assists City employees and their immediate family members with a wide range of assistance to address personal problems that may have a negative effect on their wellbeing and/or job performance. The terms of the City's Employee Assistance Program are located in the Human Resources Department and are available upon request.

2-53.7 UNIFORMS AND VEHICLES

The City may provide uniforms or an allowance for the purchase of uniforms to employees in certain job positions as designated by the City.

The City also may provide a vehicle or an allowance for the use of a personal vehicle to employees in certain job positions. Please also see the related policy on Operating City or Privately-Owned Vehicles While Conducting City Business.

2-53.8 ANNUAL PAID LEAVE

The City provides full-time employees with a benefit of paid annual leave that may be used for absences for vacation and other personal reasons. Part-time and temporary employees are not eligible for annual leave.

Eligible employees begin to accrue annual leave on their first day of employment, but new hires must wait 180 days before requesting time off and using any annual leave. Eligible employees accrue the following amounts of annual leave each pay period based on their employment classification with the City:

- Full-time non-public safety employees who work 2,080 hours a year or more earn annual leave at a rate of 3.69 hours per pay period.
- Full-time Fire Department employees, who work 24-hour shiftwork amounting to 2,756 hours a year, earn annual leave at of rate of 4.98 hours per pay period.
- Full-time Police Department employees who work 12-hour shiftwork amounting to, 2,184 hours a year, earn annual leave at of rate of 3.88 hours per pay period.
- Regular personnel who work 1,560 hours a year earn annual leave at a rate of 2.76 per pay period.

Employees do not accrue annual paid leave during any unpaid leave status. Employees may accrue up to a maximum of 240 hours of annual paid leave.

Requests for foreseeable annual leave must be submitted to your supervisor as far in advance as possible, and in no event less than 48 hours in advance of taking the leave. If the need to take annual leave is unexpected or otherwise not foreseeable, you must provide as much notice as possible. (Please also refer to the City's policy on Attendance and Punctuality, which is contained in this Manual.) No annual leave may be taken without approval.

When possible, annual leave days will be allowed in accordance with employee requests, but operating requirements of the City must always be taken into account. Sometimes, it may be necessary to deny annual leave requests, or approve annual leave on different dates than requested, in order to meet business needs. Generally speaking, length of employment determines priority when scheduling annual leave times among employees, although operational and staffing needs may affect scheduling as well.

Employees who voluntarily resign or who are involuntarily terminated will receive pay for any unused, accrued annual leave.

2-53.9 SICK LEAVE

The City provides full-time employees a benefit of paid sick leave that may be used for absences due to bona fide illness, injury, medical appointments or examinations, dental appointments, or other similar healthcare-related reasons. Sick leave also may be taken for the healthcare of an employee's immediate family member, which includes the employee's spouse, children, parents, brothers and sisters, grandparents, grandchildren, mother-in-law, father-in-law, son-in-law, daughter-in-law, and any other person who resides in the employee's household and who is recognized by federal tax laws as the employee's dependent. Part-time and temporary employees are not eligible for sick leave.

Eligible employees begin to accrue sick leave on their first day of employment, but new hires must wait 180 days before requesting time off and using any sick leave. Eligible employees accrue the following amounts of sick leave each pay period based on their employment classification with the City:

- Full-time non-public safety employees accrue sick leave at the rate of 3.69 hours per pay period.
- Full-time Fire Department employees who work 24-hour shifts earn sick leave at of rate of 4.98 hours per pay period.
- Full-time Police Department employees who work 12-hours shifts earn sick leave at of rate of 3.88 hours per pay period.
- Non-public safety employees who normally work 30 hours per week accrue sick leave at the rate of 2.76 per pay period.

Employees do not accrue sick leave during any unpaid leave status. Employees may accrue up to a maximum of 960 hours (24 weeks) of sick leave.

Requests for foreseeable sick leave must be submitted to your supervisor as far in advance as possible. If the need to take sick leave is unexpected or otherwise not foreseeable, you must provide as much notice as possible. (Please also refer to the City's policy on Attendance and Punctuality, which is contained in this Manual.) Paid sick leave may not be taken without approval. Medical documentation may be required of employees upon request in order to verify the need for sick leave.

When possible, sick leave days will be allowed in accordance with employee requests, but operating requirements of the City must always be taken into account. Fulltime employees who have been employed with the City for one (1) year or more may donate their annual leave to other employees who are in need of additional sick leave for qualifying medical absence. Donations of annual leave will be done in writing to the Human Resources Department, and calculated on a dollar basis.

For example, if an employee who earns \$30.00 per hour donates one hour of annual leave to an employee who earns \$10.00 per hour, the recipient will have three hours of paid time off to use for their qualifying medical absence.

Employees with less than one year of employment with the City may not receive nor donate annual leave to another employee.

2-53.10 PERSONAL LEAVE OF ABSENCE

An employee with at least one year of employment with the City may be granted a personal leave of absence without pay. The granting of this type of leave is normally for compelling reasons only and is dependent upon the sole discretion and joint written approval of the employee's department head and the City Administrator. Such leaves of absence ordinarily may not exceed 90 days, and may be granted only after earned annual leave and sick leave is exhausted.

The City will make reasonable efforts to return an employee to the same or similar job as held prior to the leave of absence, subject to staffing and business requirements, but no guarantee can be provided. It is the employee's responsibility to return to work on the date the personal leave of absence expires. If an employee does not return to work as scheduled and does not notify the department head of a request for an extension, the City will consider the employee to have voluntarily resigned from employment. A request for an extension must be in writing and received at least 5 business days before the scheduled expiration of a leave of absence.

Unless pre-approved in writing by the City Administrator, engaging in other gainful employment during any leave of absence is prohibited.

2-53.11 MEDICAL LEAVE (NON-FMLA)

Employees who need time off from work for qualifying medical reasons, but who are not entitled to leave under the FMLA or other leave law (such as those who are not eligible or who already

have exhausted their FMLA leave) may be granted unpaid non-FMLA medical leave at the City's discretion.

Upon return from an approved non-FMLA medical leave, the employee must provide a release from employee's health care provider authorizing a return to work and listing any work restrictions. Upon receipt of such authorization, the City will review any work restrictions and determine whether the employee's position or another position for which the employee is qualified is available, including whether a reasonable accommodation is appropriate and available.

This Policy will be applied in conjunction with the Americans with Disabilities Act, the FMLA, the applicable state worker's compensation law, and any other applicable local, state, or federal law. An employee who has been improperly denied leave should use the _____, which is contained in this Manual.

2-53.12 JURY, COURT, AND WITNESS LEAVE

Employees will be granted time off with pay to serve on a jury or as a subpoenaed court witness. Employees must provide proof of jury summons or subpoena and report any compensation received to the City. Employees who serve as a witness or attend court the course of the employee's official duties will be compensated at the employee's regular rate of pay.

Employees who attend court for personal reasons must use their accrued vacation leave time in order to receive pay for the absence from work.

Employees must make arrangements with their supervisor as soon as they receive notice of their summons or subpoena. In fairness to the City, employees must return to their job at the City if they are excused from jury or witness duty during their regular working hours. The failure to do so may result in disciplinary action, up to and including termination from employment.

2-53.13 BEREAVEMENT LEAVE

Full-time employees who have completed their Introductory Period may be eligible to receive bereavement leave. An employee who has a death in the immediate family may receive up to 24 hours (or 3 working days for public safety employees) of paid leave for each qualifying event for bereavement and to arrange and/or attend funeral activities. You must be scheduled to work during the time you will be away from work for these activities in order to receive pay.

An employee's immediate family includes the employee's spouse, children, parents, brothers and sisters, grandparents, grandchildren, mother-in-law, father-in-law, son-in-law or daughter-in-law. The definition is extended to any other person who resides in the employee's household and who is recognized by federal tax law as a dependent of the employee.

If additional time is necessary, employees may use their accrued annual leave or request a personal leave of absence. Advance authorization by the employee's department head or designee is required.

The employee must notify the department head in advance of taking time off from work. The City reserves the right to deny any request based on operational and staffing needs and further reserves the right to require an employee to document the death of a family member.

2-53.14 OCCUPATIONAL RETURN TO WORK PROGRAM

The City has an Occupational Return to Work Program, which establishes a process to provide a return to work plan for employees who sustain an occupational injury and are covered under the state's workers' compensation law. This policy does not supersede the rights of any employee under the Americans with Disabilities Act or any other applicable state or local law. This is the only program under which transitional or "light" duty work will be provided, unless otherwise required by law. A copy of the City's policy regarding its Occupational Return to Work Program is available from the Human Resources Department upon request.

2-53.15 FAMILY AND MEDICAL LEAVE OF ABSENCE ("FMLA")

1. If you have been employed by the City for at least 12 months (with no break in service of seven or more years except if related to USERRA covered military obligations and have worked at least 1,250 hours during the 12-month period preceding the start of the leave (which includes all periods of absence from work due to or necessitated by USERRA-covered service), you are eligible for up to a total of 12 workweeks of unpaid leave during any rolling 12-month period for one or more of the following reasons:
 - a. Because of the birth of your child and in order to care for such child (within 12 months after the birth of the child);
 - b. Because of the placement of a child with you for adoption or foster care (within 12 months of the placement of the child);
 - c. In order to care for your spouse, child, or parents if they have a "serious health condition;"
 - d. Because of a "serious health condition" that makes you unable to perform the functions of your job; or
 - e. Because of any "qualifying exigency" (as defined by the Secretary of Labor) arising out of the fact that your spouse, child, or parent is deployed on covered active duty in a foreign country (or has been notified of an impending call or order to covered active duty in a foreign country) in the Armed Forces, including the National Guard and Reserves.
2. Serious Health Condition. For purposes of this policy, "serious health condition" means an illness, injury, impairment or physical or mental condition that involves one of the following:

- a. Hospital Care. Inpatient care in a hospital, hospice or residential medical care facility, including any period of incapacity relating to the same condition;
 - b. Absence Plus Treatment. A period of incapacity of more than three full consecutive calendar days (including any subsequent treatment or period of incapacity relating to the same condition), that also involves either: (1) treatment two or more times (within 30 days and provided the first visit takes place within seven days of the first day of incapacity) by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services under orders of, or on referral by, a health care provider; or (2) treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider (first visit to health care provider must take place within seven days of the first day of incapacity);
 - c. Pregnancy. Any period of incapacity due to pregnancy, or for prenatal care;
 - d. Chronic Conditions Requiring Treatment. A chronic condition which: requires at least two periodic visits for treatment per year by a health care provider, or by a nurse or physician's assistant under direct supervision of a health care provider; which condition continues over an extended period of time; and may cause episodic rather than a continuing period of incapacity;
 - e. Permanent/Long-term Conditions Requiring Supervision. A period of incapacity which is permanent or long-term due to a condition for which treatment may be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider;
 - f. Multiple Treatments (non-chronic conditions). Any period of incapacity to receive multiple treatment (including any period of recovery therefrom) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three full consecutive calendar days in the absence of medical intervention or treatment.
3. Qualifying Exigency Leave. If you are an eligible employee (as defined above), you are entitled to take up to 12 weeks of unpaid FMLA leave for any qualifying exigency arising out of the fact that a military member is on covered active duty or called to covered active duty status in a foreign country. The leave described in this paragraph is available during a 12-month rolling period, and may be taken on an intermittent or reduced leave schedule basis. You will be required to provide a

copy of the military member's active duty orders or other documentation issued by the military that indicates that the military member is on covered active duty or is called to covered active duty status in a foreign country and the dates of the military member's covered active duty service. Eligible employees may take all 12 weeks of his/her FMLA leave entitlement as qualifying exigency leave or the employee may take a combination of 12 weeks of leave for both qualifying exigency leave or any other qualifying reason listed above.

With respect to a Qualifying Exigency Leave:

- a. A "military member" means your spouse, son, daughter, or parent who is on covered active duty or called to covered active duty status in any foreign country in any of the Armed Forces, including a member of the National Guard or Reserves.
- b. A "qualifying exigency" includes the following broad categories: (a) short notice deployment; (b) military events and related activities; (c) childcare and school activities; (d) parental care; (e) financial and legal arrangements; (f) counseling; (g) rest and recuperation; (h) post deployment activities, including reintegration activities, for a period of 90 days following the termination of active duty status; and, (i) additional categories that are agreed to by the employer and employee within this phrase.
- c. The phrase "son or daughter" is defined as your biological, adopted, or foster child, stepchild, legal ward, or child for whom you stood in loco parentis, of any age for qualifying exigency leave, who is on active duty or called to active duty status who is of any age. (Note: This definition is different from other sections of this FMLA policy). If the exigency leave is to arrange for childcare or school activities of a military member's child, the military member must be the spouse, son, daughter or parent of the employee requesting the leave.
- d. A "parent" means a biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to you when you were a son or daughter but it does not include "parents in law."
- e. Parental care – eligible employees may take leave to care for a military member's parent who is incapable of self-care when the care is necessitated by the military member's covered active duty. Such care may include arranging for alternative care, providing care on an immediate need basis, admitting or transferring the parent to a care facility, or attending meetings with staff at a care facility.
- f. Rest and Recuperation – eligible employees may take up to fifteen days to spend time with a military member on Rest and Recuperation leave, limited to the actual leave time granted to the military member and

supported by the Rest and Recuperation leave orders or other appropriate documentation issued by the military setting forth the dates of the leave.

4. Military Caregiver Leave. If you have been employed by the City for at least 12 months and have worked at least 1,250 hours during the 12-month period preceding the start of the leave, a, and you are a spouse, child (of any age for military caregiver leave), parent or next of kin of a Covered Servicemember, as defined below, you are entitled to a total of 26 workweeks of unpaid leave during a single 12-month period to care for the Covered Servicemember (including 12 workweeks for any other FMLA qualifying reason). The leave described in this paragraph shall only be available during a single 12-month period beginning as of the date the leave commences and ending 12 months after that date (and any unused amounts are forfeited).

Military Caregiver Leave may be permitted more than once if necessary to care for a different Covered Servicemember (or the same Servicemember with multiple or subsequent injuries or illnesses) up to a combined total of 26 workweeks in a 12-month period. However, your total available leave time in any single 12-month period generally may not exceed a combined total of 26 workweeks (including FMLA time off taken for any other reason); except as provided under the FMLA regulations. You will be required to timely submit a medical certification available from our Human Resources Department or an invitational travel order or authorization from the Department of Defense as a condition of receiving approved Military Caregiver Leave. NOTE: the 12-month computation period for this type of leave differs from the other types of FMLA leave.

With respect to Military Caregiver FMLA Leave:

- a. A "Covered Servicemember" means (1) a member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness, or (2) a covered veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces, National Guard or Reserves at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy, and who was discharged or released under conditions other than dishonorable.¹
- b. "Outpatient status" means the status of a Covered Servicemember assigned to a military medical treatment facility as an outpatient or a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.

¹ The time period between October 28, 2009 and March 8, 2013, is not counted in determining the five-year period preceding a covered veteran's treatment, etc.

- c. "Next of kin" means the nearest blood relative of that individual (regardless of age) other than an employee's spouse, son or daughter. You are required to provide confirmation of the relationship upon request. The Servicemember may designate the blood relative who is considered his/her next of kin; otherwise, the following order generally will apply: blood relatives granted custody by law, brother/sister, grandparents, aunts/uncles, and then first cousins.
 - d. "Serious injury or illness" for a Current Servicemember means an injury or illness incurred by the Servicemember in the line of duty on active duty in the Armed Forces (or existed before the beginning of the Servicemember's active duty and was aggravated by service in the line of duty) that (i) may render the Servicemember medically unfit to perform the duties of the member's office, grade, rank or rating, or (ii) in the case of a veteran Servicemember, that manifests itself before or after the member became a veteran.
 - e. "Serious injury or illness" for a Covered Veteran means an injury or illness that was incurred or aggravated by the member in the line of duty on active duty in the Armed Forces and manifested itself before or after the member became a veteran, and is: (1) A continuation of a serious injury or illness that was incurred or aggravated when the covered veteran was a member of the Armed Forces and rendered the servicemember unable to perform the duties of the servicemember's office, grade, rank, or rating; OR (2) A physical or mental condition for which the covered veteran has received a VA Service Related Disability Rating (VASRD) of 50 percent or greater and such VASRD rating is based, in whole or in part, on the condition precipitating the need for caregiver leave; OR (3) A physical or mental condition that substantially impairs the veteran's ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service or would do so absent of treatment; OR (4) An injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.
5. Spouses Employed by the City. If your spouse also works for the City and you both become eligible for a leave under paragraphs 1a. or 1b. above, or for the care of a sick parent under paragraph 1c. above, the two of you together will be limited to a combined total of 12 workweeks of leave in any rolling 12-month period. In addition, if you and your spouse both become eligible for a leave under the Military Caregiver Family Leave provision above or under a combination of the Military Caregiver Family Leave provision, paragraphs 1a. and 1b. above, or to care for your parent with a serious health condition under paragraph 1c above, the two of you together generally will be limited to a combined total of 26 workweeks of leave in any single 12-month period.

6. Medical Certification. Any request for a leave under paragraphs 1c., 1d. or under the Servicemember Family Leave provision above must be supported by certification issued by the applicable health care provider or the Department of Defense. You are required to submit this information on the forms provided to you and available from the Human Resources Manager or on the Invitational Travel Orders or Authorizations provided to you by the Department of Defense.

You will be required to submit a new medical certification form for each leave year for a medical condition(s) that last longer than one year. Additionally, you are required to submit a recertification of an ongoing condition every six months in connection with an absence where the duration of the condition is described as "lifetime" or "unknown".

At its discretion, the City may require a second medical opinion and periodic recertification to support the continuation of a leave or under paragraphs 1.c. and 1.d. (except as otherwise provided by the Department of Labor). If the 1st and 2nd opinions differ, a 3rd opinion can be obtained from a health care provider jointly approved by both you and the City (unless you accept the second opinion as determinative). A second medical opinion generally will not be requested for Military Caregiver Leave, but may be requested if the Certification is completed by a health care provider who is not affiliated with the DOD, VA or TRICARE.

The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, the City asks that employees not provide any genetic information when responding to a request for medical certification regarding their own serious health conditions under this FMLA Policy. "Genetic information" as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

There is an exemption to GINA's limitation on the disclosure of family medical history when an employee requests a leave of absence under the FMLA due to a family member's serious health condition. In such situations, all information necessary to make the medical certification form complete and sufficient under the FMLA should be provided.

7. Intermittent Leave. If certified as medically necessary for the serious health condition of either you or your spouse, child or parent (Paragraphs 1.c. and 1.d., above), or to care for a Covered Servicemember if you are a spouse, child, parent or next of kin to the Covered Servicemember (Paragraph 3, above), leave may be taken on an intermittent or reduced leave schedule. Intermittent leave also may be taken if you qualify for leave because of a qualifying exigency as described in

Paragraph 1e, above, subject to the submission of a certification prescribed by the Secretary of Labor. If leave is requested on an intermittent basis, however, the City may require that you transfer temporarily to an alternative position which better accommodates recurring periods of absence or to a part-time schedule, provided that the position offers equivalent pay and benefits.

8. Light Duty Work Assignments. While voluntarily performing in a light duty capacity, that time does not count against your 12-week FMLA allotment. In effect, your right to restoration is held in abeyance during the period of time that you are performing in a light duty capacity (or until the end of the applicable 12-month FMLA leave year if longer).
9. Notification and Reporting Requirements. All requests for leaves of absence must be submitted to your supervisor or the Human Resources Manager at least thirty (30) days in advance of the start of the leave, except when the leave is due to an emergency or is otherwise not foreseeable. If the leave is not foreseeable, you must provide notice as soon as "practicable," which generally means either the same day or the next business day that you learn of the need for leave, in the absence of any unusual circumstances. A delay in submitting an FMLA leave request may result in a loss of FMLA protections and/or a delay of the start of your leave. Your supervisor will forward the request to the Human Resources Manager for approval.

You must respond to our questions relative to your leave request so that we can determine if the leave qualifies for FMLA protection; failure to do so may result in loss or delay of FMLA protections. If you are seeking leave due to an FMLA-qualifying reason for which the City has previously granted you FMLA-protected leave, *you must specifically reference the qualifying reason or need for FMLA leave at the time of your request to be away from work.* It is not sufficient to simply "call in sick" without providing additional information which would provide the City with reasonable cause to believe your absence/time away from work may qualify as an FMLA qualifying event. In all cases in which you are seeking leave under this policy, you shall provide such notice to the City consistent with the City's established call-in procedures so long as no unusual circumstances prevent you from doing so. Failure to comply with the call-in procedures may result in a delay or denial of FMLA protected leave.

You must make an effort to schedule a leave so as not to disrupt business operations. During the leave, you may be required to report periodically on your status and your intention to return to work. Any extension of time for your leave of absence must be requested in writing prior to your scheduled date of return to work, together with written documentation to support the extension. Your failure to either return to work on the scheduled date of return or to apply in writing for an extension prior to that date will be considered to be a resignation of employment effective as of the last date of the approved leave. Employees on leaves for their own serious health condition must provide fitness-for-duty releases from their health care provider before they will be permitted to return to

work. Your maximum time on a leave of absence, all types combined, and including all extensions, cannot exceed a total of 12 weeks in a rolling 12-month period, unless you are a spouse, child, parent, or next of kin on leave to care for a Covered Servicemember, in which case your leave can last for up to 26 workweeks in a single 12-month period (unless legally required otherwise).

An Employee shall not be granted a leave of absence for the purpose of seeking or taking employment elsewhere or operating a private business. Unauthorized work while on a leave of absence will result in disciplinary action, up to and including discharge.

A leave of absence will not affect the continuity of your employment. Your original date of employment remains the same for seniority purposes. However, you will not accrue any benefits during the period you are on a leave.

10. Employee Benefits During Family and Medical Leave of Absence. You will be permitted to maintain health and dental insurance coverage for the duration of the leave under the same conditions coverage would have been provided if you had remained actively at work. However, you must make arrangements for the continuation of and payment of insurance premiums before you go on leave status. If you do not return to work after the leave, or if you fail to pay your portion of the premiums, you will be required, under certain circumstances, to reimburse the City for the costs and expenses associated with insuring you during the leave.
11. Return From a Family and Medical Leave. If you return from your leave on or before being absent for 12 workweeks in a rolling 12-month period or 26 workweeks during a single 12-month period if you took a leave under the Servicemember Family Leave provision, you will be restored to the same or to an equivalent position to the one you held when the leave started. Of course, you have no greater right to reinstatement or to other benefits and conditions of employment than if you had been continuously employed during the FMLA leave period. In determining whether a position is "equivalent" we would look at whether the position had substantially similar terms and conditions of employment and whether the position entails similar duties, skills, efforts, responsibilities, authority, privileges and status.

If the leave was due to your own serious health condition, you will be required to submit a fitness-for-duty certification from your health care provider in accordance with our normal policies and practices applicable to other leaves of absence, certifying that you are able to resume work and perform the essential functions of the job (either with or without a reasonable accommodation). A list of the essential job functions will be made available to you for compliance with this requirement prior to the City designating your leave as FMLA leave. If a reasonable job safety concern exists, you also may be required to provide a fitness for duty certification up to once every 30 days before returning from an intermittent or reduced schedule FMLA leave related to your own serious health

condition. Generally, a returning employee will be permitted to return to work within two business days of the City's receipt of a valid fitness for duty release.

If you fail to return to work at the expiration of your approved Family and Medical Leave, it will be considered to be a resignation of your employment with us. Likewise, an employee on FMLA leave who provides notice of their intent not to return to work upon expiration of a leave will lose their entitlement to FMLA leave and related benefits.

12. Key Employees. Certain highly compensated key employees may be denied reinstatement when necessary to prevent "substantial and grievous economic injury" to the City's operations. A "key" employee is a salaried Employee who is among the highest paid 10% of Employees. Employees will be notified of their status as a key employee, when applicable, after they request a Family and Medical Leave.
13. Coordination with Other Policies. You must substitute any accrued paid vacation days, personal time, and sick days (if you otherwise qualify) for unpaid leave under this policy, and any such paid time off must be taken concurrently with your Family and Medical Leave. If you otherwise qualify for disability pay, you will collect it at the same time you are on unpaid Family and Medical Leave.

Further, if you otherwise qualify for any other type of leave of absence, you must take that leave at the same time as you are taking your Family and Medical Leave. All time missed from work that qualifies for both Family and Medical Leave, and for workers' compensation (or any other type of lawfully allowed leave), will be counted toward your Family and Medical Leave. To receive any type of paid time off benefit while on FMLA leave, you are required to meet the City's conditions for taking the paid leave (although the City may in its discretion waive any procedural requirement for the paid leave in appropriate circumstances).

14. Anti-Retaliation Provisions. Be assured that no retaliation will be taken or tolerated against any employee who exercises his/her rights under our FMLA policy. If you feel that you have been the victim of any discrimination or retaliation under this Policy, you are encouraged to contact the Human Resources Manager so that the matter can be promptly investigated and remedied as appropriate.
15. Compliance With Other Laws. In administering this FMLA Policy, the City complies with the Americans with Disabilities Act ("ADA") and any other relevant law. The City may approve a reasonable request for an extension of a leave of absence beyond the amount of leave provided by the FMLA, approve a leave of absence for an employee who does not qualify for FMLA leave, or otherwise modify this Policy, as a reasonable accommodation for a disability under the ADA.

2-53.16 MILITARY LEAVE

The City will comply with its obligations for those employees who serve in any branch of the United States uniformed military services, including providing any necessary time off, in accordance with federal, state, and local law. The Family and Medical Leave Act ("FMLA") and the Uniformed Services Employment and Reemployment Rights Act ("USERRA") contain provisions regarding certain types of military leave. The FMLA's provisions regarding military leave are addressed in detail in the Family and Medical Leave Policy contained in this Manual. Employees who are eligible to take military leave must comply with all applicable requirements.

Questions regarding the City's military leave policy should be directed to Human Resources Director. If you believe you have been denied leave to which you are entitled or otherwise discriminated against because of your use of military leave, you may file a complaint pursuant to the City's Complaint Procedure, which is contained in this Manual.

2-53.17 HOLIDAYS

The following holidays are recognized by the City:

- New Year's Day — January 1st
- MLK Holiday — 3rd Monday in January
- Memorial Day — Last Monday in May
- Independence Day — July 4th
- Labor Day — 1st Monday in September
- Veterans Days — November 11th
- Thanksgiving Day — 4th Thursday in November
- Day after Thanksgiving — 4th Friday in November
- Christmas Eve — December 24th
- Christmas Day — December 25th

Any holiday falling on Saturday normally will be observed on the preceding Friday. Any holiday falling on Sunday normally will be observed on the following Monday. Administrative offices will be closed on observed holidays, and full-time employees may receive 8 hours of pay for any of the above listed holidays recognized by the City, except for Christmas Eve, on which full-time employees may receive 4 hours of pay.

An employee who fails to report to work on a scheduled workday before or after a holiday will not be paid for that holiday, unless employee is on pre-approved leave or otherwise is absent with prior permission from employee's supervisor.

Holidays that occur during approved annual or sick leave shall not be charged against annual or sick leave.

The City retains the discretion, at all times, to modify the holiday schedule (including whether a day is considered a holiday under this policy) without notice to the employees. In addition, some employees may be required to work on a holiday. In such case, the employee will receive eight (8) hours of holiday pay in addition to regular wages for hours worked on the holiday. This benefit will be paid based upon an employee's annualized work schedule.

2-53.18 RELIGIOUS HOLIDAYS

If an employee's religious beliefs require observance of a holiday that is not observed by the City pursuant to the Holiday Policy, the employee may observe such holiday using accrued annual leave or compensatory time off. The employee must notify the department head and obtain approval in advance of taking the leave. The City reserves the right to verify that such leave is being taken for a bona fide religious reason.

2-53.19 TIME OFF TO VOTE

The City encourages employees to register and vote in any elections for which they are eligible. Whenever possible, employees should arrange to vote outside their regularly scheduled work hours so as not to interfere with their work schedule and the operations of the City. In any case where there are two or more hours between the time of opening and the time of closing of the polls during which an employee is not scheduled to be at work, no additional leave away from work will be provided in order to allow the employee to vote.

However, if there is not such a time period before or after an employee's regularly scheduled work hours, then, on the day on which an election is held, the employee may take up to two hours of paid leave at the beginning or end of employee's regularly scheduled work hours in order to vote in such election, provided employee is qualified and registered to vote in the election. Prior to taking such leave, the employee must provide written notice to employee's supervisor prior to the day of the election. Employees taking such leave are expected to take no more time than is actually needed to vote in the election if two hours is not needed. Engaging in any other activity besides voting during this time off may result in disciplinary action, up to and including termination.

2-53.20 NURSING MOTHERS

The City provides all nursing mothers who are non-exempt employees under the Fair Labor Standards Act with reasonable break time to express breast milk for the nursing of a child for one year following the birth of a child. In addition, the City will provide a private place other than a bathroom where a non-exempt nursing mother may express breast milk. These breaks will be unpaid. Please direct all requests regarding this policy to the Human Resources Director.

2-53.21 WORKERS' COMPENSATION

The City is committed to providing a safe work environment for its employees, its community, and the public. This requires a commitment from all employees to report all accidents as soon as possible.

On-the-job injuries are covered by the City's workers' compensation insurance policy, which is provided at no cost to all employees, including public safety volunteers. If you are injured on the job, no matter how slightly, you must report the injury as soon as you become aware of the injury to the Human Resources Director. The City also asks for your assistance in alerting management to any condition that could lead or contribute to an employee accident.

2-54 EMPLOYEE RESPONSIBILITIES

2-54.1 BUSINESS PRACTICES/ETHICAL CODE OF CONDUCT

A. General Expectations

Ethical conduct is integral to the success of the City. Because the conduct, character, and profitability of the City depend upon the actions of many persons, it is important that each employee understands and accepts the following standards of conduct for which employee will be held accountable:

- Honest and ethical conduct, including the ethical handling of actual or apparent conflicts of interest between personal and professional relationships;
- Full, fair, accurate, timely and understandable disclosure in all reports or other public communications made by the City;
- Compliance with applicable laws and governmental rules and regulations;
- Prompt internal reporting of violations of this Code to an appropriate person or persons identified in this Code; and
- Accountability for adherence to this Code.

The City is committed to maintaining a business environment that is free of inappropriate or unlawful conduct. In keeping with this commitment, we will not tolerate any unethical or illegal conduct on the part of our employees, business partners, contractors, subcontractors, vendors, customers, clients, or agents. All persons or entities performing work on behalf or for the benefit of the City are expected to follow the letter and spirit of all applicable laws, regulations, ordinances and accepted financial reporting standards applicable to our business.

B. Conflicts of Interest

While employed by the City, it is your obligations to act at all times in the best interest of the City and not allow any personal activity to conflict with or interfere with your service to the City.

As a result, the assumption of or engagement in any interest, relationship or activity by any official or employee tending to impair the independence of such person's judgment with respect to the best interest of the City constitutes a conflict of interest.

Employees must report in writing all situations involving even a possible conflict for review by the Human Resources Director and thereby avoid any attempt to judge their own case. Opportunities to engage in any community work or to serve in any customer organization, including a savings and loan association, real estate firm, etc., or your doubts about outside business interests or activities should be discussed with the Human Resources Director. The City expects its officials and employees to exercise the utmost good faith in the performance of their duties. Keeping the City informed will enable you to receive proper recognition for individual efforts and will avoid any conflict with established City policies.

C. Gifts

Although gifts are often sent to employees by vendors, suppliers, or residents of the City as an expression of a friendly association, the acceptance of these gifts may establish in the mind of the vendor, supplier, or resident who sent the gift the need to continue such a practice in order to continue business with the City. This detracts from the City's emphasis on service to its residents. It is difficult to justify this practice from the standpoint of ethical business conduct. Therefore, in the best interest of all employees as well as the City's business relationships, you should not accept a gift from a vendor, supplier, or resident of the City or others.

Department heads may accept modest perishable gifts on behalf of the department such as cookies, donuts, small fruit baskets, event tickets, for general consumption or use by employees. Other non-routine exception may be approved by the City Administrator.

D. Outside Employment

Outside employment must not conflict in any way with your employment responsibilities to the City. If you accept an outside position, and your employment with the City subjects you to being on-call in the case of an unforeseen event or emergency, you must notify the Human Resources Director in writing; provided, further, that public safety employees must receive written permission in accordance with their department's standard operating procedures. Working an outside position will not relieve an employee from their obligation to report to their City position in the event the employee is called into work as a result of an unforeseen event or emergency.

2-54.2 STANDARDS OF CONDUCT

Each employee has an obligation to observe and follow the City's policies and to maintain proper standards of conduct at all times. The following misconduct may result in discipline up to and including discharge:

- violation of the City's policies or safety rules;
- insubordination;
- excessive absenteeism or tardiness;

- violation of substance abuse policy, including possession, use or sale of alcohol during working hours, reporting to work under the influence of alcohol or controlled substances, or unlawful use of controlled substances;
- unlawful possession of dangerous instruments on City property, including firearms; However, nothing in this policy prohibits any person who holds a valid license issued by the State of Georgia to carry a concealed firearm from carrying a concealed firearm on or about his or her person within a vehicle into the parking area or storing a firearm or ammunition concealed in a case within a locked vehicle or locked container out of plain view within the vehicle in the parking area or as otherwise allowed by Georgia law. Outside of this limited exception with respect to parking areas, licenses are still prohibited from carrying firearms on City property or into City buildings, unless permitted to do so pursuant to the employee's official duties.
- sleeping on the job;
- unsatisfactory performance;
- theft or dishonesty;
- violation of City's EEO Policy or Business Practices/Code of Ethics Policy, or disrespect toward fellow employees, customers, visitors or other members of the public;
- violation of the City's Workplace Violence Policy;
- gossiping; discussing/disclosing confidential business or a personnel matter;
- failure to help and support other employees as directed by your supervisor;
- violation of policies or procedures set forth in the City's Manual;
- disrespectful or unprofessional conduct towards another, in person, on the phone, by email, or by other means;
- unauthorized or inappropriate use or disclosure of confidential information or trade secrets;
- the inappropriate use of cell phones/PDA and personal music devices (such as a smartphone) while on duty for personal purposes;
- carelessness, negligence, waste, or abuse in the care and use of City property;
- misuse or misappropriation of City property or funds;
- falsification of any time, personnel, or other City records;

- engaging in conduct that creates or gives the appearance of a potential or actual conflict of interest with the employee's employment with the City;
- failure to comply with Wellness Center Rules & Responsibilities; and
- other misconduct as determined by the City.

2-54.3 POLITICAL ACTIVITIES

City employees may participate in political or partisan activities of their choosing provided that City resources and property are not utilized and the activity does not in any way interfere with the performance of their job duties for the City. Employees may not engage in any campaign activities during work hours, using any City property, in a City uniform, or while representing the City in any way. Employees may not use or allow others to use City facilities or funds for political activities.

Any City employee who meets with or may be observed by the public, or otherwise represents the City to the public, while performing City employment duties or during working hours, may not wear or display any button, badge, sticker, clothing, or other paraphernalia relevant to any candidate or ballot issue. Employees shall not solicit any contribution for a political cause or candidate on City property, during working hours or otherwise while representing the City.

2-54.4 USE OF TECHNOLOGY RESOURCES

A. Purpose and Application

The City provides a variety of technology resources to its employees for purposes of its business operations and to help employees perform their jobs. While these technology resources are often necessary and helpful tools, they also pose risks and must be used with common sense and good judgment. As such, the City has developed this policy to establish guidelines for the use of its technology resources. For purposes of this policy, the City uses the term "technology resources" to refer generally to all of its computing, network, and electronic resources, such as computers, software, networks, email systems, telephones and cellular phones, voicemail systems, fax machines, and Internet access.

B. Business Use Only

The use of the City's technology resources is for City business and is to be used for authorized purposes only. These technology resources are established, maintained, and provided by the City for employees to use for the furtherance of the City's business and not for personal use. However, the City acknowledges that some personal use of its technology resources is inevitable and may be necessary at times. Therefore, the City permits brief and occasional personal use of its technology resources, provided that such personal use is minimal, reasonable, adheres to the requirements in this policy, and does not interfere with the performance of one's job duties. The City has sole discretion to determine what constitutes reasonable personal use and whether personal use is interfering with the performance of one's job duties.

C. Personal Mobile Devices at Work

Employees may bring personal mobile devices to work, such as personal cell phones, smart phones, and tablets. However, these personal mobile devices may not be used to perform any City business or work-related activities, and may not be used to access the City's data or networks, unless authorized in advance and configured by the City's IT Department upon approval and in coordination with an employee's department head. If authorization is given to use a personal mobile device for work purposes or to access the City's data or networks, the employee must comply with this Technology Resources Policy when using the device. Employees also may not use the authorization to use a personal mobile device for work purposes or to access the City's data or networks to work from home or otherwise work additional time not approved in advance by the City.

In addition, although employees are permitted to bring personal mobile devices to work, they are at all times expected to devote their entire time and attention to performing their job duties for the City without distraction by their personal mobile devices. Therefore, employees may not use personal mobile devices during working time except for emergency reasons only. Employees may, however, use personal mobile devices during non-work hours, such as during an approved break or meal period, provided that such use is outside the view of any clients or guests who may be the City's offices and is not in violation of any policies in this Manual, including this Technology Resources Policy. In addition, employees must keep their personal mobile devices on "vibrate" or "silent" mode at all times while at work.

Department heads may determine that the official use of personal mobile devices by certain employees is in the best interest of the City. These employees may receive a monthly cell phone or other personal mobile device reimbursement allowance to compensate them for business-related costs incurred when using their personally-owned cell phones, with the approval of the City Administrator.

Employees whose job duties include the frequent need for a cell phone may be eligible for a reimbursement to cover City business related costs. An employee may be eligible for reimbursement allowance as determined by the City, if at least one of the following criteria is met:

- The job function of the employee requires considerable time outside of his/her assigned office or work area and it is important to the City that the employee is assessable during those times.
- The job function of the employee requires the employee to be accessible outside of scheduled or normal working hours.
- The job function of the employee requires the employee to have wireless data and Internet access.

An employee who occasionally requires a cell phone for business purposes is not eligible for reimbursement.

Employee approved for personal cell phone use and reimbursement allowance will submit an annual request to the Human Resources Department for reimbursement. Employees receiving this benefit are responsible to immediately notify the Human Resources Department of any change that may impact upon reimbursement. The cell phone reimbursement provision is not designed to cover the full cost of a cell phone, but rather funds a portion of cell phone service for eligible employee, since the cell phone can be used for business and personal use. Some or all of the records on cell phones covered by this policy are or may be subject to public disclosure pursuant to the Georgia Open Records Act.

Reimbursement amount will be added to the employee's regular pay. In accordance with IRS guidelines, any amount added to an employee pay for cell phone service will be identified as a non-taxable working condition fringe benefit. Reimbursement does not constitute an increase to base pay, and will not be included in any calculation of increase to base pay due to pay adjustments.

D. Ownership and Access to Technology Resources

All of the City's technology resources, including all data and files stored on or transmitted using the City's technology resources, are the property of the City. This means that the City owns all data and files stored on or transmitted using any of the City's technology resources, such as computers, network servers, or email servers. As such, the City retains the right to access, monitor, and inspect its technology resources, and any of the data and files stored and/or transmitted therein, at any time. This applies even with respect to data or information transmitted or received using any of the City's technology resources, such as its networks or Internet connection, even if such is done using an employee's personal device, such as a personal mobile phone, smartphone, or computer. This right applies both during an employee's employment with the City and after its termination for any reason, voluntary or involuntary.

Employees should not have an expectation of privacy in anything they create, store, send, or receive using the City's technology resources. In this regard, employees are specifically advised that passwords are designed to give employees access to all or part of the City's technology resources; they are not designed to guarantee employee privacy or security in any data or file created, stored, sent, or received on any of the City's technology resources. Upon termination of employment, employees must return all accounts to City control.

E. Guidelines for Acceptable Use

Employees are expected to access and use the City's technology resources in a professional manner and in compliance with this and all other City policies. Therefore, employees are prohibited from engaging in any unauthorized, prohibited, or inappropriate conduct using the City's technology resources including, but not limited to, the activities described below. This list is not intended to be an exhaustive description of all conduct that may be inappropriate or violate this policy, but is illustrative of the type of prohibited conduct for which employees may have their privileges of use and access to the City's technology resources revoked and be subjected to disciplinary action:

- Accessing any technology resources, including networks, servers, drives, folders, or files, to which the employee has not been granted access or authorization or in a manner that exceeds such employee's access or authorization (this includes accessing any other person's computer, voicemail, files, or data without approval);
- Making unauthorized copies of City files or other data;
- Using any of the City's files or other data for an unauthorized purpose, even if the employee was otherwise authorized to access such files or data;
- Revealing, publicizing, or otherwise disclosing any confidential information belonging to the City without authorization, including, but not limited to, financial information; business and product ideas; marketing strategies and plans; pricing structures and plans; customer lists or information; technical product information; computer software source codes; and computer/network access codes;
- Destroying, deleting, erasing, or concealing the City files or other data, or otherwise making such files or data unavailable or inaccessible to the City or to other authorized users of the City's technology resources;
- Violating any law, regulation, or order of the United States or any state, county, city, local government, or jurisdiction in any way;
- Violating the terms of any user agreement, license agreement, or other type of contractual agreement of any software program, application, website, or other product or service;
- Illegally downloading, copying, transmitting, viewing, or accessing any material protected under copyright law or make such material available to others;
- Engaging in any other unlawful or malicious activities;
- Intentionally propagating any virus, worm, Trojan horse, trap-door program code, or other code or file designed to disrupt, disable, impair, or otherwise harm either The City's technology resources or those of any other individual or entity;
- Defeating or attempting to defeat security restrictions on any of the City's technology resources;
- Viewing or transmitting any material, or engaging in any conduct, that is fraudulent, harassing, embarrassing, sexually explicit, profane, obscene, intimidating, defamatory, violative of the City's EEO Policy or other personnel policies, or that is otherwise unlawful or inappropriate. The City has sole discretion to determine what constitutes inappropriate use or material under this policy. If you are unsure whether any use or material would be considered inappropriate, you should seek clarification from your supervisor before accessing or distributing such material. If you are in any doubt, do not access or distribute the material;

- Using abusive, profane, threatening, discriminatory, harassing, offensive, otherwise objectionable language in either public or private messages;
- Sending, receiving, downloading, uploading, or otherwise accessing or viewing any pornographic materials;
- Causing congestion, disruption, disablement, alteration, or impairment of the City's technology resources;
- Installing any software without authorization; and
- Using any of the City technology resources for personal financial gain unrelated to one's employment with the City.

F. Other City Policies

All of the City's policies, including, but not limited to, its policies on Equal Employment Opportunity, Protection of Confidential Information, Social Media, and Solicitation/Distribution, apply to the use of the City's technology resources. If any employee has witnessed or been the subject of any conduct in violation of this policy, the employee should utilize the City's Complaint Procedure, which is set forth in this Manual.

G. Discipline

Employees will be subject to discipline, up to and including termination from employment, for violating this policy. Therefore, before using any of the City's technology resources, employees should consider whether their actions meet the expectations set forth herein. In doing so, employees should be mindful that electronically stored information can often be saved or retrieved even after an employee has taken steps to "delete" it.

2-54.5 SOCIAL MEDIA

A. Purpose

In general, the City views social networking websites (*e.g.*, LinkedIn, Facebook, Twitter), personal websites, and blogs positively and respects the right of employees to use them as a medium of self-expression. However, the use of these types of websites can impact both the City and employees alike. Therefore, the City has created this policy to establish its expectations for employee use of these types of websites.

B. Applicability

This policy is meant to apply to social networking sites, personal websites, blogs, photo sharing sites, video sharing sites, podcasts, as well as bulletin boards and comments posted on other websites. For ease of reference, this policy refers to all of these types of websites generically as "social media websites." The absence of an explicit reference to a specific website is not meant to limit the application of this policy. Where no policy or guideline exists, employees should use their professional judgment and take the most prudent action possible. You should consult with

your manager or supervisor if you are uncertain about any of your activities on a social media website.

C. No Interference with Job Duties

The City's Internet and computer resources are provided to employees to allow them to complete their job duties and should be used for business purposes only. As such, the City does not allow personal use of social media websites during work time.

D. Use Outside of Work

Employees may use social media websites during their personal time outside of work. Employees must be aware, however, that information they display on the Internet not only reflects on them, but could be associated with the City as well. Therefore, employees are expected to follow these guidelines when using any social media website:

- If an employee identifies themselves as an employee of the City, the employee must place a disclaimer in his/her profile, post, or publication that clearly states that any and all opinions or views expressed are those of the employee and not the City.
- Employees are responsible for reading, knowing, and complying with the Terms of Service of the social media websites they use.
- Employees are expected at all times to comply with the law in regard to copyright, trademark, and plagiarism. Posting of someone else's work without permission is not allowed.
- The City encourages all employees to keep in mind the speed and manner in which information posted on a blog, web page or social networking site can be relayed and often misunderstood by the reader. Employees must use their best judgment and also comply with the policies set forth in this Manual.

E. Other City Policies

All other policies in this Manual apply with equal force to the employee use of social media websites. In particular, employees are expected to follow the City's Equal Employment Opportunity and Anti-Harassment Policy when participating in social media websites. The City considers behavior that is inappropriate in the workplace to be inappropriate on the internet as well, and all of the City's Personnel Policies, including the City's Equal Employment Opportunity Policy concerning discrimination, harassment, and retaliation, apply equally to the treatment of employees in the workplace or on the Internet.

F. Disciplinary Action

While the City respects the right of employees to use social media websites, it has established this policy for the benefit and protection of the City and its employees. Any employee witnessing or who believes a violation of this policy has occurred should utilize the City's Complaint Procedure, which is contained in this Manual. The City takes the expectations explained above

very seriously. As such, employees are advised that violating this policy may result in disciplinary action, up to and including termination of employment.

2-54.6 BULLETIN BOARDS

Information of interest and importance to employees is posted regularly on the City bulletin boards. We suggest that you look at it regularly to keep up with what is happening. This bulletin board is for City announcements and publications only, and employees may not post or remove any information from it.

2-54.7 EMPLOYEE AND PUBLIC RELATIONS

The opinions and attitudes that citizens and customers have toward the City may be determined for a long period of time by the actions of one employee. Therefore, each employee must be sensitive to the importance of providing courteous treatment to suppliers, vendors, residents, coworkers, and all other individuals in their working relationships.

The City Administrator or designee is responsible for all official contact with the news media, including answering of questions from the media. The City Administrator may designate specific employees to provide or discuss information on particular subjects. No other employee is authorized to provide information on behalf of the City. Therefore, if you are contacted by the media regarding any aspects of your employment, duties, or other activities at the City, please advise the media to direct any inquiries to the City Administrator and then immediately notify the City Administrator of the inquiry.

2-54.8 SOLICITATION/DISTRIBUTION

Solicitation by an employee of another employee, including, but not limited to, solicitation for contributions, sale of merchandise, or memberships in clubs or organizations; circulation of petitions; and all other forms of solicitation is prohibited while either the person doing the soliciting or the one being solicited is on working time. Solicitation by non-employees on City premises is prohibited at all times.

Distribution of advertising material, handbills, and printed or written literature of any kind in the working areas of the City is prohibited at any time. Distribution of literature by non-employees on City premises is prohibited at all times.

2-54.9 OFF-DUTY EMPLOYEES

Off-duty employees are to visit the City only on matters of business, such as obtaining paychecks, and may not enter work areas of the City unless authorized to do so by a supervisor.

2-54.10 VISITORS

All visitors, including family members of employees, are required to check-in with the receptionist. Visitors are not allowed in work areas without approval by your supervisor.

2-54.11 PERSONAL BELONGINGS

The City is not responsible for loss or damage to personal belongings that are brought onto the premises. Employees are encouraged not to bring valuable items with them to work and any personal items that are brought onto City facilities or premises should be secured.

2-54.12 TOBACCO PRODUCT USE POLICY

The City is committed to providing a safe and healthy environment for employees and customers. Smoking and other forms of tobacco product use are prohibited in all City buildings, facilities, and vehicles. This includes the use of electronic cigarettes or "e-smoking" or "vaping." Smoking and the use of other tobacco or electronic or vapor products around City buildings are restricted to designated smoking areas. Smokers and those using other tobacco or electronic or vapor products must maintain the cleanliness and safety of designated smoking areas.

2-54.13 DRESS AND GROOMING

Personal appearance on the job is important to the City. All employees are expected to maintain high standards of personal appearance and cleanliness, and in doing so, dress and groom themselves in a fitting manner. Employees are expected to maintain the highest standards of personal cleanliness and present a neat, professional appearance at all times.

Our customers' and residents' satisfaction represents the most important and challenging aspect of our business. Whether or not your job responsibilities place you in direct contact with customers or residents, you represent the City with your appearance as well as your actions. The properly attired man or woman helps to create a favorable image for the City, to the public and fellow employees.

Department heads have discretion to determine appropriate standards of dress and grooming for employees in their respective departments. Examples of inappropriate clothing and grooming include, but are not limited to, shorts, tightfitting clothing, short skirts or dresses, tank tops, t-shirts, athletic wear, halter-tops, backless clothing, clothing that displays or reveals undergarments, flip-flops, and strong fragrance. Employees who do not meet a professional standard may be sent home to change. Any questions regarding appropriate attire and grooming should be directed to your department head or the Human Resources Director.

Casual or dress-down days may be permitted on Fridays in the discretion of your department head. However, even on such days, if an employee is going to meet with a resident or customer, regular business dress or departmental uniform must be worn.

Certain departments, including public safety and departments that involve performing field operations may impose additional requirements regarding dress and grooming, including meeting prescribed safety standards and/or operating requirements for their departments.

The City will reasonably accommodate employees' covered disabilities and sincerely held religious practices with regard to dress and grooming in accordance with applicable law. Employees desiring such an accommodation must submit a request in writing to the Human

Resources Director for consideration and approval. Appropriate documentation of the need and basis for an accommodation may be required in connection with such a request.

2-54.14 WORKPLACE VIOLENCE

A. Application

The City is committed to providing its employees a safe environment for working and conducting business. In this regard, the City will not tolerate any threats, threatening behavior, acts of violence, or any related conduct which interferes with or disrupts the City's safe working environment. This prohibition applies to City citizens, employees, vendors, customers, and visitors, whether or not the conduct occurs on or off City property.

B. Prohibited Conduct

Threats, threatening behavior, acts of violence or related disruptive conduct includes conduct against persons or property that is sufficiently severe, offensive, or intimidating that it disturbs, interferes with, or prevents normal work functions or activities. Specific examples of conduct that may be considered "threats, threatening behavior, acts of violence, or related disruptive conduct" include, but are not limited to, the following:

- Hitting or shoving an individual
- Threatening to harm an individual or his/her family, friends, associates, or their property.
- The intentional destruction or threat of destruction of property owned, operated, or controlled by the City.
- Harassing or threatening individuals through any form of written or electronic communications.
- Intimidating or attempting to coerce an employee to do wrongful acts that would affect the business interests of the City.
- Harassing surveillance of another City employee and making a credible threat with intent to place the other person in reasonable fear of their safety.
- Unlawful possession of firearms, weapons, or any other dangerous devices on City property, except as provided for by the Business Security and Employee Privacy Act, which, subject to several exceptions, allows employees who are licensed to carry concealed weapons to store firearms in their vehicles while on City property, as long as the firearm is properly concealed in a glove box, trunk, or other enclosed compartment within the vehicle.

2-54.15 INSPECTION AND MONITORING

The City provides offices, desks, computers, Internet connectivity, software applications, and other City property to employees for their use while employed by the City. These items are the property of the City and are subject to inspection and monitoring by the City at any time. Employees should have no expectation of privacy in using any City property, including any computer, software application, or Internet connection, while at work.

IT shall obtain the approval of the City Administrator when monitoring software or filtering is required, and shall consult with the Human Resources Director in advance of the use of such software.

The City can make no assurances about the security or privacy of any office, desk, file cabinet, computer, software application, or other City facility and discourages the storage of valuables, perishables, and other personal items in them.

Additionally, the City reserves the right to open and inspect any item of any kind on City property, including in an office, desk, computer, software application, electronic data file, file cabinet, or other City property and its contents, at any time with or without reason, notice or consent. All vehicles parked in secure parking areas that restrict the general public by way of a gate, security officer or station, or other similar means and all vehicles parked in temporary parking areas are subject to search at any time with or without reason. The City will follow all applicable state and federal law when conducting a search of a vehicle.

Employees should understand that any conversations over the City's telephones and similar voice systems may be monitored or recorded for any reason as a part of normal business operations. By using the City's telephones, employees expressly consent to such monitoring and recording for all lawful purposes and any use of the City's telephones and similar voice systems is done so with the knowledge and awareness of this policy.

Similarly, employees should be aware that, in order to promote the safety of employees, patrons, visitors, occupants, as well as the security of its assets and properties, the City may conduct video and/or audio surveillance of any portion of its premises at any time, the only exception being private areas of restrooms, showers, and dressing rooms. Your employment with the City constitutes an express awareness of and consent to such surveillance, and consent for the City to use the video and audio recordings of such surveillance for any purpose.

2-54.16 PROTECTING CONFIDENTIAL INFORMATION

The City is subject to valid court orders, public disclosure requirements of the Georgia Open Records Law, and other applicable laws and directives requiring the City to disclose certain public information. For any confidential or proprietary information that is not subject to such disclosure, we all share a common interest in making sure such information is not improperly or accidentally disclosed. As such, employees must carefully protect and must not disclose to any third party any such information, whether communicated orally or in writing, and whether in electronic or other tangible form, concerning the City's operations and business.

Employees should ensure that any materials containing confidential or proprietary information are stored safely before leaving their work areas each day. During the workday, employees should avoid leaving confidential or proprietary information unattended.

Further, at the termination of employment, employees are required to return all of the City's property that is in the employees' control or possession to the City, including, but not limited to, confidential or proprietary information. This policy specifically requires employees to return all City property (including electronically stored information) that employees may have taken outside of the office (e.g., personal residence) or transferred to or stored on non-City computers and other electronic storage devices (including flash drives) during the course of their employment. Employees should clearly understand that, upon termination of their employment, they are without authorization to access or use any such City property, whether through a City-sponsored computer or computer network or via a non-City computer or other electronic storage device. Further, for the avoidance of doubt, this policy also makes clear that no employee is authorized to access the City's computer/network system after termination of employment, unless such post-termination access is expressly authorized in writing by the City Administrator.

2-54.17 PERSONAL TELEPHONE CALLS

It is important to keep our telephone lines free for calls from customers and citizens. Although use of the City's telephones for a personal emergency may be necessary, routine personal calls are or should be kept to a minimum and should be scheduled during non-work time. Further, employees should not be using their cell phone in the workplace during work time, except for legitimate business purposes. Any use of the City's long-distance telephone lines for personal use is absolutely prohibited.

2-54.18 MOBILE TELEPHONES AND PORTABLE COMMUNICATION DEVICES

The City provides mobile telephones and other portable communications devices to some employees as a business tool. They are provided to assist employees in communicating with management and other employees, citizens or customers, and others with whom they may conduct business. Mobile telephone or portable communications device use is primarily intended for business-related purposes. However, occasional, brief personal use is permitted within a reasonable limit. Mobile telephone and portable communication device invoices may be regularly monitored by the City, and employees should not have any expectation of privacy in any information that may be contained in such invoices.

When driving a motor vehicle on City business, employees may have access to a mobile telephone or portable communications device while in their vehicles and should remember that their primary responsibility is to drive safely and obey the rules of the road and the laws of the state in which they are driving. Employees are prohibited from using mobile telephones or other portable communications devices while driving and should safely pull off the road and come to a complete stop before dialing or talking on the telephone. No employee may engage in texting while driving. As a City representative, mobile telephone and portable communication device users are reminded that the regular business etiquette employed when speaking from office phones or in meetings applies to conversations conducted over a mobile telephone or other portable communications device.

Under federal law, separate rules must be applied to anyone who drives a commercial motor vehicle on behalf of the City or in connection with any City business. Therefore, no driver of a commercial motor vehicle, as that term is defined by the Federal Motor Carrier Safety Administration at 49 C.F.R. § 390.5, is allowed to engage in texting while driving or to use a hand-held mobile telephone while driving a commercial motor vehicle. This rule encompasses sending or receiving any type of SMS or MMS message, emailing, instant messaging, accessing a World Wide Web page, or pressing more than a single button to start or end a telephone call or other form of communication, and applies any time that the vehicle is being operated on a highway, including while temporarily stationary because of traffic, a traffic control device, or other momentary delays. Drivers may only text or use a hand-held mobile telephone when the vehicle has been moved to the side of, or off, the road and stopped in a location where the vehicle can safely remain stationary. A driver may, however, use a mobile telephone to make or receive telephone calls while driving if he: (1) uses a speaker phone or hands-free device; (2) does not have to press more than a single button to dial or answer a telephone call; and (3) does not have to reach for the mobile telephone in a manner that requires the driver to maneuver so that the driver is no longer in a seated driving position with the seat belt fastened. Exceptions to this rule are public safety employees, when necessary, during the execution of their official duties, and other drivers may use a hand-held mobile telephone in emergency situations when necessary to communicate with law enforcement officials or other emergency services.

Employees also should understand that the City may install and utilize global positioning system (GPS) tracking on City-issued mobile telephones or other portable communication devices for business-related purposes and also may discipline employees based on the information gathered by the tracking software. The GPS tracking software will provide the City the ability to gather and monitor information related to the location of the mobile telephone or portable communication device. By your continued employment and use of the City-issued mobile telephone or portable communication device, employees expressly consent to such tracking and acknowledge that they have no expectation of privacy in the information generated by this software, including their location, as a result of having a City-issued mobile telephone or portable communication device.

2-54.19 AUDIO AND VIDEO RECORDING

The City desires to create a work environment that is conducive to effective, open, honest and free flowing communication between employees. In order to help foster this environment, secretly or openly recording of conversations between City employees is strictly prohibited, except as provided in this policy.

The City Administrator, department heads, or individuals appointed to investigation or make formal inquiry into specific matters, may record interviews and fact finding or similar type meetings. The authorized individual making any such recording shall inform the parties involved in the meeting that it is being recorded. Such recordings are City property.

In addition, Georgia law authorizes visual or sound recording during open meetings, and are thus permitted by any individual. See O.C.G.A. § 50-14-1.

Employees may only video record events with the permission of the City Administrator or department head. In addition, it is unlawful under Georgia law to use a device to observe, photograph, or record the activities of another which occur in any private place and out of the public view unless the person making the recording obtains the consent of all the persons observed, unless otherwise authorized by law.

Violation of this policy may result in disciplinary action, up to and including termination from employment.

2-54.20 SUBSTANCE ABUSE POLICY

It is the City's policy to provide a safe, healthy, and secure work environment for all employees. It is also the City's policy to ensure that all employees perform their job duties in a safe, efficient, and productive manner. Finally, it is the City's policy to ensure that its equipment and facilities are maintained and used appropriately so as not to pose a risk of harm. The use of drugs and the misuse of alcohol and other legal, but illicitly used, substances are inconsistent with these policies. Accordingly, to protect the health, safety, and welfare of employees, citizens, and visitors, the City has adopted this Substance Abuse Policy.

A. Prohibited Conduct

The following conduct is strictly prohibited and constitutes a violation of this policy for which employees may be subject to disciplinary action, up to and including termination of employment:

- Use, possession, sale, purchase, trade (or offer to purchase, sell, or trade) drugs, alcohol, or any otherwise legal, but illicitly used, substance on or in City property or at any time while an employee is on duty or performing any work for the City.
- Hindering, obstructing, or refusing to cooperate or participate in any investigation involving suspected violations of this policy. This includes, but is not limited to, providing false, misleading, or incomplete information in response to any inquiry from a supervisor related to a suspected violation of this policy. It also includes refusing to undergo a lawfully required drug or alcohol test(s).
- Hindering, delaying, or obstructing a lawfully required drug or alcohol test(s), including but not limited to, tampering with a sample or interfering in any way with the chain of custody.
- Reporting to work or engaging in any work activity whatsoever on behalf of the City under the influence of drugs, alcohol, or an otherwise legal, but illicitly used, substance.
- Abusing or misusing prescription drugs or over the counter medication or misusing other products, such as inhaling or sniffing products like adhesives and aerosols. This includes, but is not limited to, the use, possession, sale or solicitation for the purpose of purchase or sale any prescription medication for which the employee lacks a valid

prescription. However, nothing in this policy precludes the appropriate use of legally prescribed medications.

B. Prohibited Substances

For purposes of this policy, the terms "drug" and "alcohol" mean substances listed in O.C.G.A. § 34-9-411. The term "otherwise legal but illicitly used substance" means prescription drugs, over-the-counter drugs, or other products not being used for their intended purposes or in accord with the terms of the prescription by the person to whom the prescription is written and the misuse of other products, such as inhaling or sniffing products like adhesives and aerosols.

C. When Testing is Required

1) Pre-Employment

All individuals who are offered employment by the City in a safety sensitive position are required to undergo testing for the presence of drugs and alcohol as a condition of employment. The City will test such employees for the presence of alcohol and drugs listed in O.C.G.A. § 34-9-411 using urinalysis or hair samples. If the results of such test indicate the presence of illegal drugs or alcohol in the applicant, the City may deny employment to the applicant.

2) Random Testing

Employees holding a safety sensitive position may be subject to unannounced testing for the presence of drugs or alcohol based on random selection and conducted by urinalysis or hair samples. To ensure that the selection process is random, employees covered by this policy will be placed in a common pool and employee names will be drawn from the pool of all names.

3) Reasonable Suspicion

The City may require an employee to submit to testing for presence of drugs or alcohol when there is reasonable suspicion to believe the employee is under the influence of drugs, alcohol, or an otherwise legal but illicitly used substance or controlled substance, or when the City is required by law, regulation, or contract. Such testing may be conducted by urinalysis, breathalyzer or hair samples. Circumstances that may cause reasonable suspicion may include, but are not limited to:

- Observed use of drugs or alcohol;
- Personal observation of the employee's job performance, appearance, behavior, speech, or odor creating reasonable suspicion that the employee has used drugs or alcohol in violation of this policy or is impaired by drugs or alcohol;
- The observance of drugs, drug paraphernalia, alcohol, or containers indicating the presence of drugs or alcohol in an area where the employee had primary control or access, including but not limited to, desks, lockers, equipment, machines or vehicles;

- Involvement in accidents, including motor vehicle accidents, or other actions that provide reasonable suspicion to believe the employee may be under the influence of drugs or alcohol; or
- Facts indicating that the employee diluted, tainted, tampered or interfered with any breath, blood or urine sample, or any test(s) required under this policy, or that the employee attempted to do the same.

D. Safety Sensitive Positions

For purposes of this policy, safety sensitive positions include, but are not limited to, law enforcement officers, firefighters, emergency medical technicians and paramedics, drivers of City vehicles that carry passengers, wastewater and sewage and electric department employees. Additional positions may be regarded as safety sensitive positions subject to the provisions of the policy in the discretion of the City with or without notice.

Commercial Motor Vehicle Operators: Employees who drive commercial motor vehicles and/or require a commercial driver's license for their jobs with the City may be subject to additional requirements regarding drug and alcohol use, and may be subject to testing under additional circumstances.

E. Employee Assistance

The City will attempt to assist employees who voluntarily report substance abuse problems prior to a positive test in finding effective treatment. For more detailed information regarding providers of employee assistance, including drug and alcohol abuse, mental health providers, and other persons, entities, or organizations available to assist employees with personal or behavioral problems, any employee may contact the Human Resources Director. The City maintains a resource file of such providers, which will be available upon request to the Human Resources Director.

F. Confidentiality

All reports of test results for drug and alcohol, searches, or any employee referral, or participation in an assistance program will be treated as confidential. Any unlawful or unauthorized access to or disclosure of such information by an employee is prohibited and may subject the employee to disciplinary action, up to and including termination of employment. The confidentiality of such information shall not apply to any use by or communication to the City Attorney, or where the information is relevant to the City's defense in an administrative or legal action. Such information may also be disclosed to the extent required by any federal, state or local law, statute, ordinance, or regulation.

G. Consumption of Alcohol While Off Duty at City Events

There may be occasions where alcohol is available at events that are organized or sponsored by the City. Employees who are working at or during these events may not consume alcohol while they are on duty. Employees who are off duty may consume alcohol so long as doing so would not otherwise violate the terms of this policy, but must do so responsibly and conduct themselves

professionally at all times during the event. Employees who drink excessively and/or act inappropriately may be subject to disciplinary action, up to and including termination from employment.

2-54.21 EMPLOYEE OFFICIAL INTERACTION WITH CITY OFFICIALS

City employees shall take no action or engage in any course of conduct that interferes with the proper, efficient and effective operations of the City government. In this regard, no City employee, with the exception of the City Administrator and City department heads, unless acting pursuant to a directive from the City Administrator or the employee's department head, shall accept any directive from, or initiate or continue any direct communications with a city official, regarding any request for action or information involving the operations of City government. Actions with respect to all such requests shall be taken only with the advice and consent of the City Administrator or the employee's department head. For purposes of this provision, the term "city official" means the Mayor, any member of City Council, as well as persons appointed to serve on any City board, authority, or commission.

2-55 DISCIPLINE AND TERMINATION

2-55.1 DISCIPLINARY ACTION

An employee may be subject to disciplinary action, up to and including termination from employment, for certain reasons, including, but not limited to, poor job performance; misconduct or inappropriate behavior; violation of any City policy; or any other circumstance in which an employee's actions, behavior, conduct, or performance does not meet the City's expectations or otherwise warrants disciplinary action as determined by the City. Such disciplinary action may include, but is not limited to, a verbal counseling, written warning, suspension without pay, and termination from employment. In this regard, the City reserves the right to impose whatever discipline it chooses, or none at all, in a particular instance, and does not guarantee that any one form of discipline will precede another. Instead, the City will deal with each situation individually and nothing in this Manual should be construed as a promise of specific treatment in a given situation.

In the case of a uniformed public safety department employee who is suspended without pay as a result of disciplinary action, the involved department head, or designee, may require the suspended employee to use accrued vacation leave in such an amount that is equal to the unpaid suspension. This provision is designed to provide public safety department heads with the ability to ensure adequate coverage levels are maintained during critical periods when personnel are suspended without pay. When this provision is used, the involved public safety department head, or designee, will work in concert with the Human Resources Director to ensure (i) the employee has sufficient vacation leave accrued to cover the amount of the suspension, and (ii) the employee's personnel file appropriately reflects the disciplinary action and the accompanying reduction in accrued vacation leave.

2-55.2 APPEALS

A. Purpose

The purpose of this policy is to provide employees a method to appeal the following decisions:

- Disciplinary actions other than verbal or written counseling, warnings or reprimands; and
- Determinations on complaints filed pursuant to the City's Complaint Procedure.

No decisions or employment actions other than those enumerated above may be appealed. In addition, employees who are terminated during or at the conclusion of an Introductory Period may not appeal their termination unless a violation of the City's EEO policy is alleged.

B. Procedures

Any employee desiring to file an appeal under this section must do so within 5 business days after being notified of the action being appealed by submitting a request in writing to the Human Resources Director stating the action being appealed and the reasons for the appeal. If the Human Resources Director determines that the appeal was not timely filed, or does not present a proper appeal under this section, the Human Resources Director will inform the City Administrator who will dismiss the appeal and direct the Human Resources Director to notify the individual.

The City will conduct a hearing to decide an appeal properly made under this policy. The City Administrator or designee will serve as the hearing officer except that the Mayor will serve as the hearing officer for all appeals filed by department heads or any other employees who report directly to the City Administrator. The parties involved will be notified of the hearing date, which will be held within a reasonable time from the date on which the appeal was filed.

Parties may be represented by legal counsel at the hearing, and may bring such witnesses and present such documents and other evidence as they deem necessary. All witnesses may be questioned by the involved parties, as well as by the hearing officer. The hearing officer will determine all procedural aspects of the hearing and how it is conducted, and is not required to abide by the rules of evidence, but may decline to hear or consider hearsay evidence. The City Attorney will provide counsel to the hearing officer during the course of the hearing. The hearing will be recorded by the City through audio, visual, stenography, or other means. The appellant may use a court reporter to record the hearing at their expense.

At the conclusion of the hearing, the hearing officer will review the evidence presented and make a determination. The hearing officer's decision will be reported in writing to the Human Resources Director within a reasonable amount of time after the hearing. The Human Resources Director will then notify the parties of the decision by providing them with copies of the hearing officer's written decision. This hearing officer's decision shall be final and may not be appealed further within the City.

Retaliation against an employee on the basis of the employee's filing or participating in an appeal is strictly prohibited. An employee who has been retaliated against for filing or participating in an appeal should utilize the City's Complaint Procedure, which is contained in this Manual.

C. Intentionally False Information

Any employee who intentionally provides false information or intentionally aids or promotes the presentation of false information during the appeals process will be subject to disciplinary action, up to and including termination; provided, however, that the mere fact that the hearing officer makes a decision based in part on the hearing officer's determination of the credibility of a party or one or more witnesses is not sufficient to show a violation of this section.

2-56 SAFETY AND SECURITY

2-56.1 EACH EMPLOYEE'S SAFETY RESPONSIBILITY

Safety can only be achieved through teamwork. Each employee, supervisor, and manager must practice safety awareness by thinking defensively, anticipating unsafe situations and reporting unsafe conditions immediately. The City is committed to providing a safe workplace for all employees. As the City has accepted this responsibility, employees in turn must accept the responsibility to work safely for themselves and the lives of their coworkers. This duty means working intelligently, with common sense and with foresight. The City requires every employee to follow safety standards that apply to our operations.

If an employee has an accident, he/she must report it immediately to a supervisor and the Human Resources Director, regardless of how minor and whether or not it results in personal injury. Even minor accidents may indicate an unsafe condition that should be corrected. Failure to properly report an accident may result in discipline. If an employee requires medical attention, a supervisor or Human Resources representative will arrange for appropriate medical treatment.

Rules alone will not prevent accidents. It takes the cooperation of all employees to see that accidents are eliminated. Employees should report any unsafe conditions to their supervisors immediately, and always try to THINK SAFETY!

All employees are expected to observe the following precautions:

- Notify your supervisor of any emergency situation. If you are injured or become sick at work, no matter how slightly, you must inform your supervisor immediately as soon as you become aware of the injury.
- The use of alcoholic beverages or illegal drug substances or the improper use of legal prescription drugs during working hours will not be tolerated. The possession of alcoholic beverages or illegal drug substances on the City's property is forbidden.
- It is absolutely prohibited for any employee to bring or maintain a firearm or any dangerous instrument on City property except as provided for by Georgia's Business Security and Employee Privacy Act.

- Use, adjust and repair machines and equipment only if you are trained and qualified.
- Get help when lifting or pushing heavy objects.
- Understand your job fully and follow instructions. If you are not sure of the safe procedure, don't guess -- ask your supervisor.
- Know the locations, contents and use of first aid and firefighting equipment.

A violation of a safety precaution is in itself an unsafe act. A violation may lead to disciplinary action, up to and including termination of employment. If you believe this policy has been violated, you should file a complaint using the City's Complaint Procedure, which is contained in this Manual.

2-56.2 SECURITY

We are committed to providing a secure workplace and ensuring the protection of City assets and proprietary information. Security is an integral part of your job responsibilities. Be sensitive to information you generate or have access to, protect corporate assets such as inventory, records and office supplies, secure your work area when left unattended, and report security related issues to your supervisor. If contacted by the media regarding any aspects of your employment, duties, or other activities at the City, please advise the media to direct any inquiries to the City Administrator unless otherwise authorized (*e.g.*, a public safety department media contact designee). You should immediately contact the City Administrator to advise the City Administrator of any media inquiry.

2-56.3 CARE OF EQUIPMENT

Employees must use the utmost care when using the City's property and equipment. No property may be removed from the premises without the proper authorization of management. If you lose, break or damage any property, report it to your supervisor at once.

2-56.4 OPERATING CITY OR PRIVATELY-OWNED VEHICLES ON CITY BUSINESS

City vehicles may only be used for job-related travel. Operators of City vehicles are responsible for the safe operation and cleanliness of the vehicle. Accidents involving a City vehicle must be reported to your supervisor immediately.

Personal vehicles may be used for official City business with the prior approval of the employee's department head. Employees using their personal vehicles will be reimbursed for mileage at the prevailing rate set by the Internal Revenue Service after submittal of the appropriate form to the Finance Department. No City employee shall be required to provide their own vehicle for conducting City business.

All employees whose duties require the operation of a City-owned motor vehicle or who operate a privately-owned vehicle while conducting official business as a part of their employment with the City must possess a valid State Drivers' License and have a safe driving record. If an

employee's license is revoked, suspended or lost, or is in any other way not current, valid and in the employee's possession, the employee shall promptly notify the department head, and will be immediately suspended from driving duties. The employee may not resume driving until proof of a valid current license is provided to the department head.

Employees operating City-owned motor vehicles or privately-owned vehicles while conducting official business shall observe all traffic laws, rules and regulations, and the dictates of common sense and good judgment. Public safety personnel shall comply with driving standards established within the applicable Standard Operating Guidelines of the Police Department and the Fire Department.

If during the course of employment an employee exhibits a disregard for acceptable safe driving procedures, the responsible department head may deny further authorization to operate a vehicle while representing the City.

Employees who are required to drive City vehicles as a function of their assigned duties must immediately report any moving violations and fines charged against them to their department head.

Any employee who operates a privately-owned vehicle while conducting official business for the City must maintain automobile liability insurance as required by Georgia law. Employees who do not maintain minimum liability coverage will not operate privately-owned vehicles in an official capacity.

Employees shall not use a City vehicle for personal or private use. The only exceptions to this are, those employees authorized by the City Administrator to use a City vehicle to commute to and from work, or during meal time to patronize eating establishments located in the City of Fairburn or other connecting cities (Union City, Tyrone, Fayetteville, Chattahoochee Hills, Palmetto, or South Fulton).

Anyone operating or riding in City vehicles must wear safety belts at all times. Employees operating privately owned vehicles while conducting City business must also wear safety belts at all times.

2-56.5 PARKING

The City has space available for parking at our building. The City is not responsible for loss, damage, or theft of your vehicle. Employees should use care to ensure the safety and security of their vehicles and personal belongings at all times.

2-56.6 GOOD HOUSEKEEPING

Good work habits and a neat place to work are essential for job safety and efficiency. You are expected to keep your place of work organized and materials in good order at all times. Report anything that needs repair or replacement to your supervisor.

2-57 DISCLAIMER AND ACKNOWLEDGMENT

I have received a copy of the City's Manual, and I accept responsibility for reading this Manual and becoming familiar with its contents. I understand that this Manual consists of general guidelines that may or may not be applied or followed in specific cases. This copy may not be the most current version. Whenever this Manual is revised, however, the City will provide City employees with a copy of such revisions; and, whenever the entirety of this Manual is republished, the City will provide City employees with a copy of the republished Policy.

Purpose

The information contained in this Manual is designed as an advisory guide to assist the City and our supervisors with the effective management of personnel and is not meant to address every conceivable situation or issue that arises in the workplace. The provisions and guidelines contained in this Manual are not binding on the City and may be changed, interpreted, modified, revoked, suspended, terminated, or added to by the City, in whole or in part, at any time, at the City's sole option, and without prior notice to employees. This Manual is not intended to cover every situation which may arise or to create specific policy to be applied in every instance. Instead, this Personnel Policy is intended only to provide general guidelines concerning personnel decisions.

Interpretation

Interpretation and administration of the policies and procedures contained in this Manual is governed by, and is the responsibility of, the Human Resources Director under the direct supervision of the City Administrator. Whenever clarification or assistance in interpretation is required, please contact the Human Resources Director.

Employment-At-Will

Nothing contained in this Manual is intended to create, comprise, or define, nor should it be construed to constitute, any type of oral or written employment contract, promise, or guarantee, express or implied, between the City and any one or all of its employees. Nothing in the Manual is intended to provide any assurance of continued employment. In the absence of a specific agreement to the contrary, authorized in writing by the City Mayor and Council, employment with and compensation from the City are for no definite period of time and, upon notice, may be terminated by the City or the employee at any time, for any reason, with or without cause. Any written or oral statements or promises to the contrary are hereby expressly disavowed and should not be relied upon by prospective or existing employees. I further understand that the City's policies and procedures, including those described in any publication, letter, poster, handout, or other communication, are subject to suspension, modification, or elimination at any time, without notice.

Signature: _____

Date: _____

Print Name: _____

4823-9007-9322, v. 1



CITY OF FAIRBURN

CITY COUNCIL AGENDA ITEM

SUBJECT: APPROVAL OF THE MEMORANDUM OF AGREEMENT FOR THE DEVELOPMENT OF THE SOUTH FULTON

(X) AGREEMENT () POLICY / DISCUSSION () CONTRACT
() ORDINANCE () RESOLUTION () OTHER

Submitted: 07/06/2018 Work Session: 07/16/2018 Council Meeting: 07/16/2018

DEPARTMENT: Engineering

BUDGET IMPACT: The budget impact of this agreement is \$9,091.17.

PUBLIC HEARING? () Yes (X) No

PURPOSE: For Mayor and Council to approve the Memorandum of Agreement for the Development of the South Fulton Comprehensive Transportation Plan and the local match of \$9,091.17.

HISTORY: The Cities of South Fulton completed their first joint Comprehensive Transportation Plan (CTP) in 2013. The 18-month plan, was initiated in 2012 and adopted by Mayor and Council in the winter of 2013. It is encouraged that the plan be updated every five years to reflect the latest socio-economic and land use data and to serve as a guide to develop the latest priorities. The Atlanta Regional Commission, as part of the Community Support Program, has offered to program some planning funds in 2018 or 2019 for the eight cities (Chattahoochee Hills, College Park, East Point, Fairburn, Hapeville, Palmetto, South Fulton and Union City) to update the CTP.

FACTS AND ISSUES: This Memorandum of Agreement (MOA) is intended to provide a framework for continuing cooperative and comprehensive planning and development of the South Fulton Comprehensive Transportation Plan (SFCTP). The development of the SFCTP will be managed by the Atlanta Regional Commission (ARC) as agreed by the Cities. It is important to note that projects that are federally-funded must be drawn out of an approved CTP.

RECOMMENDED ACTION: Staff recommends that Mayor and Council approve the Memorandum of Agreement for the Development of the South Fulton Comprehensive Transportation Plan and the local match of \$9,091.17.

Donna Gayden, City Administrator

Elizabeth Carr-Hurst, Mayor



*The South Fulton Comprehensive
Transportation Plan
of Fulton County*

Executive Summary Report

December 2013



IN COLLABORATION WITH:

City of Chattahoochee Hills
City of College Park
City of East Point
City of Fairburn
City of Hapeville
City of Palmetto
City of Union City



PURPOSE OF THE REPORT

The Executive Summary Report is meant to serve as a companion report to the other reports produced throughout the Comprehensive Transportation Plan process: Existing Conditions Report, Needs Assessment Report, and Recommendations Report. This document summarizes the major findings from those documents and serves as a quick reference of the major outcomes and recommendations.

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INTRODUCTION

The South Fulton Comprehensive Transportation Plan (CTP) of Fulton County serves as the guiding document for Fulton County and the seven municipalities in south Fulton into the regional comprehensive transportation planning process. The CTP provides a funding framework and prioritized project list for means of support in making transportation programming and policy decisions. Finally, it contributes to the advancement of the region's vision for transportation improvement while also being responsive to citizen needs and concerns.



The CTP defines jurisdiction-wide goals and priorities in unincorporated Fulton County, and the seven southern municipalities: Chattahoochee Hills, College Park, East Point, Fairburn, Hapeville, Palmetto, and Union City. It strives to improve mobility, increase capacity in growing urban and rural areas, mitigate traffic congestion, and encourage alternative modes of transportation throughout the comprehensive transportation planning effort.

There are three components to the CTP process: Existing Conditions Inventory, Needs Assessment, and Recommendations. The Needs Assessment and Recommendations build upon the previous component and each component is summarized and documented in a findings report. The Existing Conditions Report serves as the foundation for understanding the needs across the county and municipalities, including a comprehensive overview of the transportation network, land use framework, and recent historical trends. The Needs Assessment Report looked at future population and employment projections, land use and market conditions, and future traffic scenarios to determine the transportation needs for the study area. The Recommendations Report included a prioritized list of project recommendations based on the needs, goals, and objectives identified for the plan as well as a list of policy recommendations, such as access management and land use.

The study area encompasses the portion of Fulton County south of the City of Atlanta, including the municipalities of Chattahoochee Hills, College Park, East Point, Fairburn, Hapeville, Palmetto, and Union City as well as up to a five mile radius outside of the boundary into adjacent counties for coordination of long-range planning efforts. The study area is shown in Figure 1.

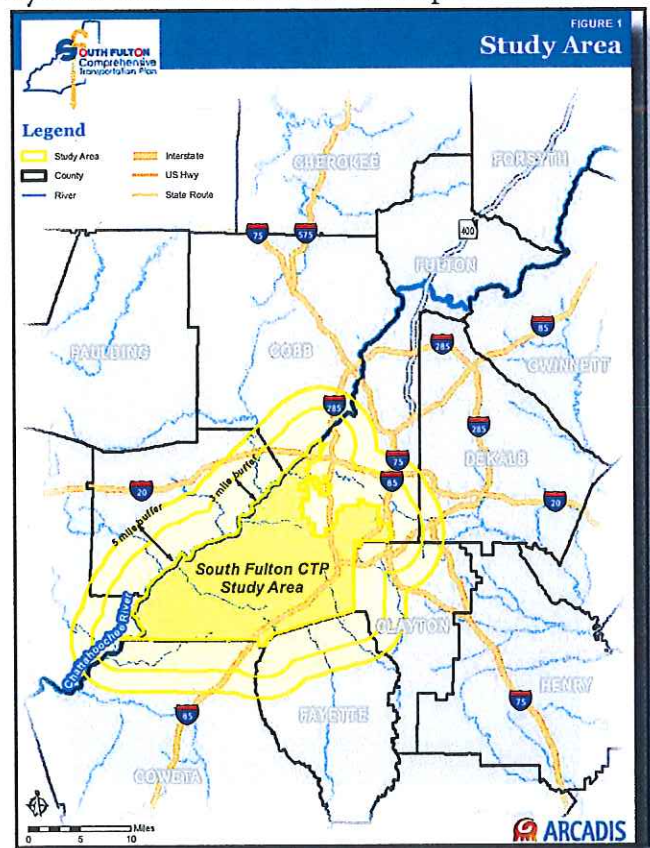


Figure 1: Study Area

COORDINATION AND PUBLIC INVOLVEMENT

Public involvement is a fundamental part of the process. The primary mission of the public involvement effort is to inform, educate, and involve the public in the development of the CTP. Coordination and public involvement for the CTP is multi-faceted, provided several opportunities for citizens, stakeholders, and policymakers to shape the county's future through an active engagement process. As an integral part of the CTP process, coordination, and input received from the public helped determined the needs, issues, and priorities of the county through the project management team, policy committee, stakeholder committee, and two rounds of public meetings in January and September 2013.

INFORM • EDUCATE • INVOLVE

Project Management Team (PMT)

- The PMT consists of staff from the county and seven cities in the study area.
- The PMT is primarily responsible for directing the project team and recommending the CTP and prioritized projects to the policy committee.
- The PMT met seven times during the process to discuss existing conditions and needs assessment, and project recommendations.

Stakeholder Committee

- The stakeholder committee consists of citizens, city council members, business leaders, CIDs, transit operators, land use planners, GDOT, business associations, and community advocates.
- The stakeholder committee helps identify issues and opportunities, develop goals and objectives, and review the feasibility and effectiveness of project recommendations.
- The stakeholder committee met four times during the process.

Policy Committee

- The policy committee is comprised of two Fulton County Commissioners and seven mayors from each of the participating south Fulton cities.
- The role of the policy committee is to provide direction and clarification to the PMT.
- The policy committee met twice throughout the study process.

Public Meetings

Two rounds of public meeting were held: January 2013 and September 2013. Each round consisted of three public open house meetings.

The first round of public meeting in January 2013 introduced the CTP process to the public, reviewed the findings on the existing conditions, received input and feedback on the assessment of transportation needs, and participated in a visioning process to help determine the goals and objectives of the CTP. The issues and opportunities heard in round one are shown in Figure 2.

The second round of public meetings in September 2013 allowed the public to review project recommendations and priorities.

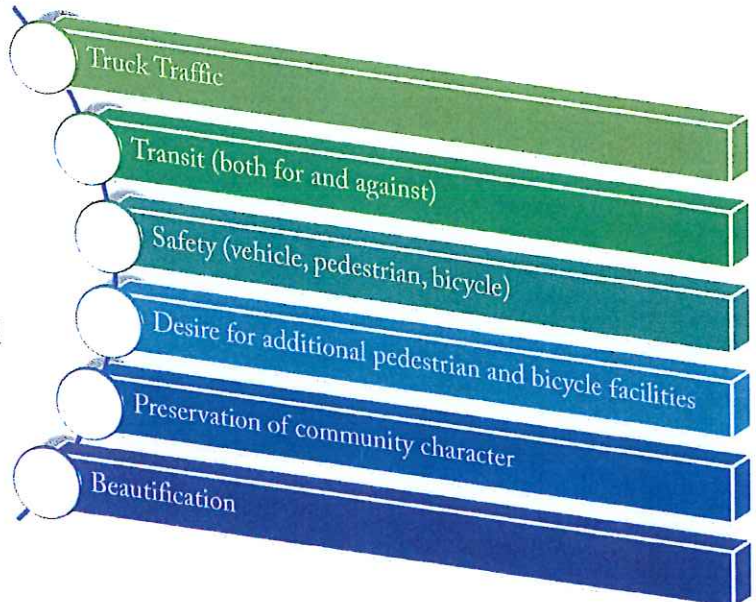


Figure 2: Issues and Opportunities Identified by the Public

EXISTING CONDITIONS

Serving as the foundation to understanding the needs across the county and municipalities, the Existing Conditions Report included a comprehensive overview of the transportation network, land use framework, and recent historical trends. The study area has a substantial amount of population and employment although the distribution varies greatly throughout the municipalities. South Fulton is diverse as it is more urban in the northern part of the study area and more suburban/rural in the southern half of the study area. This creates a wide variety of traffic conditions and traveler expectations. Drivers in the northern portion of the study area have some expectation of congestion while drivers in the southern portion have a more rural view of traffic. Bicycling and pedestrian opportunities are limited throughout the study area with most facilities in town centers and around transit stations. As the most freight-intensive county in Georgia, the study area features several truck-intensive corridors, the CSX Fairburn Intermodal Railyard, and borders Hartsfield-Jackson Atlanta International Airport.



NEEDS ASSESSMENT

The Needs Assessment looked at future population and employment projections, land use and market conditions, and future traffic scenarios to determine the transportation needs of the study area. Public input received from a series of public meetings also helped determine the transportation needs of the study area, indicating that there is overwhelmingly support for sidewalk and bicycle facilities, and support for improving safety and travel conditions between vehicles and trucks. Substantial population growth is predicted in the future, presenting needs and opportunities for all transportation modes moving forward. As previously mentioned, there is a significant variation in population between the cities, illustrating the diversity within the study area and also the differing needs in various parts of the study area. Along with the population and employment growth in south Fulton, traffic congestion is also expected to increase. Currently, the majority of congestion occurs in the northern portion of the study area and around the I-85 corridor.

Figure 3 shows the top issues that were identified through the needs assessment and public input. Without future transportation investment, it is expected that existing congestion will intensify and the portion of the roadway network which experi-

Future (traffic) hot spots	<ul style="list-style-type: none"> • South Fulton will grow • Need for connectivity and improved access
Safety (vehicular, pedestrian, bicycle)	<ul style="list-style-type: none"> • Truck/auto conflict • Lack of adequate pedestrian facilities • Intersection geometry
Truck traffic	<ul style="list-style-type: none"> • Industry growth and economic development • Conflicts with expanding residential uses
Funding	<ul style="list-style-type: none"> • Limited federal and state dollars
Current land use development pattern	<ul style="list-style-type: none"> • Rural character in the southern portion and more urban in the northern portion (of the study area) • Current development pattern limits transit opportunities • Mismatch between desire to walk/bike and available facilities
Multi-jurisdictional corridors throughout the study area (important to mobility and growth)	<ul style="list-style-type: none"> • Local versus regional mobility • Jurisdiction and agency cooperation

Figure 3: Top Identified Issues

ences congestion will increase. With the expected growth in south Fulton, land use becomes a key component in the need for additional investment in the study area. Land use policies established by the county and cities focuses on promoting development and future growth where there is current transportation infrastructure: along major corridors and at major intersections. Dense, appropriately scale mixed use development that is proposed along these corridors and at major intersections also call for increased connectivity, access management, and infrastructure for bicyclists and pedestrians. Therefore, additional investment in transportation infrastructures is necessary to keep pace with growth and provide an overall adequate transportation network. Congestion currently experienced in the study area will continue to amplify and will spread to adjacent facilities. Capacity improvements will be necessary in the northern portion of the study area while more targeted, operational improvements will be necessary in the southern portion of the study area.

VISION, GOALS, AND OBJECTIVES

The policy committee, stakeholder committee and public all provided input into the vision statement, goals, and objectives. The policy committee recommended focusing on improving the quality of life for those living in the study area, working with adjacent cities and counties, and thinking strategically about transportation investments rather than a straight-line approach. The stakeholder committee recommended focusing on economic development while preserving the unique community character and diverse areas throughout the study area, balancing regional and local needs and priorities, addressing beautification and aesthetic improvements at major gateway intersections, and minimizing the impacts on natural and cultural resources and amenities. Public feedback centered on creating an integrated network of transportation facilities that balances mobility, accessibility, and convenience; strengthening south Fulton's character as a dynamic place; and ensuring a high quality of life for all its citizens through strong neighborhoods, growing economies, and better transportation choices.

Based on the input received from the policy and stakeholder committees and the public open house meetings, "buzz" words and themes began to emerge and are summarized in Figure 4.

The vision statement provided the means of evaluating project recommendations against goals and objectives that seek to address the identified issues.



Figure 4: "Buzz" Words and Themes

The vision of the South Fulton Comprehensive Transportation Plan of Fulton County is to offer travelers, businesses, and residents a comprehensive and integrated transportation system for the purpose of balancing preservation of community character with economic growth through multi-modal connectivity, mobility, and accessibility.

PROJECT RECOMMENDATIONS

To address the transportation needs of south Fulton, a lengthy aspirational list of transportation projects was created. To develop this list, numerous sources of information were drawn upon including previously completed studies, traffic and crash data, needs assessment analyses, and stakeholder and community input.

The county and cities of south Fulton have completed comprehensive plans, LCIs, corridor studies, and other studies. A review of these plans was completed early on to understand the previously identified needs. The plans were reviewed and again during the recommendations process to identify the projects that have already been proposed. ARC's proposed RTP/TIP was also reviewed to establish a list of regional significant projects. The results of the needs assessment analysis and the travel demand modeling were used to understand mobility deficiencies and to determine needed improvements.

The final source of input into the aspirations list of projects was feedback from the staff, stakeholders, public, and elected officials of south Fulton. Regular coordination with the project management team provided insight into projects that are needed by south Fulton and are likely to be accepted by a majority of residents and commuters. In addition, input from the policy committee shaped the list of recommendations.

The aspirational list of transportation projects included hundreds of projects. The next step involved a great deal of technical assessment and collaboration to refine the project list into the final prioritized list of recommendations.

Regional projects were evaluated and prioritized based on the methodology established by the project management team and based on the goals and objectives. Regional projects are those projects that are multi-jurisdictional and/or important to regional travel. Local and multi-jurisdictional project are considered local in nature. The highest priority projects are in the short term implementation phase and includes the first 5 years of the plan (2014-2019). Projects recommended in the short term should be considered first when funding is available. Short term projects were identified as being at least one of the following: top priority for the south Fulton study area, able to be easily implemented, or low cost.

Descriptions on regional short term projects are included below. Mid-term and long term regional projects are listed in Table 1 and Table 2, respectively. Local and multi-jurisdictional projects can be found at the end of the report. See Recommendations Report for detailed project information and fact sheets.

Short Term Regional Project Recommendations

Project Title: Riverdale Road from Roosevelt Highway to Flat Shoals Road

Total Project Cost: \$2,225,665

Project Number: B-24

ARC Project Number: N/A

Service Type: Bicycle

Corridor Length: 0.62 miles

Jurisdiction: College Park

Description: 4' bike lanes striped on street

Need and Purpose: multimodal connectivity and safety



Project B-24

Project Title: Cascade Road from Atlanta city limits to intersection with FIB

Total Project Cost: \$694,350

Project Number: M-6

ARC Project Number: N/A

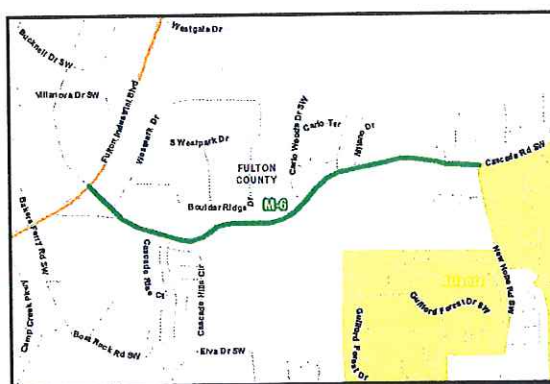
Service Type: Multi-use trail

Corridor Length: 1.90 miles

Jurisdiction: Unincorporated Fulton County

Description: 8'-10' wide Cascade off-road trail

Need and Purpose: multimodal connectivity, safety, and beautification amenity



Project M-6

Project Title: Main St from downtown to Lakewood MARTA station

Total Project Cost: \$1,403,000

Project Number: M-7

ARC Project Number: N/A

Service Type: Multi-use trail

Corridor Length: 1.20 miles

Jurisdiction: East Point

Description: Greenway trail to connect greenway trail proposed to Lakewood/McPherson LCI

Need and Purpose: multimodal connectivity, safety, and beautification amenity



Project M-7

Project Title: Old National Hwy from Flat Shoals to SR 138

Project Number: M-9/P-28

ARC Project Number: N/A

Service Type: Multi-use trail/Sidewalk

Corridor Length: 2.70 miles

Jurisdiction: Unincorporated Fulton County

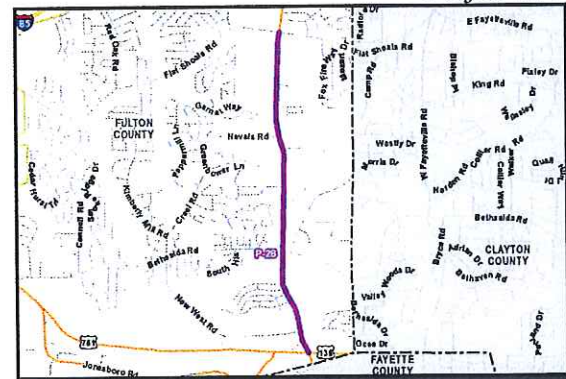
Description: 8'-10' wide Old National off-road trail on one side of the road and standard sidewalk on the other

Need and Purpose: multimodal connectivity, safety, and beautification amenity, pedestrian connectivity, fill gaps in system

Total Project Cost: \$3,406,500



Project M-9



Project P-28

Project Title: New Hope Road from Cascade Rd to Campbellton Road

Project Number: M-14

Service Type: Multi-use trail

Jurisdiction: Unincorporated Fulton County

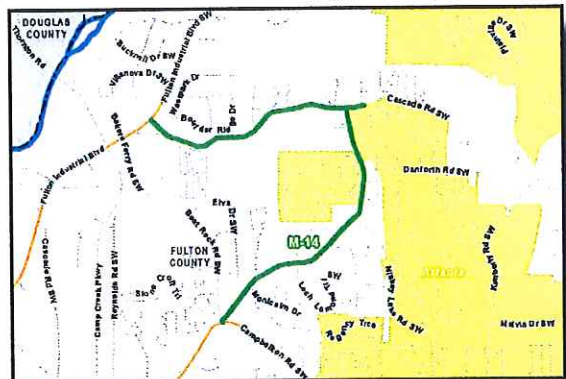
Description: 8'-10' wide Cascade off road trail

Need and Purpose: multimodal connectivity, safety, and beautification amenity

Total Project Cost: \$845,000

ARC Project Number: N/A

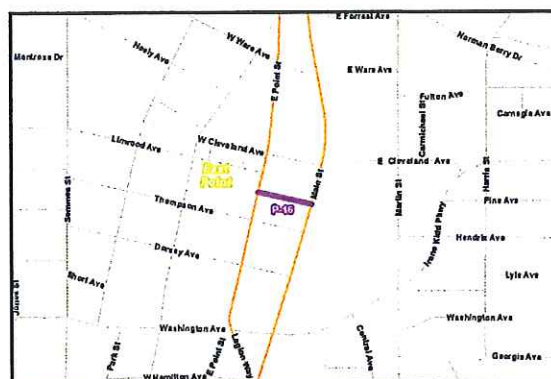
Corridor Length: 2.30 miles



Project M-14

Project Title: Main Street/SR 14 and White Way intersection
Project Number: P-16
Service Type: Pedestrian
Jurisdiction: East Point
Description: crosswalk pedestrian improvements
Need and Purpose: pedestrian connectivity, safety, fills gaps in system

Total Project Cost: \$128,000



Project P-16

Project Title: Main Street/SR 14 and Dorsey Ave (just north of the intersection)
Project Number: P-17
Service Type: Pedestrian
Jurisdiction: East Point
Description: crosswalk pedestrian improvements
Need and Purpose: pedestrian connectivity, safety, fills gaps in system

Total Project Cost: \$121,000

ARC Project Number: N/A
Corridor Length: 0.08 miles



Project P-17

Project Title: Old National Highway and I-285 interchange
Project Number: P-24
Service Type: Pedestrian
Jurisdiction: College Park
Description: pedestrian crossing on Old National Hwy needed in the vicinity
Need and Purpose: pedestrian access

Total Project Cost: \$156,000

ARC Project Number: N/A
Corridor Length: 0.30 miles



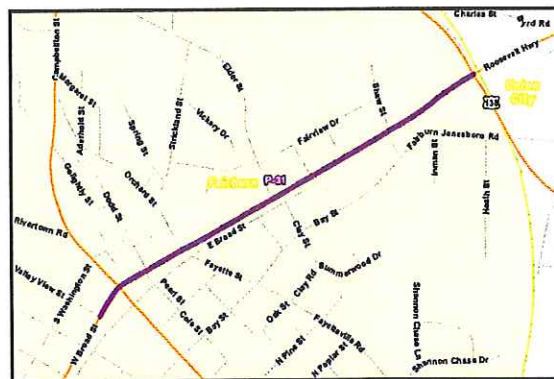
Project P-24

Project Title: Roosevelt Hwy/Broad Street (US 29) from Smith St to SR 138
Total Project Cost: \$3,260,000
Project Number: P-31
ARC Project Number: N/A
Service Type: Pedestrian
Corridor Length: 1.10 miles

Jurisdiction: Fairburn

Description: sidewalks, streetscapes on both sides

Need and Purpose: pedestrian connectivity, safety, fills in gaps in system, beautification



Project P-31

Project Title: Cascade Road at I-285
Total Project Cost: \$16,463,260
Project Number: R-20
ARC Project Number: N/A
Service Type: interchange improvement
Corridor Length: 0.00 miles
Jurisdiction: Unincorporated Fulton County
Description: provide additional ramp and arterial capacity in vicinity of interchange
Need and Purpose: congestion relief



Project R-20

Project Title: SR 92 at South Fulton Parkway
Total Project Cost: \$17,325,000
Project Number: R-23c
ARC Project Number: N/A
Service Type: roadway operation
Corridor Length: 0.00 miles
Jurisdiction: Union City
Description: interchange improvement; CFI
Need and Purpose: congestion relief



Project R-23c

Project Title: SR 138 from US 29 to Buffington Road
Project Number: R-24a
Service Type: roadway operation
Jurisdiction: Fairburn, Union City, and Unincorporated Fulton County
Description: regular signal timing and maintenance program
Need and Purpose: mobility

Total Project Cost: \$77,000
ARC Project Number: N/A
Corridor Length: 7.00 miles



Project R-24a

Project Title: Old National Highway from I-285 to Jonesboro Road
Project Number: R-24b
Service Type: roadway operation
Jurisdiction: College Park, Unincorporated Fulton County
Description: regular signal timing and maintenance program
Need and Purpose: mobility

Total Project Cost: \$99,000
ARC Project Number: N/A
Corridor Length: 4.90 miles



Project R-24b

Project Title: Camp Creek Parkway from I-285 to Old Fairburn Road
Project Number: R-24d
Service Type: roadway operation
Jurisdiction: College Park, East Point, Unincorporated Fulton County
Description: regular signal timing and maintenance program
Need and Purpose: mobility

Total Project Cost: \$49,500
ARC Project Number: N/A
Corridor Length: 1.90 miles



Project R-24d

Project Title: Buffington Road over South Fulton Parkway
Project Number: R-25
Service Type: bridge
Jurisdiction: College Park, Unincorporated Fulton County
Description: widen bridge to include 12' lanes and bike/ped facilities
Need and Purpose: connectivity

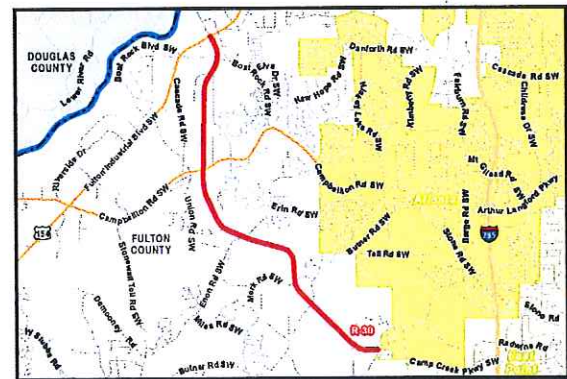
Total Project Cost: \$1,626,240
ARC Project Number: N/A
Corridor Length: 0.00 miles



Project R-25

Project Title: Camp Creek Parkway Safety Improvements
Project Number: R-30
Service Type: safety, geometric improvements
Jurisdiction: Unincorporated Fulton County
Description: safety improvements along Camp Creek Parkway
Need and Purpose: safety

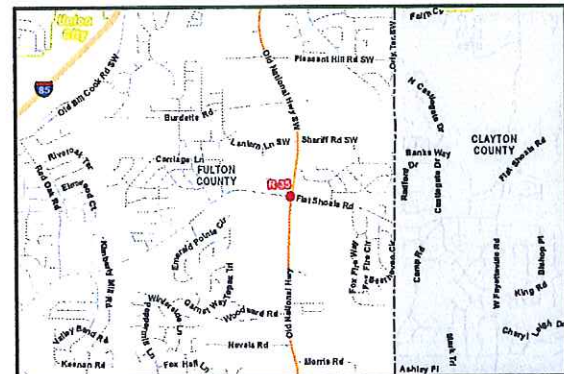
Total Project Cost: \$1,000,000
ARC Project Number: N/A
Corridor Length: 6.40 miles



Project R-30

Project Title: Old National Highway at Flat Shoals Road
Project Number: R-35
Service Type: intersection operation
Jurisdiction: Unincorporated Fulton County
Description: safety study and improvements
Need and Purpose: safety

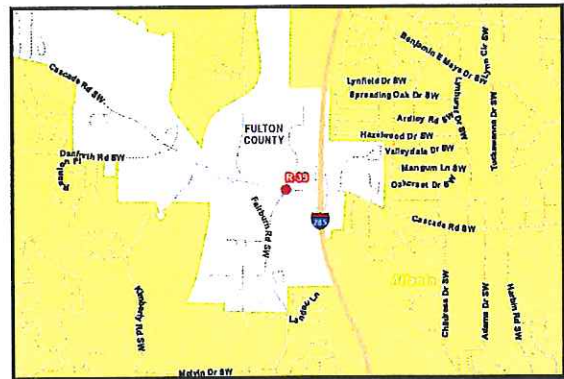
Total Project Cost: \$1,000,000
ARC Project Number: N/A
Corridor Length: 0.00 miles



Project R-35

Project Title: Cascade Road at Utoy Springs Road
Project Number: R-39
Service Type: intersection operation
Jurisdiction: Unincorporated Fulton County
Description: safety study and improvements
Need and Purpose: safety

Total Project Cost: \$1,000,000
ARC Project Number: N/A
Corridor Length: 0.00 miles



Project R-39

Project Title: I-285 at Washington Road
Project Number: R-41
Service Type: safety, geometric improvement
Jurisdiction: East Point
Description: safety study and improvements
Need and Purpose: safety, freight movement

Total Project Cost: \$1,300,000
ARC Project Number: N/A
Corridor Length: 0.00 miles



Project R-41

Project Title: Main Street from Connally Drive to Womack Avenue
Project Number: R-77
Service Type: streetscape enhancement
Jurisdiction: East Point
Description: raised, landscaped median at currently striped out locations
Need and Purpose: visual enhancement

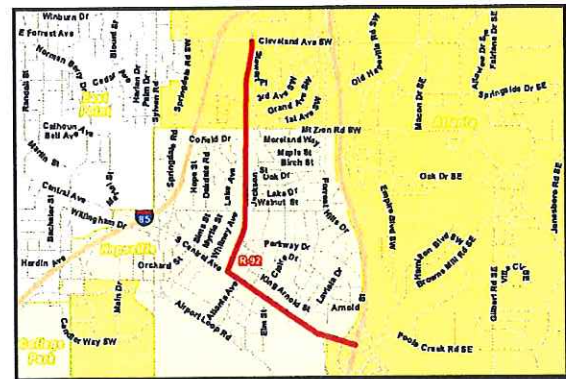
Total Project Cost: \$877,250
ARC Project Number: N/A
Corridor Length: 1.20 miles



Project R-77

Project Title: US 19/41 from Cleveland Avenue to I-75
Project Number: R-92
Service Type: roadway operation
Jurisdiction: Hapeville
Description: designate I-75 and Cleveland Avenue as Us/41 and remove designation through downtown Hapeville
Need and Purpose: aesthetic enhancement

Total Project Cost: \$0
ARC Project Number: N/A
Corridor Length: 2.50 miles



Project R-92

Project Title: US 29 at Thornton Avenue
Project Number: R-105
Service Type: bike/ped
Jurisdiction: Palmetto
Description: pedestrian facilities
Need and Purpose: connectivity; safety

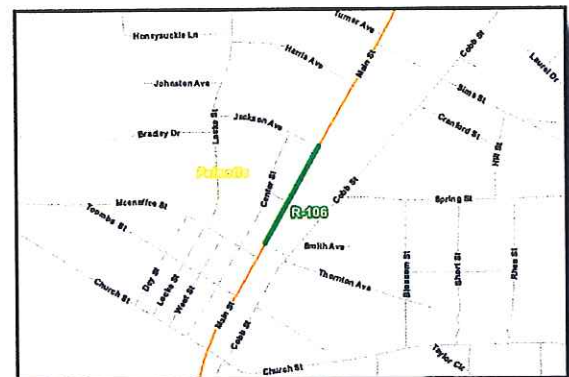
Total Project Cost: \$27,500
ARC Project Number: N/A
Corridor Length: 0.00 miles



Project R-105

Project Title: US 29 between Thornton Avenue and Jackson Avenue
Project Number: R-106
Service Type: bike/ped
Jurisdiction: Palmetto
Description: mid-block crosswalk with flashing pedestrian warning signal
Need and Purpose: connectivity

Total Project Cost: \$25,300
ARC Project Number: N/A
Corridor Length: 0.20 miles



Project R-106

Project Title: South Fulton Parkway at Cochran Mill Road
Project Number: R-123
Service Type: intersection operation
Jurisdiction: Chattahoochee Hills
Description: intersection improvements
Need and Purpose: congestion relief

Total Project Cost:\$1,000,000
ARC Project Number: N/A
Corridor Length: 0.00 miles



Project R-123

Project Title: Roosevelt Highway in downtown Palmetto
Project Number: R-147
Service Type: policy
Jurisdiction: Chattahoochee Hills
Description: designate as US Business and prevent truck traffic through downtown (must be linked with Project # 146)
Need and Purpose: freight movement

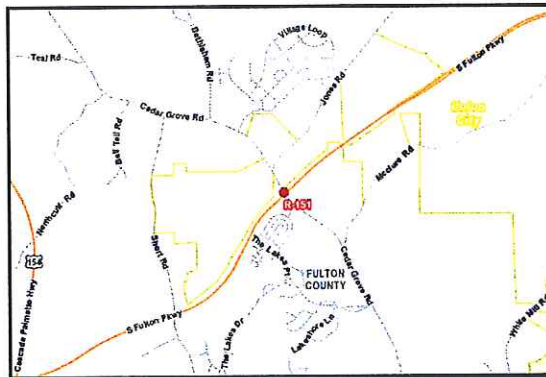
Total Project Cost:\$4,388,252
ARC Project Number: N/A
Corridor Length: 0.00 miles



Project R-147

Project Title: South Fulton Parkway at Cedar Grove Road
Project Number: R-151
Service Type: intersection operation
Jurisdiction: Unincorporated Fulton County
Description: intersection improvements
Need and Purpose: congestion relief

Total Project Cost:\$1,000,000
ARC Project Number: N/A
Corridor Length: 0.00 miles



Project R-151

Project Title: Camp Creek Parkway at I-285
Project Number: R-158
Service Type: roadway operation
Jurisdiction: East Point
Description: diverging diamond interchange
Need and Purpose: congestion relief

Total Project Cost: \$2,500,000
ARC Project Number: N/A
Corridor Length: 0.00 miles



Project R-158

Project Title: Virginia Avenue at I-85
Project Number: R-159
Service Type: roadway operation
Jurisdiction: East Point
Description: signalize northbound off-ramp
Need and Purpose: congestion relief

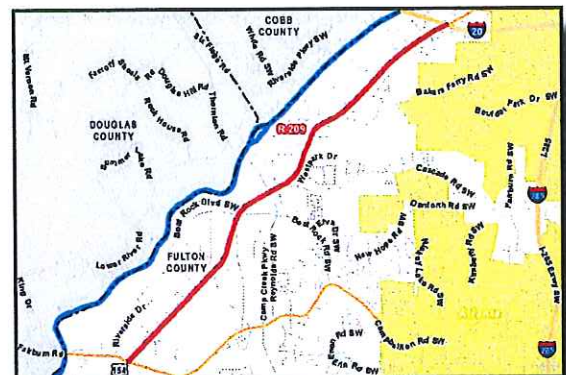
Total Project Cost: \$1,000,000
ARC Project Number: N/A
Corridor Length: 0.00 miles



Project R-159

Project Title: SR 70 (FIB) from I-20 to Campbellton Rd
Project Number: R-209
Service Type: roadway operation
Jurisdiction: Unincorporated Fulton County
Description: widen outside lane to 13' and install ITS truck sensors at 5 locations
Need and Purpose: freight movement

Total Project Cost: \$420,000
ARC Project Number: N/A
Corridor Length: 7.5 miles



Project R-209

Mid Term Regional Projects

Table 1: Mid Term Regional Project Recommendations

Project Number	Project Location	Category	Description	Jurisdiction	Total Cost Estimate
B-13	Roosevelt Highway- entire length	Bicycle	4' bike lanes striped on street	Palmetto, Union City, College Park, Unincorporated Fulton County	\$44,155,500
B-14	Cedar Grove Road from South Fulton Parkway to Rivertown	Bicycle	4' bike lanes striped on street	Unincorporated Fulton County	\$4,873,500
B-17	Senoia Road from West Broad Street to SR 74	Bicycle	4' bike lanes striped on street	Fairburn	\$3,033,500
B-22	Creel Road from Old National Highway to Bethsaida Road	Bicycle	4' bike lanes striped on street	Unincorporated Fulton County	\$4,224,000
M-5	Camp Creek Parkway and Butner Road, Merk Road, Enon Road	Multi-use trail	8'-10' wide Wolf Creek greenway and off-road trails	Unincorporated Fulton County	\$1,597,000
M-11	South Fulton Parkway from I-285 to Chattahoochee River	Multi-use trail	10' multi-use trail parallel to road but with large buffer in between	College Park, Union City, Chattahoochee Hills, Unincorporated Fulton County	\$7,614,000
P-1	Fulton Industrial Boulevard from Frederick Drive to Riverside Drive	Pedestrian	Sidewalks on one side of the road	Unincorporated Fulton County	\$4,645,000
P-22	Camp Creek Parkway	Pedestrian	Pedestrian bridge over Camp Creek Parkway to provide GICC pedestrian access	College Park	\$3,480,000
P-23	Roosevelt Highway - entire length	Pedestrian	Sidewalks on both sides of the road	Palmetto, Union City, College Park, Unincorporated Fulton County	\$32,390,00
P-37	Herndon Road from Hobgood Road to John River Road	Pedestrian	Sidewalks on one side of the road	Fairburn, Unincorporated Fulton County	\$1,190,000
PT-1	College Park MARTA Station	Transit	College Park MARTA Station Park and Ride Expansion	College Park	\$45,200,000
PT-2	Flat Shoals Road at I-85 to Old National Highway at Godby Road	Transit	South Fulton Park and Ride to College Park MARTA Station queue jumpers (MARTA Route 89)	College Park, Unincorporated Fulton County	\$5,420,000
PT-3	Roosevelt Highway at Campbellton Street To Camp Creek Parkway at Herschel Road	Transit	Multi-city connector (MARTA Route 180)	College Park, Union City, Unincorporated Fulton County	\$6,261,000

PT-5	Jonesboro Road at I-85 to Old National Highway at Godby Road	Transit	Union Station Mall to College Park MARTA Station (MARTA Route 189)	College Park, Union City, Unincorporated Fulton County	\$13,627,000
PT-6	Camp Creek Parkway at Princeton Parkway	Transit	Camp Creek to East Point MARTA Station (MARTA Route 84)	College Park, East Point	\$2,648,000
ASP-FS-227	Camp Creek Parkway between I-285 and I-85	Roadway widening	Widen from four to six lanes	College Park, East Point	\$49,757,840
ASP-FS-228	I-85 at Gullatt Road	Interchange improvement	New interchange to serve intermodal facility and future freight expansion	Fairburn	\$23,900,000
FS-017A	I-285 South at Washington Road	Interchange improvement	Interchange reconstruction and widening of Washington Road to 600' west of the bridge	East Point	\$25,000,000
FS-182	SR 74 at I-85	Interchange improvement	Capacity and operational improvements in the vicinity of the interchange	Fairburn	\$31,045,000
FS-AR-183	SR 138 at I-85	Interchange improvement	Capacity and operational improvements in the vicinity of the interchange	Union City	\$23,449,594
R-6	Buffington Road from Flat Shoals Road to South Fulton Parkway	Roadway widening	Widen from two to four lanes	Union City, College Park, Unincorporated Fulton County	\$32,408,134
R-12	Campbellton Road from Camp Creek Parkway to SR 92 in Douglas County	Roadway widening	Widen from two to four lanes	Unincorporated Fulton County	\$48,818,264
R-19	Senoia Road from Milam Road to Fayette County	Roadway widening	Widen from four to six lanes	Fairburn	\$17,392,562
R-21	Cascade Road between Fairburn Road and I-285	Roadway widening	Widen from four to six lanes	Unincorporated Fulton County	\$7,760,170
R-26	Old National Highway at I-285	Interchange improvement	Operational or capacity improvements (DDI)	College Park	\$2,310,000
R-32	SR 14 at Buffington Road	Intersection operation	Add 145' right turn lane	Unincorporated Fulton County	\$328,092
R-33	SR 14 at Stonewall Tell Road	Intersection operation	Signalize intersection	Unincorporated Fulton County	\$242,000
R-37	Old National Highway at Godby Road	Safety, geometric improvement	Safety study and improvements	College Park	\$137,500
R-61	Camp Creek Parkway at Airport Drive	Roadway operation	Turn lanes and signalization	College Park	\$1,815,000
R-78	US 29 from Smith Street to West Campbellton Street	Streetscape/enhancement	Sidewalks, streetscapes, bike lanes, traffic calming, parking conversion, improved signage, RR pedestrian underpass	Fairburn	\$2,480,500
R-79	US 29 from West Campbellton Street to Dodd Street	Streetscape/enhancement	Sidewalks, streetscapes, bike lanes, traffic calming, parking conversion, improved signage	Fairburn	\$594,000

R-80	US 29 from Dodd Street to SR 138	Streetscape/enhancement	Sidewalks, streetscapes, bike lanes, bulbouts on Strickland Street, gateway and wayfinding signage at Estes Drive and SR 138	Fairburn	\$379,500
R-81	US 29 from Public Safety building to Smith Street	Streetscape/enhancement	Sidewalks, streetscapes, bike lanes, includes landscaped median on the SW leg of the intersection with Senoia Road, gateway signage, wayfinding signage at Senoia Road	Fairburn	\$500,500
R-112	South Fulton Parkway at Stonewall Tell Road	Intersection operation	Add 200' left-turn lanes to northbound and southbound approach	Union City	\$580,800
R-132	Camp Creek Parkway at Fulton Industrial Boulevard	Intersection operation	Intersection improvements	Unincorporated Fulton County	\$600,000
R-206	I-20 at Fulton Industrial Boulevard	Interchange improvement	Improvements to interchange and arterials in vicinity of interchange; aesthetic improvements	Unincorporated Fulton County	\$16,463,260

Long Term Regional Projects

Table 2: Long Term Regional Projects

Project Number	Project Location	Category	Description	Jurisdiction	Total Cost Estimate
B-8	Hobgood Road from US 29 to Rivertown Road	Bicycle	4' bike lanes striped on street	Palmetto, Unincorporated Fulton County	\$6,841,000
ASP-AR-429	MARTA rail extension from East Point MARTA station to Hapeville	Transit	South corridor heavy rail spur	East Point, Hapeville	\$345,000,000
ASP-AR-430	MARTA rail extension from Hapeville to Southern Crescent Multi-modal Center	Transit	South corridor heavy rail spur	Hapeville	\$345,000,000
ASP-AR-433	Commuter rail service from downtown Atlanta to Union City	Transit	Southwestern corridor commuter rail service	East Point, College Park, Union City, Unincorporated Fulton County	\$46,000,000
ASP-AR-434	Commuter rail service from Union City to Newnan	Transit	Southwestern corridor commuter rail service	Palmetto, Fairburn, Union City, Unincorporated Fulton County	\$46,000,000
ASP-AR-435	Commuter rail service from downtown Atlanta to Lovejoy	Transit	South corridor commuter rail service from Atlanta multi-modal center to Lovejoy	East Point, Hapeville	\$324,000,000
PT-7	South Fulton Parkway at Campbellton Redwine Road to Hartsfield Jackson Airport	Transit	SR 70 (South Fulton Parkway) Express Bus	Chattahoochee Hills, Unincorporated Fulton County	\$203,102,800
ASP-AR-ML-050	Interchange modifications to support Tier 5 managed lane network	Managed lanes	Interchange modifications	N/A	\$437,000,000
ASP-CL-261	I-285 at Fayetteville Road	Interchange improvement	Interchange improvement	College Park	\$36,400,000
ASP-CL-263	SR 314 from Flat Shoals to SR 319	Roadway widening	Roadway widening	College Park	\$34,500,000
ASP-CL-265	I-285 South from I-85 South to SR 54	Roadway widening	Frontage roads	College Park, Union City, Unincorporated Fulton County	\$184,700,000
ASP-FA-342	Collinsworth Road/ Weldon Road from US 29 to I-85	Roadway widening	Widen two to four lanes	Palmetto	\$9,824,320
ASP-FA-343	SR 138 from Stockbridge Road to I-85 South	Roadway widening	Roadway widening	Union City, Unincorporated Fulton County	\$141,000,000

ASP-FA-347	SR 92 from Oakley Industrial Boulevard to SR 85	Roadway widening	Roadway widening	Fairburn, Unincorporated Fulton County	\$103,000,000
ASP-FS-049	US 29 from SR 279 to SR 6	Roadway widening	Roadway widening	College Park	\$15,000,000
ASP-FS-202	Oakley Industrial Boulevard from Gullatt Road to Flat Shoals Road	Roadway widening	Roadway widening and extension; potentially 4 phases: Flat Shoals to SR 138, SR 138 to Fayetteville Road, Fayetteville Road to SR 74, and SR 74 to Gullatt Road	Fairburn, Union City, Unincorporated Fulton County	\$55,000,000
ASP-FS-222	SR 154 from SR 166 to US 29	Roadway widening	Roadway widening	Palmetto, Chattahoochee Hills, Unincorporated Fulton County	\$98,200,000
ASP-FS-223	SR 138/SR 92 from I-85 south to South Fulton Parkway	Roadway widening	Roadway widening	Fairburn, Union City, Unincorporated Fulton County	\$79,000,000
ASP-FS-226	US 29 from SR 279 to South Fulton Parkway	Roadway widening	Roadway widening	College Park, Unincorporated Fulton County	\$27,000,000
ASP-FS-229	I-85 southbound from SR 74 to Collinsworth Road	Roadway widening	Collector distributor lanes	Fairburn	\$143,000,000
ASP-FS-230	SR 92 from South Fulton Parkway to SR 70	Roadway widening	Roadway widening	Unincorporated Fulton County	\$35,000,000
FS-003	SR 70 from SR 6 to I-20	Roadway widening	Add one general purpose lane in each direction	Unincorporated Fulton County	\$30,000,000
FS-200A	Washington Road from I-285 to Desert Drive	Roadway widening	Widen existing road to 4 lane undivided road, improve traffic signals on Washington Road, improve Hammariskjold Avenue, Janice Drive, and Carmel Drive intersections, update pedestrian sidewalks, bike paths, and street lighting	East Point	\$8,400,000
FS-200B	Washington Road from SR 6 to Delowe Drive	Roadway widening	Add one general purpose lane in each direction	East Point, College Park	\$14,500,000
FS-200C	Washington Road from Delowe Drive to US 29	Roadway widening	Add one general purpose lane in each direction	East Point	\$5,800,000
FS-225	SR 70 from SR 166 to SR 6	Roadway widening	Widen from four to six lanes	Unincorporated Fulton County	\$36,600,000
R-1	Old National Highway from Flat Shoals to I-285	Study/Planning	Widen from four to six lanes and add raised median	College Park, Unincorporated Fulton County	\$275,000
R-2	South Fulton Parkway from Stonewall Tell Road to I-285	Roadway operation	Install fiber, signal coordination, emergency preemption	Unincorporated Fulton County	\$2,240,000

R-3	South Fulton Parkway Grade Separation (2 locations)	Grade separation	Grade separation at Stonewall Tell Road and Mason Road; abandon intersection of South Fulton Parkway at Majestic Place	Union City	\$37,692,270
R-8	Flat Shoals Road at I-85	Interchange improvement	Provide an additional ramp and arterial capacity in vicinity of interchange	Union City, Unincorporated Fulton County	\$16,463,260
R-10	Gullatt Road between Roosevelt Highway and Collinsworth Road	Roadway operation	Roadway improvements including widening, shoulders, railroad grade separation at two locations to support new interchange	Fairburn, Unincorporated Fulton County	\$15,970,185
R-16	Feldwood Road from Roosevelt Highway to Flat Shoals Road	Roadway operation	Left and right turn lanes at select locations	Union City, Unincorporated Fulton County	\$9,392,779
R-23a	Camp Creek Parkway at Burner Road	Roadway operation	Intersection improvement	Unincorporated Fulton County	\$1,680,704
R-23b	Old National Highway at Bethsaida Road	Roadway operation	Intersection improvement	Unincorporated Fulton County	\$1,155,000
R-23d	SR 92 at Dobson Road	Roadway operation	Intersection improvement	Fairburn	\$1,155,00
R-31	Old Fairburn Road	Roadway widening	Left and right turn lanes at select locations	Unincorporated Fulton County	\$26,660,964
R-34	South Fulton Parkway at Stonewall Tell Road	Intersection operation	Intersection improvements	Union City	\$250,000
R-45	Oakley Industrial Boulevard Extension	New connection	Extend Oakley Industrial Boulevard south to connect to Gullatt Road at Cleckler Road	Fairburn	\$4,663,549
R-93	Collinsworth Road/ Weldon Road from US 29 to I-85	Roadway widening	Widen from two to four lanes	Palmetto	\$9,824,320
R-94	Campbellton Road Reliever -Phase I	New connection	New facility connecting Riverside Drive to Campbellton Road north of Sandtown Park	Unincorporated Fulton County	\$4,024,647
R-99	Campbellton Road at Wallace Road	Intersection operation	roundabout	Unincorporated Fulton County	\$1,514,920
R-102	Fulton Industrial Boulevard at Cascade Road	Intersection operation	Intersection improvements	Unincorporated Fulton County	\$800,000
R-103	Cascade Road at Carlo Woods Drive	Intersection Operation	Intersection improvements	Unincorporated Fulton County	\$250,000
R-104	Cascade Road ATMS from Shanter Trail to Fulton Industrial Boulevard	Roadway operation	Install fiber, signal coordination, emergency preemption	Unincorporated Fulton County	\$2,420,000
R-111	South Fulton Parkway at Mason Road/Hunter Road	Intersection operation	Intersection improvements	Union City	\$250,000
R-113	South Fulton Parkway at Koweta/Stonewall Tell Connector	Intersection operation	Intersection improvements	Union City	\$250,000

R-114	South Fulton Parkway at Derrick Road	Grade separation	Construct a tight diamond interchange	Unincorporated Fulton County	\$17,150,760
R-115	South Fulton Parkway at Thompson Park Access	Intersection operation	Intersection improvements	Union City	\$250,000
R-116	South Fulton Parkway at Rosewood Place	Intersection operation	Intersection improvements	Union City	\$250,000
R-117	South Fulton Parkway at SR 92	Grade separation	Construct a tight diamond interchange	Union City	\$22,307,010
R-118	South Fulton Parkway at Town Center Access	Intersection operation	Intersection Improvements	Union City	\$250,000
R-119	South Fulton Parkway at Cedar Grove Road	Grade separation	Construct a tight diamond interchange	Unincorporated Fulton County	\$20,074,010
R-120	South Fulton Parkway at the Lakes Point	Intersection operation	Intersection improvements	Unincorporated Fulton County	\$250,000
R-121	South Fulton Parkway at Harbor Grove Apartments	Intersection operation	Intersection improvements	Unincorporated Fulton County	\$250,000
R-122	South Fulton Parkway at Short Road	Intersection operation	Intersection improvements	Unincorporated Fulton County	\$250,000
R-124	South Fulton Parkway at Old Rico Connector Road	New intersection	Intersection improvements	Chattahoochee Hills	\$250,000
R-125	South Fulton Parkway at Rico Road	Intersection operation	Intersection improvements	Chattahoochee Hills	\$250,000
R-126	South Fulton Parkway at Campbellton Redwine Road	Intersection operation	Intersection improvements	Chattahoochee Hills	\$250,000
R-129	Stonewall Tell Road from Union Road to Jones Road/Pitmen Road	Roadway widening	Widen from two to four lanes	Union City, Unincorporated Fulton County	\$8,950,392
R-131	Camp Creek Parkway from I-285 to Old Fairburn Road	Roadway operation	ITS including CMS, cameras, and truck sensors	East Point, Unincorporated Fulton County	\$770,165
R-152	South Fulton Parkway at SR 154	Grade separation	Construct a tight diamond interchange	Unincorporated Fulton County	\$17,838,260
R-153	South Fulton Parkway at Cochran Mill Road	Grade separation	Construct a tight diamond interchange	Chattahoochee Hills	\$17,150,760
R-157	Campbellton Road at Stonewall Tell Road	Intersection operation	Intersection improvements	Unincorporated Fulton County	\$110,000

POLICY RECOMMENDATIONS

Below is a summary of the policy recommendations. The recommendations report includes full descriptions of the policy recommendations.

Freight Recommendations

Freight recommendations were presented by subregion: Fulton Industrial Boulevard (FIB) subregion, CSX Fairburn Intermodal Yard subregion, and the HJAIA subregion. Recommendations include:

- FIB subregion: focus on preserving the area as industrial and improving the efficiency of moving goods and services. Recommendations include adding travel lanes, operational improvements at intersections, and developing truck-friendly lanes along FIB, as recommended in the SR-6 Transportation Corridor Study completed by ARC.
- CSX subregion: redesign the SR 74 and I-85 interchange and working with CSX to understand any plans to increase operations at the Fairburn Intermodal Yard and how that will impact truck traffic operations in the subarea.
- HJAIA subregion: redesign the I-285 and Camp Creek Parkway interchange and safety improvements along Camp Creek Parkway.

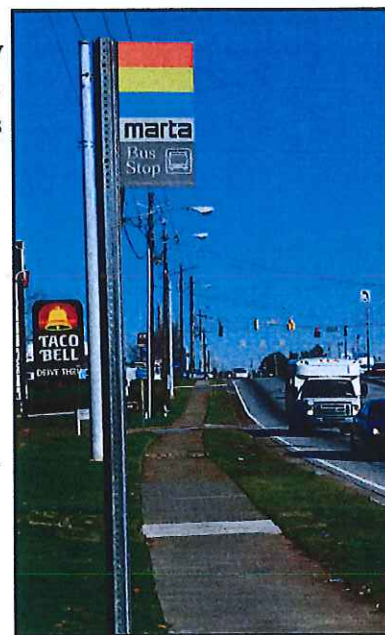


Transit Recommendations

The transit recommendations aim to meet the transit needs of the study area by leveraging existing rail facilities to provide study area residents improved access to regional employment and activity centers by enhancing the local bus services that access the stations, particularly the short and mid-term recommendations which focus on improving the existing routes with the highest ridership. Short and mid-term recommendations include:

- Additional automobile parking at the College Park MARTA station
- Installation of queue jumper lanes, transit signal priority improvements at major intersections, and pedestrian improvements on MARTA bus routes 89, 180, 78, 189, and 84.

There is a lack of east-west transit service in the study area south of East Point. The long term recommendations for express service along South Fulton Parkway is intended to improve east-west transit service and improve access to Hartsfield-Jackson Atlanta International Airport.



Roadway Functional Classification Recommendations

Roadway functional classification is the method by which the nation's streets and highways are grouped into classes. These classes result in different funding options for roadway improvements and maintenance. For urbanized areas, of which most of the study area is considered, there are four standard functional classes: principal arterial, minor arterial, collector, and local. Since functional classification has an impact on funding sources, regular reviews are important to insure that roadway usage is commensurate with its functional classification. Functional classification changes should be considered on the following facilities:

- Oakley Industrial Boulevard from Spence Road to Fayetteville Road: change from current classification of local to collector.

- SR 70 (Fulton Industrial Boulevard) from I-20 to Camp Creek Parkway: change from current classification of minor arterial to principal arterial.
- SR 154 from South Fulton Parkway to Cedar Grove Road: change from current classification as arterial (major and minor) to minor arterial.

Beautification Recommendations

Transportation system beautification and maintenance can improve the quality of life in the study area. Various landscaping and intersection treatments can create a sense of place and identity. Throughout the public involvement process, members of the public expressed a desire to improve the aesthetics of the study area through increased landscaping along transportation facilities. Recommendations include:

- Signage and wayfinding: develop a comprehensive and consistent signage and wayfinding program throughout south Fulton that identifies a coordinated destination and directional signage system for south Fulton, enumerates the parties responsible for installation and maintenance, and identifies a source of funding.
- Landscaping: the design of pedestrian facilities and streets should include landscaping, street trees, and pedestrian scale lighting; street designs should include landscaped medians, where possible.
- Roadways: enhancements can take a variety of forms and be completed in concert with intersection and roadway improvements, including stamped concrete crosswalks, mast arms for traffic signals, roundabouts where feasible, and roadway maintenance.
- Land use: the following should be considered when updating the comprehensive plan, zoning ordinances, and development regulations --> transit oriented development strategies near MARTA stations, promote high density and neo-traditional development within commercial districts, protect warehouse, distribution, and industrial centers and corridors from encroachment by other uses, implement and install access management treatments, develop key nodes, and create conditions that support walkability, cycling, and transit.



Access Management Recommendations

Access management is the systematic control of the location, spacing, design, and operation of driveways, median openings, interchanges and street connections to a roadway. Access management recommendations include:

- Implement the South Fulton Parkway Access Management Plan
- Identify priority corridors on which to focus and uniformly protect: Roosevelt Highway, Camp Creek Parkway, Fulton Industrial Boulevard, SR 74, SR 138, and Old National Highway
- Complete detailed corridor studies for each identified corridor
- Adopt a uniform policy across all jurisdictions
- Apply access management principles to intersections and roadways: Cascade Road and Fairburn Road intersection area

Transportation Demand Management (TDM) Recommendations

TDM is a general term for strategies that result in more efficient use of transportation resources. TDM strategies reduce automobile trips through elimination or shortening trips and spreading demand. Recommended TDM strategies include:

- Utilize plans and services provided by ARC
- Empower existing CID and encourage formation of new CIDs and TMAs
- Select which TDM strategies are most appropriate for implementation given the amount of resources available to manage those programs
- Implement transit and shuttle services, biking and walking infrastructure, school TDM strategies, development code updates, and study variable road pricing and managed lanes.

Intelligent Transportation Systems (ITS)

ITS is a term used for technological systems which improve safety and efficiency in transportation infrastructure. ITS recommendations include:

- Regular signal timing and maintenance
- Fiber connections
- Signal coordination
- Emergency signal pre-emption
- Changeable Message Sign
- Close circuit television cameras
- Truck sensors

Maintenance

The existing roadway infrastructure in the study area requires periodic maintenance to extend its useful life and provide a quality product for system users. To determine the amount of funding necessary to keep the system in a state of good repair, a methodology based on average maintenance costs were developed. High and low average annual maintenance costs were estimated in the study area for interstates and freeways, parkways and principal arterials, and minor and major arterials, collectors, and local roads. The total average annual maintenance costs for 1,173 total lane miles in the study area are estimated to be \$12,991,218 (low) and \$19,862,615 (high). For detailed information on the methodology and cost estimates, see the recommendations report.

PROJECT FINANCING

Fulton County is the most populous county in Georgia and has a substantial annual budget. Out of this budget, Fulton County provides a myriad of services to residents. Historically, transportation has been funded through the general fund, along with several other services. The CTP establishes a sound transportation framework based on goals and objectives developed by citizens and Fulton County so limited county financial resources can be used to maximize the leverage of state and federal transportation funds.

Table 3 below provides total project costs by implementation phase and the estimated local match required.

Implementation Phase	Total Amount	Local Match	Federal or State Funding
Short-term	\$250 Million	\$50 Million	\$200 Million
Mid-term*	\$550 Million	\$110 Million	\$440 Million
Long-term*	\$3.3 Billion	\$650 Million	\$2.6 Billion
TOTAL*	\$4.1 Billion	\$810 Million	\$3.2 Billion

* Includes \$2.9 billion in transit projects and large state projects where funding has not been identified.

Implementation phases are broad categories that prioritize projects based on future needs and completion time frames. It is expected that projects in the short term implementation phase are needed immediately and can be

designed and constructed within 5 years, mid-term projects are less pressing and would take between 5 and 10 years to complete, and long term projects will be needed to serve future travel needs or would take substantial time to construct.

TRANSPORTATION FUNDING

With over 150 jurisdictions in the metro Atlanta area, competition for limited transportation funds is intense. Coordination between Fulton County and the seven cities can increase the chances of securing funding at the regional level. As the total estimated cost of the unconstrained project list is approximately \$4.1 billion, using a traditional 20 percent match, Fulton County and the seven cities would need to successfully obtain \$810 million in funding to leverage a local match of \$3.2 billion, making cooperation critical. Based on this local match amount, Fulton County and the seven cities need to budget, on average, an estimated total of \$40.5 million per year to implement the CTP.

Below is Table 4 is a list of available and potential transportation funding sources.

Table 4: Available and Potential Transportation Funding Sources

Funding Source	Description
Surface Transportation Program (STP Urban)	federal funds allocated to ARC for programming for a wide variety of highway, transit, bicycle, pedestrian, TDM, and air quality projects, studies, and programs. Local minimum match of 20% is required by project sponsors
Congestion Mitigation and Air Quality (CMAQ)	allocated to and designated by ARC for projects contributing to attainment of national ambient air quality standards. Projects eligible for funding include transit improvements, shared-ride services, traffic flow improvements, TDM strategies, pedestrian and bicycle facilities and programs, alternative fuel programs.
Highway Trust Fund	federal funding source comprised of the Highway Account and Mass Transit Account
Transportation Enhancement (TE)	federal funding source as subcomponent of the STP available opportunities to increase transportation choices and enhance the transportation experience. A 20% local match is required for TE activities. Funds awarded by Georgia DOT through a competitive process.
Motor Fuel Excise Tax	state funding source established by a fee or tax based on the volumes of fuel purchased.
Prepaid Motor Fuel Sales Tax	state funding source of four percent sales tax collected on the average retail price of fuel with three percent committed to transportation and one percent committed to the general fund
GATEway Program	Georgia DOT program offering up to \$50,000 in grant allocation for landscape enhancements of state routes. Projects must involve local community, display the right of way in an attractive fashion and promote pride in Georgia.
Local Maintenance and Improvement Grant (LMIG) Program	GDOT funding where funds are allocated annually to local governments by a formula based on population and local road mileage to fund a variety of construction projects or street resurfacing. Only road and bridge projects are eligible.
Georgia Transportation Infrastructure Bank (GTIB)	Georgia State and Tollway Authority (SRTA) offers low interest loans and grants to finance local transportation projects.
Local Option Sales Tax (LOST)	Fulton County currently has a LOST of one percent which is collected through the Georgia Department of Revenue and distributed to the county and each city using a population-based formula.

MARTA Sales Tax	Fulton County contributes one percent sales tax directly to MARTA for system expansion and operation of MARTA service.
Bonds	issuing bonds is another option available to the county and cities to finance infrastructure improvements. A disadvantage to bonds is that the money has to be paid back with interest, which may preclude other needed improvements in the future.
Public/Private Partnerships	it needs to be equitable for the public and private entities. Both sides need to contribute resources to and receive benefits from the projects. These type of partnerships can take many forms.
Tax Allocation District (TAD)	legislation is in place to create a TAD through the Georgia Redevelopment Powers Act where a TAD must be a superficially defined area that is suffering from blight, economic underperformance, or social distress. Funding comes from bonds issued by the TAD that are repaid from new taxes revenues attributing to increase in property values within the TAD as redevelopment occurs.
Transportation Investment ACT (TIA)	allows citizens to vote on assessing a one percent regional transportation sales tax to fund regional projects in the Atlanta region. The act was voted down by voters in 2012.

PROJECT IMPLEMENTATION MONITORING

Implementing projects on time will increase mobility in the study area and contribute to improvements in quality of life as well as economic competitiveness. However, transportation projects often require several years of work between the initial idea and opening to the public and projects often become delayed. Common reasons for projects delays include a lack of anticipated funding, cost overruns, unexpected environmental issues, and right of way acquisition difficulties. To decrease opportunities for project delays, a system to monitor project progress towards implementation is required. An implementation monitoring system allows intervention to get the project back on track instead of leaving it incomplete.

MODIFYING THE CTP

As the implementation monitoring process is followed, it is likely that over time projects will be dropped and new needs will be identified. Therefore, a formal process for modifying the adopted CTP should be developed by Fulton County, the seven cities, and ARC. This plan is not the end, it must be updated every five years or upon availability of funds, to address growth, land use and development changes, and travel changes.



Figure 5: Strategies for Monitoring Implementation

LOCAL PROJECT RECOMMENDATIONS

Chattahoochee Hills

Project Number	Project Location	Category	Description	Total Cost Estimate
R-185	Rico Road at Atlanta Newnan Road	intersection	roundabout	\$1,162,400

College Park

Project Number	Project Location	Category	Description	Total Cost Estimate
B-25	Dodson Dr Connector from Hogan Rd to Washington Rd, Washington Rd from Dodson Dr Connector to Fairway Dr, Fairway Dr from Washington Rd to Harvard Ave, Harvard Ave from Fairway Dr to Atlanta St, Atlanta St from Harvard Ave to Princeton Ave	bicycle	4' bike lanes striped on street; with connections to College Park Municipal Golf Course and Brenningham Park and schools	\$7,368,000
B-26	Rugby Ave from Main St to Washington Rd, and Washington Rd from Rugby Ave to Fairway Dr	bicycle	4' bike lanes striped on street	\$5,627,000
B-27	Virginia Ave from Harrison Rd to Atlanta St, and Atlanta St from Virginia Ave to Rugby Ave	bicycle	4' bike lanes striped on street	\$5,173,000
B-28	Harvard Ave from Atlanta St to Jefferson St, Jefferson St from Harvard Ave to Columbia Ave, Columbia Ave from Jefferson St to Myrtle St, Myrtle St from Columbia Ave to Harvard Ave, Harvard Ave from Myrtle St to Madison St, Madison St from Harvard Ave to Virginia Ave (note jog in Madison St between Temple Ave and Hawthorne Ave)	bicycle	4' bike lanes striped on street	\$5,758,000
CP-1	Lakeshore Dr at Herschel Rd to Lakeshore Dr and Janice Dr, and Janice Dr to East Point City Limits	multi-use trail	10' multi-use trail	\$374,000
P-18	Virginia Ave from Lee St to Atlanta St	pedestrian	Sidewalks and streetscapes on both sides of the road	\$1,288,000

P-19	Harvard Ave from Main St to College Park Golf Course entrance	pedestrian	Sidewalks & streetscaping on both sides of the road	\$1,681,000
P-20	College St from Harvard Ave to Oxford Ave	pedestrian	Sidewalks on both sides of the road	\$908,000
P-21	John Wesley/ Harvard Ave	pedestrian	Pedestrian facilities to continue across the rail line to extend to both sides of the tracts (on one side of the street); ADA ramps on east side of John Wesley Avenue; Northside addition with handi-cap ramp at Harvard Avenue	\$369,000
R-46	Herschel Road Bridge over Camp Creek (South Fork)	bridge	Bridge replacement	\$544,500
R-50	Virginia Avenue between Madison Street and Harrison Road	roadway operation	Access management (0.3 miles)	\$0
R-53	Columbia Avenue at Main Street	roadway operation	Pedestrian signalization (countdown signals)	\$176,000
R-54	Harvard Avenue at Main Street	roadway operation	Pedestrian signalization (countdown signals)	\$176,000
R-55	College Street at Virginia Avenue	roadway operation	Pedestrian signalization (countdown signals)	\$176,000
R-56	College Street at Harvard Avenue	roadway operation	Pedestrian signalization (countdown signals)	\$176,000
R-57	College Street at Columbia Avenue	roadway operation	Pedestrian signalization (countdown signals)	\$176,000
R-58	Adams Street at Virginia Avenue	roadway operation	Pedestrian signalization (countdown signals)	\$176,000
R-59	Madison Street at Virginia Avenue	roadway operation	Pedestrian signalization (countdown signals)	\$176,000
R-60	Adams Street at Virginia Avenue	roadway operation	Turn lanes and signalization	\$1,012,000
R-63	Jefferson Street at Temple Avenue	roadway operation	Intersection and signalization	\$1,000,000
R-64	Conley Street at Columbia Avenue	roadway operation	Pedestrian signalization (countdown signals)	\$176,000
R-65	Rhodes Street at Columbia Avenue	roadway operation	Pedestrian signalization (countdown signals)	\$176,000
R-66	Columbia Avenue from Conley Street to Main Street	streetscape/ enhancement	Sidewalk enhancement, pedestrian lighting, and landscaping	\$698,500
R-67	Columbia Avenue from Conley Street to Main Street	roadway operation	Turn Lanes	\$1,281,500
R-68	Rhodes Street Extension	new connection	Extend Rhodes Street 900' to Camp Creek Parkway; Realign Rhodes Street with Airport Drive	\$1,650,000
R-208	Camp Creek Parkway Frontage Road	bridge	Bridge replacement	\$356,000

East Point

Project Number	Project Location	Category	Description	Total Cost Estimate
R-43	N Desert Drive Extension	new connection	Extend N Desert Drive from current termini to cross Ale Circle and connecting to Washington Road approximately 200' south of Victoria Drive	\$2,882,860
R-44	Stone Hogan Connector Extension	new connection	Extend Stone Hogan Connector south to connect with N Desert Drive	\$3,017,267
R-69	St. Joseph Avenue Extension	new connection	Extend St Joseph Avenue to connect with Connally Drive at Maple Street (0.3 miles)	\$1,899,282
R-70	Main Street at Washington Road	streetscape/enhancement	Decorative mast arms, internally illuminated street name signs, enhanced crossings, and bulbouts	\$242,000
R-71	Main Street at Legion Way	streetscape/enhancement	Decorative mast arms, internally illuminated street name signs, enhanced crossings, and bulbouts	\$242,000
R-72	Main Street at West Forrest Avenue	intersection improvements	Enhanced pedestrian crossings	\$242,000
R-73	Main Street at West Ware Avenue	intersection improvements	Enhanced pedestrian crossings	\$242,000
R-74	Main Street at Dorsey Avenue	intersection improvements	Enhanced pedestrian crossings	\$242,000
R-75	Thompson Avenue at Main Street	intersection improvements	Enhanced pedestrian crossings	\$242,000
R-76	Norman Berry Avenue at Cheney Street	new connection	Extend Cheney Street to connect with Connally Drive; Includes intersection with Norman Berry Avenue	\$942,924
R-155	Shelby Lane at Market Place Boulevard	intersection operation	Intersection improvements	\$1,000,000
R-189	Washington Road from I-285 to Desert Drive	roadway operation	Lane widening and improved shoulders; improvements at select intersections	\$6,855,679
R-191	Washington Road from Delowe Drive to US 29	roadway operation	Lane widening and improved shoulders; improvements at select intersections	\$6,170,111

Fairburn

Project Number	Project Location	Category	Description	Total Cost Estimate
B-15	Rivertown Rd from US-29 to Bishop Rd, and Bishop Rd from Rivertown Rd to M-1 trail crossing	bicycle	4' bike lanes striped on street	\$13,274,000
B-16	W Campbellton St from Rivertown Rd to SR 138	bicycle	4' bike lanes striped on street	\$3,391,500
B-18	E Campbellton St/Spence Rd/SR 92 from E Broad St to City Limits	bicycle	4' bike lanes striped on street	\$2,866,500
B-19	Fayetteville Rd from E Broad St to I-85 bridge	bicycle	4' bike lanes striped on street	\$5,029,500
P-32	Smith St at CSX freight line underpass	pedestrian	Improve pedestrian underpass	\$118,000

P-33	Fayetteville Rd from E Broad St to I-85 bridge	pedestrian	Sidewalks on both sides of the road	\$2,818,000
P-34	E Campbellton St/Spence Rd/SR 92 from E Broad St to City Limits	pedestrian	Sidewalks on both sides of the road	\$1,636,000
P-35	W Campbellton St from Rivertown Rd to SR 138	pedestrian	Sidewalks on both sides of the road	\$1,860,000
P-36	Rivertown Rd between Hobgood and Campbellton St	pedestrian	Connect sidewalks on both sides of the road	\$6,392,000
P-49	Spence Road from OIB to Roosevelt Hwy	pedestrian	Sidewalks on both sides of the road	\$3,217,000
P-50	Plantation Rd from Milam to Harris	pedestrian	Sidewalks on both sides of the road	\$1,341,000
P-51	Milam Rd from SR-74 to County Line	pedestrian	Sidewalks on both sides of the road	\$1,341,000
R-82	West Campbellton Street at Rivertown Road	safety, geometric improvement	Realign intersection so that roadways meet at a 90 degree angle; includes median and gateway signage on West Campbellton Street and bulbouts on all approaches	\$1,000,000
R-83	Senoia Road at Bay Street	safety, geometric improvement	Realign intersection so that roadways meet at a 90 degree angle, includes gateway signage on Senoia Road and bulbouts on Bay Street	\$1,000,000
R-84	Brooks Drive Extension	new connection	Extend Brooks Drive from current terminus to connect to Virlyn B Smith Road at Durham Lake Road (0.4 miles)	\$2,090,000
R-85	Shaw Drive Extension	new connection	Extend Shaw Drive from current terminus to connect to SR 138 (0.2 miles)	\$1,254,000
R-166	Johnson Road over Shoal Creek	bridge	Bridge Replacement	\$1,296,000
R-168	Mann Road over Line Creek	bridge	Bridge Replacement	\$972,000
R-181	SR 74 at Milam Road	intersection operation	Intersection improvements	\$1,000,000
R-182	East Campbellton Road at Bay Street	intersection operation	Intersection improvements	\$1,000,000
R-183	SR 14 at Campbellton Street	intersection operation	Intersection improvements	\$1,000,000
R-192	Senoia Road from I-85 to Fayette County	roadway operation	Fiber and signal coordination	\$883,300
R-196	Harris Road at Plantation	intersection operation	Roundabout	\$3,365,010
R-197	Harris Road West Extension from Senoia Road to Oakley Industrial Boulevard	new connection	New 2-lane facility	\$2,332,000
R-198	Milam Road from Senoia Road to County Line	roadway operation	Upgrade 2-12' lanes, curb and gutter	\$2,056,704
R-200	Fairburn Industrial Boulevard at McLarin Road	intersection improvements	Intersection upgrade to facilitate freight movement	\$1,000,000

R-201	Fairburn Industrial Boulevard at Senoia Road	intersection improvements	Roundabout	\$3,365,010
R-202	Bohannon Dr at Oakley Industrial Boulevard	intersection improvements	Roundabout or signalization	\$3,365,010
R-203	Roosevelt Highway at Harbor Lakes Parkway	intersection improvements	Multi-lane roundabout or signal	\$5,047,515
R-204	Roosevelt Highway at Johns River Road	intersection improvements	Multi-lane roundabout or signal	\$1,682,505

Hapeville

Project Number	Project Location	Category	Description	Total Cost Estimate
B-30	Dogwood Dr from Mt Zion Road to South Central Avenue	bicycle	4' bike lanes striped on-street	\$124,600

Palmetto

Project Number	Project Location	Category	Description	Total Cost Estimate
B-9	Hutcheson Ferry Rd from Toombs St to Phillips Rd	bicycle	4' bike lanes striped on street	\$2,917,000
B-10	Turner Ave from Locke St to Roosevelt Hwy	bicycle	4' bike lanes striped on street	\$947,000
B-11	Cobb St from Phipps Rd to Church St	bicycle	4' bike lanes striped on street	\$2,716,000
B-12	Fayetteville Rd from Cobb St to Phipps Rd	bicycle	4' bike lanes striped on street	\$2,413,000
P-38	Carlton Rd from Hutchesons Ferry Rd to Palmetto Cascade Hwy	pedestrian	Sidewalks on both sides of the road	\$2,282,000
P-39	Locke St from Carlton Rd to Menefee St	pedestrian	Sidewalks & streetscaping on both sides of the road	\$1,075,000
P-40	Turner Ave from Locke St to Roosevelt Hwy	pedestrian	Sidewalks on both sides of the road	\$524,000
P-41	Rhae St from Fayetteville Rd to Spring St, Spring St from Rhae St to Hill St, Hill St from Spring to Sims St, Sims St from Hill St to Main St	pedestrian	Sidewalk Improvements on both sides of the road	\$1,096,000
P-42	Fayetteville Rd from Cobb St to Phipps Rd	pedestrian	Sidewalk Improvements on one side of the road	\$1,334,000
P-43	Toombs St from Cobb St to Menefee St	pedestrian	Sidewalks on both sides of the road	\$742,000
P-44	Menefee St from Main St to Toombs St	pedestrian	Sidewalks & streetscaping on both sides of the road	\$521,000
R-22e	Roosevelt Highway at Phipps Road	study/ planning	Intersection Signal Study	\$242,000

R-52	Palmetto Downtown One-Way Pairs	roadway operation	Convert Church Street and Fayetteville Road to one-way pairs in Downtown Palmetto; includes replacement of railroad underpasses	\$907,500
R-146	Phipps Road Extension	new connection	Extend Phipps Road from current terminus at Fayetteville Road to Roosevelt Highway near Vine Street; Designate as US 29 (0.8 miles)	\$4,388,252
R-148	Phipps Road from Fayetteville Road to US 29	safety, geometric improvement	Widen to full 12' lanes with improved shoulders	\$6,855,679
R-186	Hutcheson Ferry Road/ Church Street Realignment	roadway operation	Realign Hutcheson Ferry Road and Church Street to cross Toombs Street at single point	\$3,134,400

Union City

Project Number	Project Location	Category	Description	Total Cost Estimate
M-10	Windham Creek Greenway Trail	multi-use trail	multi-purpose trail	\$1,496,000
R-29	Cedar Grove Road at Jones Road Intersection Realignment	safety, geometric improvement	Realign Jones Road to intersect Cedar Grove Road	\$1,000,000
R-100	Union Street Extension	new connection	Extend Union Street to Shannon Parkway just South of Shannon Boulevard (0.5 miles)	\$2,447,500
R-138	Scarborough Road Extension	new connection	Extend Scarborough Road from current terminus to Stonewall Tell Road at N Wexford Road (0.6 miles)	\$3,809,410
R-171	Peter Road over Broadanax Creek	bridge	Bridge Replacement	\$3,240,000
R-172	Buffington Road over Shannon Creek	bridge	Bridge Replacement	\$2,592,000
R-173	Lake Side Drive over Dixie Lake Tributary	bridge	Bridge Replacement	\$1,188,000
R-175	Red Mill Road over Banks Creek1	bridge	Bridge Replacement	\$1,296,000

Unincorporated Fulton County

Project Number	Project Location	Category	Description	Total Cost Estimate
B-2	Reynolds Rd from Boat Rock Rd to Campbellton Rd	bicycle	4' bike lanes striped on street	\$4,956,500
B-3	Campbellton Rd from Reynolds Road to Fulton County line	bicycle	4' bike lanes striped on street	\$10,762,580
B-5	Wallace Rd from Campbellton Rd to Enon Rd	bicycle	4' bike lanes striped on street	\$3,061,000
B-21	Flat Shoals Rd from I-85 to Old National Hwy	bicycle	4' bike lanes striped on street	\$9,067,500
M-1	Pea Creek from intersection w/ Chattahoochee River and continues through future Friendship Village development. Starts at Bear Creek between Creekside H.S. and Bear Creek M.S. and continues to intersection w/ Hobgood Rd	multi-use trail	8'-10' wide Cedar Grove greenway and off-road trail 26.9mi long	\$7,327,000
M-2	Existing sewer easements along Deep Creek and Line Creek. Starts at Camp Creek intersection w/ Chattahoochee River to intersection w/ Stonewall Tell Rd. Starts at Deep Creek at intersection of Chattahoochee River and ends at intersection w/ Jones Rd. Starts at Line Creek at intersection w/ Deep Creek south of Butner Rd and ends at intersection w/ South Fulton Pkwy	multi-use trail	8'-10' wide Cliftondale greenway and off-road trail 25.1mi long	\$6,654,000
M-3	Boat Rock Rd from Fulton Industrial Blvd to Chattahoochee River	multi-use trail	Multi-use trail	\$150,000
M-8	Welcome All Rd from Roosevelt Hwy to Jaillette Rd, Thaxton Rd, Old Fairburn Rd, Camp Creek Pkwy to end at Butner Rd	multi-use trail	8'-10' wide Welcome All off-road trail	\$3,514,000
M-12	Burdette Rd from Burdette Way to Old National Hwy	multi-use trail	8'-10' wide trail	\$412,000
M-13	Pleasant Hill Rd from Old National Hwy to Fulton County line	multi-use trail	8'-10' wide trail	\$308,000
P-3	Reynolds Rd from Boat Rock Rd to Campbellton Rd	pedestrian	8' sidewalk on one side	\$1,384,000

P-6	Danforth Road from Reunion Place to Cascade Road	pedestrian	sidewalks on both sides of the street	\$1,400,000
P-7	Wallace Rd from Campbellton Rd to Enon Rd	pedestrian	8' sidewalks on both sides of street	\$1,682,000
P-10	Stonewall Tell Rd from Forest Downs Ln to Campbellton Rd	pedestrian	Sidewalks on one side of the road	\$5,625,000
P-12	Butner Rd from Camp Creek Pkwy to Stonewall Tell Rd	pedestrian	Sidewalks on one side of road	\$2,629,000
P-13	Pittman Rd from Stonewall Tell Rd to Butner Rd	pedestrian	Sidewalks on one side of road	\$1,062,000
P-14	Scarborough Rd from Creekside Rd to Jaillette Rd	pedestrian	Sidewalks on one side of the road	\$932,000
P-27	Flat Shoals Rd from Old National Hwy to Creel Dr	pedestrian	Sidewalks on both sides of the road	\$1,050,000
P-29	Creel Rd from Old National Hwy to Rocky Springs Ct	pedestrian	Sidewalks on both sides of the road	\$610,000
P-45	Ridge Rd from Cascade Palmetto Hwy to Campbellton Fairburn Rd	pedestrian	Sidewalks on both sides of the road	\$2,109,000
P-46	Bethsaida Rd from SR 138 to Clayton County Line	pedestrian	Sidewalks on both sides of the road	\$4,894,000
P-47	Bruce Rd from Boat Rock Rd to New Hope Rd	pedestrian	Sidewalks on one side of the road	\$251,000
P-52	Union Road, Westlake High School to Campbellton Road	pedestrian	5-foot sidewalks	\$1,550,000
R-13	New Hope Road from Boat Rock Road to Cascade Road	roadway widening	Widen from 2 to 3 lanes (2.3 miles)	\$11,360,943
R-22a	Campbellton Road at Union Road	study/ planning	Intersection Signal Study	\$242,000
R-22d	SR 92 at Jones Road	study/ planning	Intersection Signal Study	\$242,000
R-95	Campbellton Road Reliever - Phase II	new connection	New facility connecting Campbellton Road north of Sandtown Park to Enon Road east of Enon Mill Drive (0.8 miles)	\$2,221,560
R-96	Reynolds Road Extension	new connection	Extend Reynolds Road from intersection with Campbellton Road to existing terminus of Reynolds Road SW (0.4 miles)	\$361,900
R-97	Owl Rock Road Extension	new connection	Extend Owl Rock Road from current intersection with Union Road to new Reynolds Road Connector (0.4 miles); includes roundabout at intersection with Reynolds Road Connector	\$2,332,000
R-130	Rivertown Road from Cedar Grove Road to Hobgood Road	roadway widening	Widen from 2 to 3 lanes (1.3 miles)	\$7,744,283

R-134	Jones Road from Hall Road to Campbellton Fairburn Road	general maintenance	Paving and shoulder improvements	\$4,162,246
R-156	Campbellton Road at Enon Road	intersection operation	Intersection improvements	\$1,000,000
R-160	Camp Creek Parkway at Welcome All Road	roadway operation	Operational improvements	\$1,000,000
R-161	Buffington Road at South Fulton Parkway Westbound Off-Ramp	roadway operation	Improve right-turn radius for westbound traffic	\$1,000,000
R-163	Porter Terry Road over Little Pea Creek	bridge	Bridge Replacement	\$972,000
R-165	Ono Road over Bear Creek	bridge	Bridge Replacement	\$3,240,000
R-169	Harris Road over White Woverer Creek Tributary	bridge	Bridge Replacement	\$1,296,000
R-170	Oakley Road over Broad-anax Creek	bridge	Bridge Replacement	\$1,296,000
R-174	Koweta Road over Deep Creek	bridge	Bridge Replacement	\$4,860,000
R-176	Jones Road over Line Creek	bridge	Bridge Replacement	\$1,458,000
R-177	Cochran Road over Camp Creek	bridge	Bridge Replacement	\$3,247,200
R-178	Cochran Road over Deep Creek	bridge	Bridge Replacement	\$1,123,200
R-179	Demooney Road over Deep Creek	bridge	Bridge Replacement	\$4,032,000
R-180	Butner Road over Camp Creek	bridge	Bridge Replacement	\$1,892,954
R-188	Ben Hill Road from Will Lee Road to US 29	roadway operation	Widen to 12' lanes with shoulder	\$4,506,020
R-193	Harris Road from Plantation Road to Spence Road	road paving	Pave existing gravel road	\$60,500
R-194	Plantation Road from Harris Road to Oakley Industrial Boulevard	roadway operation	Lane widening and improved shoulders	\$2,056,704
R-210	Butner Road at Union Road	intersection improvement	Intersection improvements	\$1,325,000
R-211	Butner Road at Ridge Road	intersection improvement	Intersection improvements	\$1,325,000

Multi-jurisdictional

Project Number	Project Location	Category	Description	Total Cost Estimate
B-29	Virginia Ave from Harrison Rd to N Central Ave	bicycle	4' bike lanes striped on street	\$166,600
P-48	Harris Rd from Senoia Rd (SR 74) to Spence Rd (Hwy 92)	pedestrian	Sidewalks on both sides of the road	\$1,492,000
R-87	Irwin Road Extension	new connection	Extend Irwin Road from current terminus to connect with Fayetteville Road at Godby Road (1.0 mile)	\$4,328,500
R-88	Railway from SR 74 to SR 138	rail crossing improvement	Railroad quiet zone application/implementation	\$93,500
R-101	Mall Boulevard Extension	new connection	Extend Mall Boulevard from current terminus to Flat Shoals Road just west of Feldwood Road (1.1 miles)	\$13,939,068
R-128	Welcome All Road/Scarborough Road from existing 4-lane section to Scarborough Road terminus	roadway widening	Widen from 2 to 3 lanes (2.5 miles)	\$14,157,275
R-133	Hall Road Extension	new connection	Extend Hall Road from Campbellton Fairburn Road to South Fulton Parkway at Rose Wood (0.9 miles); overpass at South Fulton Parkway	\$6,983,500
R-135	Thompson Road from SR 92 to proposed Hall Road Extension	roadway widening	Widen from 2 to 4 lanes (0.6 miles)	\$4,162,246
R-136	Thompson Road Extension	new connection	Extend Thompson Road from current terminus to Thompson Road near Derrick Road (1.1 miles)	\$6,984,835
R-137	Southern Road Extension	new connection	Extend Southern Road from current terminus to Derrick Road at Thompson Road (1.3 miles)	\$6,143,555
R-139	Southern Road Improvements	safety, geometric improvement	Widen to full 12' lanes with improved shoulders	\$1,662,615
R-140	North Wexford Road Improvements	safety, geometric improvement	Widen to full 12' lanes with improved shoulders from Stonewall Tell Road to the end of North Wexford Road	\$3,384,609
R-141	Dodson Road Extension	new connection	Extend Dodson Road from current intersection with Koweta Road to Derrick Road (0.8 miles)	\$3,977,380
R-143	Lester Road from Buffington Road to SR 92	general maintenance	Drainage improvements	\$9,636,446
R-187	Ben Hill Road from Will Lee Road to existing 4-lane section	roadway widening	Widen to 12' lanes with shoulder	\$5,616,900
R-190	Washington Road from SR 6 to Delowe Drive	roadway operation	Lane widening and improved shoulders; improvements at select intersections	\$15,768,011

*Memorandum of Agreement
for
The Development of the South Fulton Comprehensive Transportation Plan
Among
the Cities of Chattahoochee Hills, College Park, East Point, Fairburn, Hapeville, Palmetto,
South Fulton, and Union City*

WITNESSETH:

WHEREAS, the Atlanta Regional Commission (ARC) is the Metropolitan Area Planning and Development Commission for the ten (10) county Atlanta Region as defined by O.C.G.A 50-8-82; and

WHEREAS, in accordance with O.C.G.A. 50-8-93 (e), ARC has the power and authority to undertake such other planning functions within its area as may be assigned or delegated to the commission by other agencies or boards, public or private, and for which the commission accepts responsibility; and

WHEREAS, each of the cities of south Fulton County (Chattahoochee Hills, College Park, East Point, Fairburn, Hapeville, Palmetto, South Fulton and Union City, hereinafter referred to as "the Cities") has agreed that the Atlanta Regional Commission (ARC) will manage the planning and development of a Comprehensive Transportation Plan for South Fulton County and ARC agrees to accept responsibility for management of the project.

NOW, THEREFORE, for and in consideration of the premises, the parties hereby agree as follows:

SECTION 1: PURPOSE

This Memorandum of Agreement (MOA) is intended to provide a framework for continuing cooperative and comprehensive planning and development of the South Fulton Comprehensive Transportation Plan (SFCTP). The development of the SFCTP will be managed by ARC as agreed by the Cities.

The SFCTP will be a program of goals, objectives, and strategies aimed at evaluating, coordinating and making necessary recommendations for the regional transportation system. This process is intended to ensure that the South Fulton area is coordinated in an effort to produce a Plan that will meet the future projected demands related to land use and the regional transportation system. This project will also involve the development of performance measures, the collection and analysis of data as well as stakeholder input in various forms. The end result of this process will be a comprehensive program of policies and/or projects that will include estimated costs and timeframes for project implementation and any recommendations for needed coordination beyond local jurisdictional boundaries.

SECTION 2: ORGANIZATIONAL ROLES AND RESPONSIBILITIES

A. Atlanta Regional Commission (ARC)

ARC shall be responsible for the following:

1. Provide overall coordination and management of the project.
2. Manage and conduct all planning activities associated with the project.
3. Be the recipient of any federal and local funding for all planning activities associated with the project. (Estimates are \$500,000 federal and \$125,000 local for a total of \$625,000)
4. Award and manage any sub-contracts necessary to perform required planning associated with the project.
5. Manage the project in accordance with all applicable State and Federal laws and regulations.
6. Provide periodic financial status updates at Project Management Team meetings to the Cities showing the obligation and expenditure of funds.
7. Invoice and collect the local match from individual cities.
8. Share information it receives from the consulting team with individual cities.
9. Encourage input from individual cities and facilitating development of the Scope of Work with the PMT.

ARC will designate an ARC Project Manager for the SFCTP. For the sake of continuity, it is highly desirable to maintain the same Project Manager throughout the project.

B. Cities

The Cities shall be responsible for the following:

1. Assist ARC in the development of a scope of work for the project.
2. Provide funding for the project in accordance with each city's commitment, shown under the "local match" column in the table on Attachment A: Local Match Financial Commitments.
3. The Cities will have their funds, authorized by the local government, available to pay their share of the local match to the Atlanta Regional Commission by July 31, 2018. All local matches must be received in advance of ARC negotiating a consultant contract and incurring costs. There will be no refund of the local match after funds are transmitted to ARC. Any funds paid in advance, for which ARC does not actually incur the estimated costs, will be refunded to the Cities, once the project is complete, proportional to each city's share shown in Attachment A.
4. Appoint representatives to serve on Project Management Team (PMT) and Stakeholders Committee (SC).
5. Mayors of South Fulton Cities serve on the Project Policy Committee.
6. Provide other assistance as mutually agreed upon.
7. Submit to ARC a copy of the City Council resolution and/or meeting minutes approving the Comprehensive Transportation Plan.

8. Acknowledge that the SFCTP has a regional focus; the Cities pledge to work together toward mutually beneficial arrangements balancing mobility, land use, and quality of life issues.
9. Review project documents and approve the project final document according to the procedures laid out in Section 3.

SECTION 3: POLICY DEVELOPMENT AND COORDINATION

The project shall be conducted using three key groups to facilitate feedback, decisions and communication: a Stakeholders Committee, a Policy Committee and a Project Management Team.

- The Stakeholders Committee is the main group that will review large quantities of study information, findings and recommendations presented by ARC and the Consultant.
- The Policy Committee will provide policy direction.
- The Project Management Team will deal with contractual and project management issues.

A Project Management Plan will be developed to outline specific meetings and a project schedule.

3.1 Stakeholders Committee (SC)

The involvement of a diverse set of stakeholders is essential to the successful development of this project. The composition of the Stakeholders Committee (SC) should reflect each City government and South Fulton County as a whole, representing the public's interests in formulating the SFCTP. The PMT will approve the recommended committee structure, as proposed in the public participation plan, as defined in the scope of services. The SC will consist of no more than 40 people. The SC, at a minimum, shall include City Council members, citizen's representatives, staff and board of CIDs, transit operators, land use planners, chambers of commerce, GDOT, environmental advocates, etc.

Three-quarters of the membership of the SC will be proportional to the population for each city, with one-quarter reserved for other representation as indicated above.

ARC and their Consultant will meet with the SC periodically throughout the project according to the Project Management Plan and present all of the significant findings and recommendations of the SFCTP to the SC for their review and feedback. The SC will help to shape the plan by providing input to the needs assessment and project recommendations, including policy decisions where a consensus can be reached. The PMT will insure the Consultant meet with and provide presentations to each City Council as specified in the Statement of Work.

If the SC, after much discussion, reaches an impasse, they will refer a difficult issue to the Policy Committee for resolution. The intent is to reach consensus on the plan, and the SC, as a microcosm of the public, is the primary body for discussing and debating the elements of the plan and for reaching a consensus that is representative of the public.

3.2 Policy Committee (PC)

The Policy Committee (PC) shall consist of the eight Mayors. The PC will select the representatives to the Stakeholders Committee. The PC may meet quarterly and shall provide policy direction to the PMT, interpret any areas requiring policy clarification, and provide approval of the draft plan, in accordance with the requirements of this section. The decision-making process shall be decided by the Policy Committee.

3.3 Project Management Team (PMT)

The PMT shall consist of one city staff member, appointed by the Mayor from each of the eight cities. The 8-member PMT shall:

- Provide project management input and guidance for the consultant and the ARC Project Manager.
- Refer difficult policy matters to the Policy Committee (PC), as provided by the Stakeholders, along with any PMT positions or recommendations
- Develop and recommend the scope of services, by consensus vote.
- Recommend the preferred consultant for selection by ARC, to perform the scope of services

Decisions of the PMT shall be made by majority vote (5 out of 8 members).

3.4 Approval of Draft Plan

The draft document as designated by the PMT shall be sent to the PC and requires six out of ten votes for approval by the PC.

3.5 Approval of Final Plan

The PC shall submit the approved draft plans to the eight City Councils. A minimum of five approvals from the eight cities accepting the draft report (that has been approved by the PC) shall constitute final approval of the plan. Cities which do not approve the plan will not be permitted to reference the CTP as a source document for projects submitted in any future solicitations for federal funds managed by ARC.

SECTION 4: COMPLIANCE WITH APPLICABLE LAWS AND REGULATIONS

ARC and the Cities shall comply with all applicable Local, State, and Federal laws and regulations. Nothing in this MOA alters, or seeks to alter, the existing statutory authority of either party under State or Federal law. If any of the provisions of this MOA are held to be illegal, invalid or unenforceable, the remaining provisions shall remain in full force and effect.

SECTION 5: TIME OF PERFORMANCE, AMENDMENTS AND MODIFICATIONS

This agreement shall become effective upon execution by the Cities and remain in effect until the completion of the project or termination by the parties as provided below.

Any City may terminate this Agreement upon sixty (60) days' written notice to the others, provided that the City requesting termination has provided notice and sufficient opportunity for remedy.

Any City may request changes to this MOA at any time by written notice to the other Cities signatory of this agreement. Such changes as are mutually agreed upon by and between the Cities shall be incorporated in written amendments to this MOA executed in the same manner as original MOA approval. This Agreement may only be modified by an instrument in writing executed by the Cities. Notwithstanding the foregoing, the Cities acknowledge that this Agreement may be revised or refined from time to time during its term. The Cities agree to cooperate with each other by executing such documents as may be necessary to evidence such mutually agreeable modifications and refinements.

SECTION 6: NOTIFICATION

Any official notifications between the parties to this MOA that would substantially affect the terms or conditions of this MOA shall be directed to the office of the signatories to this agreement.

In witness whereof, the parties hereto have executed this Memorandum of Agreement, this
_____ day of _____, 2018

City of Chattahoochee Hills

Attest:

Mayor

City of College Park

Attest:

Mayor

City of East Point

Attest:

Mayor

City of Fairburn

Attest:

Mayor

City of Hapeville

Attest:

Mayor

City of Palmetto

Attest:

Mayor

City of South Fulton

Attest:

City of Union City

Attest:

Mayor

Attachment A: Local Match Financial Commitments
South Fulton Comprehensive Transportation Plan

Federal \$500,000
Local \$125,000
Total \$625,000

Jurisdiction	2016 Population	% of Population	Local Share
Chattahoochee Hills	2,804	1.44%	\$ 1,797.46
College Park	13,676	7.01%	\$ 8,766.80
East Point	35,471	18.19%	\$ 22,738.17
Fairburn	14,182	7.27%	\$ 9,091.17
Hapeville	6,627	3.40%	\$ 4,248.14
Palmetto	4,395	2.25%	\$ 2,817.35
South Fulton	96,923	49.70%	\$ 62,131.08
Union City	20,919	10.73%	\$ 13,409.82
Total	194,997	100%	\$ 125,000.00

*Source- The Atlanta Regional Commission



CITY OF FAIRBURN
CITY HALL
56 Malone Street
Fairburn, GA 30213
July 16, 2018
7:00 P.M.

Regular Agenda

The Honorable Mayor Elizabeth Carr-Hurst, Presiding

The Honorable Mayor Pro-Tem James Whitmore
The Honorable Alex Heath
The Honorable Pat Pallend

The Honorable Linda J. Davis
The Honorable Hattie Portis-Jones
The Honorable Ulysses J. Smallwood

Ms. Donna M. Gayden
Mr. Randy Turner

City Administrator
City Attorney

I. Meeting Called to Order:

The Honorable Mayor Carr-Hurst

II. Roll Call:

Interim City Clerk

III. Invocation:

Pastor Douglas Thompson
Harvest Rain International

IV. Pledge of Allegiance:

In Unison

V. Presentations:

None

VI.

Public Comments: Thirty (30) minutes shall be available for public comments. Each speaker shall be limited to three (3) minutes; however, a speaker may transfer his or her three (3) minutes to another speaker, but no speaker shall be permitted to speak for more than (6) minutes; further in the event, if more than ten (10) speakers desire to speak, each speaker shall be limited to two (2) minutes and no speaker may speak more than four (4) minutes. Issues raised at this time are generally referred to the City Administrator for review. Responses will be provided at a later date.

VII. Adoption of the Council Agenda:

Councilmembers

VIII. Adoption of Consent Agenda Items:

Councilmembers

IX. Adoption of City Council Minutes:

Councilmembers

X. Public Hearing: None

XI. Agenda Items:

1. MEAG Representatives Stuart Jones and Peter Degnan-ESQ.
Ratification of the General Resolution projects subordinated bonds (MEAG).
2. Office of the City Administrator Ms. Donna M. Gayden
For Mayor and Council to appoint Mrs. Keisha McCullough as permanent City Clerk for the City of Fairburn.
3. Office of the City Clerk Ms. Shana Moss
Recertification of the City of Fairburn as a City of Ethics.
4. Utilities Mr. Tom Ridgway
For Mayor and Council to approve a contract with Marable-Pirkle, Inc., a utility services contractor for the removal of overhead wiring, light fixtures and poles from the Atlanta-Fulton County School System's South Fulton Bus Facility in the amount of \$23,770.00.
5. Utilities Mr. Tom Ridgway
For Mayor and Council to approve purchases for Irby totaling \$72,506.74 for materials needed for the conversion of overhead electric service to underground service on Dodd Street. \$50,000.00 of this amount will be covered by CDBG Grant.
6. Parks and Recreation Ms. Chapin Payne
Mental Fitness, 21st Century Learning, Inc. Usage Agreement. For Mayor and Council to review and approve the usage agreement for Mental Fitness, 21st Century Learning, Inc.'s afterschool and summer camp program.
7. Fulton County Department of Community Development Ms. Donna Gayden
Ratification for approval to receive \$ 61,637.00 from CDBG.

XII. Council Comments:

XIII. Executive Session: (if applicable)

XIV. Adjournment:

*When an Executive Session is required, one will be called for the following issues:
(1) Personnel (2) Real Estate or (3) Litigation



CITY OF FAIRBURN
CITY HALL
56 Malone Street
Fairburn, GA 30213
June 11, 2018
7:00 PM

The Honorable Mayor Elizabeth Carr-Hurst, Presiding

The Honorable Mayor Pro-Tem James Whitmore
The Honorable Alex Heath
The Honorable Pat Pallend

The Honorable Linda J. Davis
The Honorable Hattie Portis-Jones
The Honorable Ulysses J. Smallwood

Ms. Donna M. Gayden
Mr. Randy Turner

City Administrator
City Attorney

- I. Meeting Called to Order: The Honorable Mayor Carr-Hurst
Mayor Carr-Hurst called the meeting to order at 7 :00 PM at 56 Malone Street,
Fairburn, GA 30213.
- II. Roll Call: Shana T. Moss
Roll Call was taken by Interim City Clerk, Shana T. Moss, all members were present,
and the city had a quorum. The meeting proceeded.
- III. Invocation: Rev. Dwight Boone
Crossroads Church of South Fulton
- IV. Pledge of Allegiance: In Unison
- V. Presentations: None
- VI. Public Comments: Thirty (30) minutes shall be available for public comments. Each
speaker shall be limited to three (3) minutes; however, a speaker may transfer his or
her three (3) minutes to another speaker, but no speaker shall be permitted to speak for
more than (6) minutes; further in the event, if more than ten (10) speakers desire to
speak, each speaker shall be limited to two (2) minutes and no speaker may speak more
than four (4) minutes. Issues raised at this time are generally referred to the City
Administrator for review. Responses will be provided at a later date.

City Attorney, Randy Turner gave an informational update regarding a class action suit filed by Adam Rice and Devika Kumar, to the Fulton County Board of Assessors, regarding property taxes. Attorney Turner stated he has been communicating with city attorneys in East Point and Union City, as the plaintiffs have named all the cities in Fulton County. Attorney Turner stated the city will have a nominal defense as Fairburn (the city) doesn't have authority to access property, only the county does.

- VII. Adoption of the Council Agenda: Councilmembers
Councilman Pallend made a motion to adopt the council agenda and Councilman Heath seconded the motion. **Vote: 6-0 Motion Carried**

- VIII. Adoption of Consent Agenda Items: Councilmembers
Motion to approve Agenda Item 1 was made by Councilman Pallend, the motion was seconded by Councilman Smallwood. **Vote: 6-0 Motion Carried**

Motion to approve Agenda Item 2 was made by Councilwoman Davis, the motion was seconded by Councilman Heath. **Vote: 6-0 Motion Carried**

Motion to approve Agenda Item 3 was made by Councilman Smallwood, the motion was seconded by Councilwoman Davis. **Vote: 6-0 Motion Carried**

Motion to approve Agenda Item 4 was made by Mayor Pro-Tem Whitmore, motion was seconded by Councilwoman Portis-Jones. **Vote: 6-0 Motion Carried**

Agenda Item 5 was pulled from the agenda and will be presented at a later date.

Motion to approve Agenda Item 6 was made by Councilwoman Portis-Jones, the motion was seconded by Mayor Pro-Tem Whitmore. **Vote: 6-0 Motion Carried**

Motion to approve Agenda Item 7 was made by Mayor Pro-Tem Whitmore, motion was seconded by Councilwoman Davis. **Vote: 6-0 Motion Carried**

- IX. Adoption of City Council Minutes: Councilmembers
1. April 23rd, 2018, Council Meeting Minutes and Executive Session. Motion to approve was made by Councilman Heath, the motion was seconded by Mayor Pro-Tem Whitmore. **Vote: 6-0 Motion Carried**
 2. May 14th, 2018 Council Meeting Minutes. Motion to approve was made by Mayor Pro-Tem Whitmore, the motion was seconded by Councilman Smallwood. **Vote: 6-0 Motion Carried**
 3. May 29th, 2018 Special Called Executive Session Minutes. Motion to approve the minutes were made by Mayor Pro-Tem Whitmore, the motion was seconded by Councilman Heath. **Vote: 6-0 Motion Carried**

4. Council Meeting Date Change: Mayor and Council proposed a date change for the July Council Meeting due to city travels. The regular scheduled Mayor and Council meeting is July 9th, 2018. Mayor and Council voted to move the July 9th meeting to July 16th. Motion to change the meeting date was made by Mayor Pro-Tem Whitmore, the motion was seconded by Councilwoman Davis.

Vote: 6-0 Motion Carried

X. Public Hearing

Planning and Zoning

Ms. Tarika Peek

Rezoning 18RZ-003-Miller Development Company. For Mayor and Council to deny a request to rezone 1.004 acres from PD (Planned Development) to remove the condition that prohibits Major Group 55 uses in the area designated as commercial in Ordinance No. 98-07. Planning and Zoning requested a continuance of this item to the July 23rd, 2018 Meeting. Motion to grant continuance was made by Councilman Smallwood; the motion was seconded by Councilwoman Davis.

Vote: 6-0 Motion Carried

Agenda Items:

1. **Utilities**

Mr. Tom Ridgeway

Amendment to the ECG Intergovernmental Participant Contract. For Mayor and Council to approve an amendment to the Electric Cities of Georgia (ECG) Intergovernmental Participant Contract relating to the method used to determine the cost allocation method relating to the Pole Attachment Services. Motion to approve was made by Councilman Pallend, the motion was seconded by Councilman Smallwood.

Vote: 6-0 Motion Carried

2. **Engineering**

Mr. Lester Thompson

Approval of the Oakley Industrial and Bohannon Road Full-Depth Reclamation Project Contract Award. For Mayor and Council to approve the Oakley Industrial and Bohannon Road Full Depth Reclamation Project Contract Award with C.W. Matthews Contracting Co., Inc, for an amount of \$ 1,776,281.85. Motion to approve was made by Councilwoman Davis, the motion was seconded by Councilman Heath.

Vote: 6-0 Motion Carried

3. **Planning and Zoning**

Ms. Tarika Peek

18P-007 Plat Review-Kirby K. Johnson, Sr. Estate. For Mayor and Council to review and approve the Kirby K. Johnson, Sr. Estate Final Plat. This is a request to combine 2 plats. Motion to approve was made by Councilman Smallwood, the motion was seconded by Councilman Davis.

Vote: 6-0 Motion Carried

4. **Office of the City Clerk**

Ms. Shana T. Moss

For Mayor and Council to accept the official certified results of the Special Election that was held on May 23rd, 2018. A special election was held to fill the

unexpired term of then Councilwoman Elizabeth Carr-Hurst, who resigned from her council seat to run for Mayor. Linda J. Davis was the winner of the special election, she captured 62.04% of the votes, receiving 858 votes. Other candidates were Audrey Horn, who captured 22.20% of the votes, receiving 307 votes, and James Sumners, who captured 15.55% of the votes, receiving 215 votes. There were three write in votes, with a 0.22%. Motion to approve results was made by Mayor Pro-Tem Whitmore, and the motion was seconded by Councilwoman Portis-Jones.
Vote: 6-0 Motion Carried

5. **Parks and Recreation**

Ms. Chapin Payne

Mental Fitness, 21st Century Learning, Inc. Usage Agreement. For Mayor and Council to review and approve the usage agreement for Mental Fitness, 21st Century Learning, Inc., afterschool and summer camp program. **This item was removed from the agenda and will be heard at later date.**

6. **Parks and Recreation**

Ms. Chapin Payne

Duncan Park Camera System Upgrade. For Mayor and Council to approve the purchase of five additional cameras and updating existing NVR license software at Duncan Park in the amount of \$ 18,129.00. The additional cameras will be added to the parking lot with a monthly service charge of \$ 1,086.00 for all cameras. Motion to approve was made by Councilwoman Portis-Jones, the motion was seconded by Mayor Pro-Tem Whitmore. **Vote: 6-0 Motion Carried**

7. **City Administrator**

Ms. Donna M. Gayden

Annual Insurance Renewal. For Mayor and Council to approve the 2018-2019 property and liability insurance agreement. The City uses Tanner, Ballew, and Maloof, Inc. (TBM) as its insurance broker. Motion to approve was made by Mayor Pro-Tem Whitmore, the motion was seconded by Councilwoman Davis.

Vote: 6-0 Motion Carried

XI. **Executive Session***

None

*When an Executive Session is required, one will be called for the following issues:
(1) Litigation (2) Personnel (3) Real Estate.

XII. **Council Comments:**

Councilmembers

Councilwoman Portis-Jones, expressed appreciation to all city employees, and thanked them for all of their hard work. She thanked Mayor Carr-Hurst for the opportunity to deliver a presentation on the DDA (Downtown Development Authority), she is excited and looks forward to starting small and growing large. Also, she welcomed new councilmember Linda J. Davis.

Councilman Pallend, welcomed Councilwoman Davis and said he looks forward to working with her, and wished her all the best.

Councilman Smallwood, expressed his Thank You to all city employees. He stated he stopped by the employee appreciation picnic on June 8th, and talked to several employees. He further stated the Renaissance Festival was great, the Farmers Market was awesome, the city concerts have been fantastic. He gave accolades to Ms. Chapin Payne and Dr. D'Avante Parks for a job well done with the Parks and Recreation department. He also welcomed Councilwoman Davis.

Councilwoman Davis, stated, to all her supporters and the citizens of Fairburn, she gave a huge Thank You. She thanked her colleagues for their support and said she is committed and dedicated to sharing her gifts and talents as a member of the council and working for the betterment of Fairburn.

Councilman Heath, thanked everyone for coming out. He welcomed Councilwoman Davis, and said he looks forward to working with her. He spoke about the city delegation traveling to the RECON Conference in Las Vegas. It was a great experience and he looks forward to the outcome of their trip, by hopefully bringing businesses to Fairburn.

Mayor Pro Tem Whitmore, stated he and his esteemed colleagues are excited to have Councilwoman Davis and he looks forward to working with her.

Mayor Carr-Hurst, offered her congratulations to Councilwoman Davis. She expressed her concerns about the issue and problems that voters experienced on May 22nd. She reported the city received a lot of phone calls with citizens being aggravated about being directed to the wrong polling locations. Mayor Carr-Hurst stated, she has been in communication with Fulton County Board of Elections about these problems and she expects to have a resolution. There will be a meeting on June 21st at Fulton County Board of Registration and Elections. Due to an out of town engagement she will be unable to attend. She stated it was disheartening to hear the problems some of the voters experienced. Mayor Carr-Hurst closed by saying, "this is a democratic process, this is suppose to work and it failed and for that I apologize."

XIII. Adjournment

Councilmembers

With no further business of the city, at 7:32 pm, motion to adjourn was made by Mayor Pro-Tem Whitmore, the motion was seconded by Councilwoman Davis.

Elizabeth Carr-Hurst, Mayor

Shana T. Moss, Interim City Clerk



CITY OF FAIRBURN

CITY COUNCIL AGENDA ITEM

SUBJECT: Municipal Electric Association of Georgia (MEAG) Bond Validation

☐ AGREEMENT

☐ POLICY / DISCUSSION

☐ CONTRACT

☐ ORDINANCE

☐ RESOLUTION

☒ OTHER

Submitted: July 13, 2018 Work Session: July 16, 2018 Council Meeting: July 16, 2018

DEPARTMENT: Office of the City Administrator

BUDGET IMPACT: The proposed action by MEAG will have no immediate effect on either the City budget or electric utility rates. It is MEAG's intent to potentially use the increased bonding capacity in the future to refund bonds on existing generation facilities in order to reduce debt service.

PUBLIC HEARING? ☐ Yes ☒ No

PURPOSE: The principal purpose of the validation petition is to increase MEAG's bonding capacity for Projects One through Four (Plant Wansley, Scherer, Hatch and Vogtle). MEAG has aggressively pursued refinancing opportunities for the purpose of lowering debt service. This policy has inured directly to the benefit of the City by reducing wholesale generation power costs. The original bonding capacity is reaching its limit and new refinancing bonds cannot be obtained unless a ceiling increase is obtained. With the ceiling increase, MEAG will continue to study the market to identify opportunities that will result in the decision of the amount of refinancing bonds to issue into the market.

The validation petition also requests an increase in the ceiling for the issuance of new bonds, not just refinancing bonds. This is being done solely as a precautionary measure in the event new environmental requirements are imposed by the federal government with respect to the existing plants.

RECOMMENDED ACTION: It is recommended that City Council ratifies the bond documents already executed.

Donna M. Gayden, City Administrator

Elizabeth Carr-Hurst, Mayor

**SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA**

STATE OF GEORGIA

CIVIL ACTION NO. 2018 CV 307032

VS

MUNICIPAL ELECTRIC AUTHORITY
OF GEORGIA,
GEORGIA POWER COMPANY,
OGLETHORPE POWER CORPORATION,
CRISP COUNTY,
THE CITY OF DALTON,
THE CITY OF ACWORTH,
THE CITY OF ADEL,
THE CITY OF ALBANY,
THE CITY OF BARNESVILLE,
THE CITY OF BLAKELY,
THE TOWN OF BRINSON,
THE CITY OF BUFORD,
THE CITY OF CAIRO,
THE CITY OF CALHOUN,
THE CITY OF CAMILLA,
THE CITY OF CARTERSVILLE,
THE CITY OF COLLEGE PARK,
THE CITY OF COMMERCE,
THE CITY OF COVINGTON,
THE CITY OF DOERUN,
THE CITY OF DOUGLAS,
THE CITY OF EAST POINT,
THE CITY OF ELBERTON,
THE CITY OF ELLAVILLE,
THE CITY OF FAIRBURN,
THE CITY OF FITZGERALD,
THE CITY OF FORSYTH,
THE CITY OF FORT VALLEY,
THE CITY OF GRANTVILLE,
THE CITY OF GRIFFIN,
THE CITY OF HOGANSVILLE,
THE CITY OF JACKSON,
THE CITY OF LAFAYETTE,
THE CITY OF LAGRANGE,
THE CITY OF LAWRENCEVILLE,
THE CITY OF MANSFIELD,
THE CITY OF MARIETTA,
THE CITY OF MONROE,
THE CITY OF MONTICELLO,

THE CITY OF MOULTRIE,
THE CITY OF NEWNAN,
THE CITY OF NORCROSS,
THE CITY OF OXFORD,
THE CITY OF PALMETTO,
THE CITY OF QUITMAN,
THE CITY OF SANDERSVILLE,
THE CITY OF SYLVANIA,
THE CITY OF SYLVESTER,
THE CITY OF THOMASTON,
THE CITY OF THOMASVILLE,
THE CITY OF WASHINGTON,
THE CITY OF WEST POINT,
THE CITY OF WHIGHAM,

The Board of Water, Light
and Sinking Fund Commissioners
of the City of Dalton,

The Crisp County
Power Commission,

The Water, Light and Bond
Commission of the
City of Fitzgerald,

The Utilities Commission of
the City of Fort Valley,

The Board of Water, Sewerage
and Light Commissioners of
the City of Newnan, and

The City of Marietta Board of Lights and
Water.

ANSWER OF ALL DEFENDANTS EXCEPT GEORGIA POWER COMPANY, THE
CITY OF DALTON, AND THE BOARD OF WATER, LIGHT AND SINKING FUND
COMMISSIONERS OF THE CITY OF DALTON

Now come all of the defendants in the above-styled cause, with the exception of Georgia Power Company and Oglethorpe Power Corporation, which have filed separate answers thereto, and said defendants (each a "Defendant," and collectively, the "Defendants") in answer to the Petition and Complaint of the State of Georgia, respectfully show:

ANSWER TO JURISDICTION AND FACTUAL BACKGROUND

1. Each Defendant admits the allegations of Paragraphs 1-26 of the Petition and Complaint (capitalized terms used herein and not otherwise defined herein shall have the meaning given to them in the Petition and Complaint).

2. Defendants admit that the Petition and Complaint and Order to show cause why the Additional Project One Senior Bonds sought to be confirmed and validated in Count One, the Additional Project One Subordinated Bonds sought to be confirmed and validated in Count Two, the Additional General Resolution Projects Senior Bonds sought to be confirmed and validated in Count Three and the Additional General Resolution Projects Subordinated Bonds sought to be confirmed and validated in Count Four, respectively, of the Petition and Complaint and the security for the payment thereof should not be confirmed and validated has been properly served upon each such Defendant, and each Defendant hereby waives any and all other notice and service.

3. Defendants admit that the Clerk of the Superior Court of Fulton County, in which said cause is to be heard, has published in the newspaper in Fulton County in which sheriff's advertisements for Fulton County are published, and in each county in which there lies any portion of any of the defendant political subdivisions, once during each of the two

successive weeks immediately preceding the week of the hearing, a notice to the public that on the day specified in the order providing for the hearing of said cause the same will be heard, and the affidavit of the publisher of each of said newspapers, including a copy of such advertisement, is attached hereto collectively as Exhibit "A" and made a part hereof by this reference.

ANSWER TO COUNT ONE

ADDITIONAL PROJECT ONE SENIOR BONDS

4. Defendants cannot show cause and allege there is no cause why the Power Resolution (and amendments related thereto as described in the Petition and Complaint) and the Additional Project One Senior Bonds sought to be confirmed and validated in Count One of the Petition and Complaint and the security therefor should not be confirmed and validated.

WHEREFORE, Defendants pray that (i) the Power Resolution, as heretofore supplemented, amended and restated, including, particularly, the amendments thereto effected by the Second Amended and Restated Power Resolution and the amendments thereto to be effected by the Power Resolution Amendatory Supplemental Resolution, and (ii) the Additional Project One Senior Bonds in an aggregate principal amount, together with the Additional Project One Subordinated Bonds sought to be validated pursuant to Count Two of the Petition and Complaint, of \$4,706,900,000 to be issued from time to time in separate series or installments in accordance with the provisions of the Power Resolution and the security therefor, it being understood that such aggregate principal amount may be issued entirely as "**Additional Bonds**," entirely as "**Refunding Bonds**" (as each is defined in the Power Resolution) or in such lesser amount(s) of either or both thereof as determined by MEAG Power, together with (iii) the method or formula set forth in the

Validation Resolution to satisfy the requirements of O.C.G.A. § 46-3-131(g) and O.C.G.A. § 46-3-131(h), should each be confirmed and validated.

WHEREFORE, Defendants pray that the Project One Senior Bonds sought to be confirmed and validated in Count One of the Petition and Complaint, the security for the payment thereof and the contracts and amendments related thereto (as described in the Petition and Complaint) be confirmed and validated, and the court enter judgment confirming and validating the same.

ANSWER TO COUNT TWO

ADDITIONAL PROJECT ONE SUBORDINATED BONDS

5. Defendants cannot show cause and allege there is no cause why the Power Resolution (and amendments related thereto as described in the Petition and Complaint) and the Additional Project One Subordinated Bonds sought to be confirmed and validated in Count Two of the Petition and Complaint and the security therefor should not be confirmed and validated.

WHEREFORE, Defendants pray that (i) the Power Resolution, as heretofore supplemented, amended and restated, including, particularly, the amendments thereto effected by the Second Amended and Restated Power Resolution and the amendments thereto to be effected by the Power Resolution Amendatory Supplemental Resolution, and (ii) the Additional Project One Subordinated Bonds in an aggregate principal amount, together with the Additional Project One Senior Bonds sought to be validated pursuant to Count One of the Petition and Complaint, of \$4,706,900,000 to be issued from time to time in separate series or installments in accordance with the provisions of the Power Resolution and the Project One Subordinated Bond Resolution and the security therefor together with (iii) the method or formula set forth in the Validation Resolution to satisfy the requirements

of O.C.G.A. § 46-3-131(g) and O.C.G.A. § 46-3-131(h), should each be confirmed and validated.

WHEREFORE, Defendants pray that the Project One Subordinated Bonds sought to be confirmed and validated in Count Two of the Petition and Complaint, the security for the payment thereof and the contracts and amendments related thereto (as described in the Petition and Complaint) be confirmed and validated, and the court enter judgment confirming and validating the same.

ANSWER TO COUNT THREE

ADDITIONAL GENERAL RESOLUTION PROJECTS SENIOR BONDS

6. Defendants cannot show cause and allege there is no cause why the General Resolution (and amendments related thereto as described in the Petition and Complaint) and the Additional General Resolution Projects Senior Bonds sought to be confirmed and validated in Count Three of the Petition and Complaint and the security therefor should not be confirmed and validated.

WHEREFORE, Defendants pray that (i) the General Resolution, as heretofore supplemented, amended and restated, including, particularly, the amendments thereto effected by the Second Amended and Restated General Resolution and the amendments thereto to be effected by the General Resolution Amendatory Supplemental Resolution, (ii) the Additional Project Two Senior Bonds in an aggregate principal amount, together with the Additional Project Two Subordinated Bonds sought to be validated pursuant to Count Four of the Petition and Complaint, of \$318,800,000, (iii) the Additional Project Three Senior Bonds in an aggregate principal amount, together with the Additional Project Three Subordinated Bonds sought to be validated pursuant to Count Four of the Petition and Complaint, of \$686,000,000, and (iv) the Additional Project Four Senior Bonds in an

aggregate principal amount, together with the Additional Project Four Subordinated Bonds sought to be validated pursuant to Count Four of the Petition and Complaint, of \$392,100,000, each to be issued from time to time in separate series or installments in accordance with the provisions of the General Resolution and the General Resolution Projects Subordinated Bond Resolution and the security therefor, it being understood that each such aggregate principal amount may be issued entirely as “**Additional Bonds**,” entirely as “**Refunding Bonds**” (as each is defined in the General Resolution) or in such lesser amount(s) of either or both thereof as determined by MEAG Power, together with (v) and the method or formula set forth in the Validation Resolution to satisfy the requirements of O.C.G.A. § 46-3-131(g) and O.C.G.A. § 46-3-131(h), should each be confirmed and validated.

WHEREFORE, Defendants pray that the General Resolution Projects Senior Bonds sought to be confirmed and validated in Count Three of the Petition and Complaint, the security for the payment thereof and the contracts and amendments related thereto (as described in the Petition and Complaint) be confirmed and validated, and the court enter judgment confirming and validating the same.

ANSWER TO COUNT FOUR

ADDITIONAL GENERAL RESOLUTION PROJECTS SUBORDINATED BONDS

7. Defendants cannot show cause and allege there is no cause why the General Resolution (and amendments related thereto as described in the Petition and Complaint) and the Additional General Resolution Projects Subordinated Bonds sought to be confirmed and validated in Count Four of the Petition and Complaint and the security therefor should not be confirmed and validated.

WHEREFORE, Defendants pray that (i) the General Resolution, as heretofore supplemented, amended and restated, including, particularly, the amendments thereto effected by the Second Amended and Restated General Resolution and the amendments thereto to be effected by the General Resolution Amendatory Supplemental Resolution, (ii) the Additional Project Two Subordinated Bonds in an aggregate principal amount, together with the Additional Project Two Senior Bonds sought to be validated pursuant to Count Three of the Petition and Complaint, of \$318,800,000, (iii) the Additional Project Three Subordinated Bonds in an aggregate principal amount, together with the Additional Project Three Senior Bonds sought to be validated pursuant to Count Three of the Petition and Complaint, of \$686,000,000, and (iv) the Additional Project Four Subordinated Bonds in an aggregate principal amount, together with the Additional Project Four Senior Bonds sought to be validated pursuant to Count Three of the Petition and Complaint, of \$392,100,000, each to be issued from time to time in separate series or installments in accordance with the provisions of the General Resolution and the General Resolution Projects Subordinated Bond Resolution and the security therefor, together with (v) the method or formula set forth in the Validation Resolution to satisfy the requirements of O.C.G.A. § 46-3-131(g) and O.C.G.A. § 46-3-131(h) should each be confirmed and validated.

WHEREFORE, Defendants pray that the General Resolution Projects Subordinated Bonds sought to be confirmed and validated in Count Four of the Petition and Complaint, the security for the payment thereof and the contracts and amendments related thereto (as described in the Petition and Complaint) be confirmed and validated, and the court enter judgment confirming and validating the same.

WHEREFORE, Defendants further pray that (a) upon the Court granting each and every prayer requested in the Petition and Complaint by the execution of an Order and Final Judgment prepared with the consent of defendants, (b) following the filing of verified answers by each of the defendants admitting and averring to each of the allegations contained in the Petition and Complaint, and following the required hearing without motion for or intervention by any other party, each of these Defendants, by and through the undersigned, be granted the right to waive the time to allow and otherwise assert any right of appeal or post-judgment relief from said Order and Final Judgment, for which each of these Defendants shall be deemed to have so waived and consented upon entry of said Order and Final Judgment, and (c) for said Order and Final Judgment to provide for defendant MEAG Power to pay the costs of these proceedings.

[REMAINDER OF PAGE INTENTIONALLY BLANK - SIGNATURES OF DEFENDANTS' COUNSELS BEGIN ON FOLLOWING PAGE]

A copy of the foregoing Answer has been delivered to Petitioner's attorney of record.

This ____ day of _____, 2018

ATTORNEYS FOR THE MUNICIPAL
ELECTRIC AUTHORITY OF GEORGIA

Daniel M. McRae, Esq.
State Bar No. 499050

Kevin T. Brown, Esq.
State Bar No. 088516

SEYFARTH SHAW LLP
1075 Peachtree Street N.E., Suite 2500
Atlanta, Georgia 30309
(404) 885-1500

A copy of the foregoing Answer has been delivered to Petitioner's attorney of record.

This ____ day of _____, 2018:

ATTORNEY FOR:

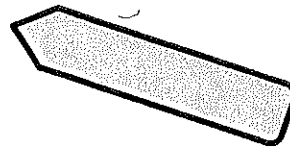
CITY OF FAIRBURN

Walter P. Turner
Randy Turner, Esq.

State Bar No. 719929

Turner + Roe LLC
Address
2265 Roswell Road
Suite 100

Marietta GA 30062
City State Zip Code



VERIFICATION

Before the undersigned attesting officer, duly authorized by law to administer oaths, personally appeared the undersigned officer of the below named Defendant, who, being duly sworn, on oath says that said officer has read the foregoing Answer, and that the allegations contained therein, insofar as such allegations are applicable to such Defendant, are true.

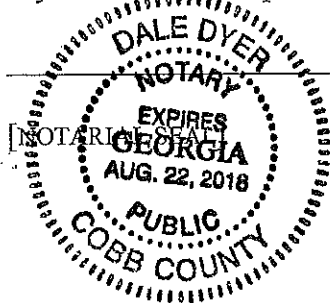
THE CITY OF FAIRBURN

By: Elizabeth Carr-Hurst
Name: Elizabeth Carr-Hurst
Title: Mayor

Sworn to and subscribed before me
this 9th day of July, 2018.

Dale Dyer
Notary Public

My Commission Expires:



ACKNOWLEDGEMENT OF SERVICE
PETITION AND COMPLAINT

The undersigned hereby acknowledges service of the foregoing Petition and Complaint with Exhibits and Order, dated June 27, 2018, copy received; process and any and all other notice, summons and service waived this 9th day of July 2018.

THE CITY OF FAIRBURN

By: Elizabeth Carr-Hurst
Elizabeth Carr-Hurst, Mayor

VERIFICATION

Before the undersigned attesting officer, duly authorized by law to administer oaths, personally appeared the undersigned officer of the below named Defendant, who, being duly sworn, on oath says that said officer has read the foregoing Answer, and that the allegations contained therein, insofar as such allegations are applicable to such Defendant, are true.

MUNICIPAL ELECTRIC AUTHORITY
OF GEORGIA

By: _____
Name: Peter M. Degnan, Esq.
Title: Sr. Vice Pres. and General Counsel

Sworn to and subscribed before
me this ____ day of _____, 2018

NOTARY PUBLIC

[NOTARY SEAL]

My Commission Expires:

ACKNOWLEDGMENT OF SERVICE OF
PETITION AND COMPLAINT AND ANSWERS

The undersigned hereby acknowledges service of the foregoing Petition and Complaint with Exhibits and Order, dated _____, 2018, and answers of all other defendants, copy received; process and any and all other notice, summons and service waived this ____ day of _____, 2018.

MUNICIPAL ELECTRIC AUTHORITY
OF GEORGIA

By: _____

Name: Peter M. Degnan, Esq.

Title: Sr. Vice Pres. and General Counsel



CITY OF FAIRBURN
CITY COUNCIL AGENDA ITEM

**SUBJECT: APPROVAL TO APPOINT MRS. KESHIA MCCULLOUGH AS CITY CLERK
EFFECTIVE AUGUST 6, 2018**

() AGREEMENT () POLICY / DISCUSSION () CONTRACT
() ORDINANCE () RESOLUTION (x) OTHER

Submitted: 07/10/2018 Work Session: 07/16/2018 Council Meeting: 07/16/2018

DEPARTMENT: Office of the City Clerk

BUDGET IMPACT: Clerk's Salary

PUBLIC HEARING? () Yes (X) No

PURPOSE: The City of Fairburn is hiring a permanent City Clerk. The City advertised the position, conducted interviews and selected a permanent City Clerk.

HISTORY: The City Clerk is the keeper of the city seal, minutes and records of the city.

RECOMMENDED ACTION: Appointment

Donna M. Gayden, City Administrator

Elizabeth Carr-Hurst, Mayor

Education

Bachelor of Science, Accounting
Strayer University, December 2019

Professional Experience

Detailed-oriented Clerk who understands all of the administrative responsibilities of running a city office. Adept at working with the public and handling complaints and suggestions from the citizens. Well versed in providing public information and coordinating with high authority personnel and commissions regarding city projects. Offering exceptional communication, planning, organizational, time management and problem solving skills to demonstrate a prodigious change in the overall efficiency of the city government.

City of East Point, GA

May 2013 - Present

The City of East Point is a City of excellence in providing housing and business development opportunities, public safety, recreational and cultural activities.

Deputy City Clerk

- Provides executive administrative support to Mayor and City Council
- Performs supervisory and management responsibilities
- Forecast department needs and manages budget as well as expenditures
- Arranges appointments and/or meetings of Board or individual members
- Maintains City records and public documents
- Performs follow-up activities resulting from Council meetings, including transcribing and distributing minutes
- Administer interviews to potential candidates for positions within the City
- Processes an average of 150 open records requests per month
- Researches and retrieves information requests from internal and external customers
- Improves customer/employee relations by maintaining professionalism and efficiency
- Maintains scheduling for all conference rooms

Accomplishments

- Notary Public
- Certified Georgia Election Official
- Certified Georgia Municipal Clerk and Local Government Management certifications through the University of Georgia (Carl Vinson Institute of Government)
- International Certified Municipal Clerk through the International Institute of Municipal Clerks
- Implemented new, efficient open records request management system for the City
- Selected to be a member of the Innovation Academy team for the City
- Vice President of the Employee Recognition Committee
- Reduced the number of customer complaints by **20%** from the previous fiscal year

Department of Juvenile Justice/Metro Regional Youth Detention Center

November 2003 - April 2013

The Department of Juvenile Justice protects and serves the citizens of Georgia by holding young offenders accountable for their actions through the delivery of services and sanctions in appropriate settings and by supporting youth in their communities to become productive and law-abiding citizens.

Administrative Clerk/Clerk/Administrative Assistant

- Supervised three clerical staff members and managed the office area
- Directly assisted my supervisor
- Assisted with new hire process by setting up interviews and issuing relevant correspondence
- Managed appointment calendar to ensure efficient time management
- Created various PowerPoint presentations, brochures, and programs for different assemblies and meetings
- Kept supervisors informed of all problems, irregularities, issues, and concerns pertaining to assigned tasks
- Responded by fax, email, or phone to a variety of inquiries, questions, requests, and needs
- Used all data obtained to appropriately prepare, assemble, process and generate reports and other documents
- Interpreted information in CONFIDENTIAL files applying policies, procedures, and guidelines to determine processing

Accomplishments

- Supplied the Department with a 30% budget surplus by performing the job functions of multiple positions
- Two-time Employee of the Month recipient among a staff of 500+ employees

Certifications

Certified Georgia Municipal Clerk, University of Georgia, Carl Vinson Institute of Government
Local Government Management, University of Georgia, Carl Vinson Institute of Government
International Certified Municipal Clerk, International Institute of Municipal Clerks

Qualifications

- More than fourteen (14) years of administrative experience
- Excellent ability to handle confidential matters with discretion
- Exceptional organizational and coordinating skills
- Profound ability to make administrative/procedural decisions and judgments



CITY OF FAIRBURN

CITY COUNCIL AGENDA ITEM

SUBJECT: RECERTIFICATION AS A GEORGIA CITY OF ETHICS.

() AGREEMENT () POLICY / DISCUSSION (X) CONTRACT
() ORDINANCE (X) RESOLUTION () OTHER

Submitted: July 9, 2018 Work Session: July 16, 2018 Council Meeting: July 16, 2018

DEPARTMENT: Office of the City Clerk.

BUDGET IMPACT: None

PUBLIC HEARING? () Yes (x) No

PURPOSE: For Mayor and Council to approve a Resolution recertifying the City of Fairburn as a City of Ethics.

HISTORY: The City of Ethics program began in 1999 by Georgia Municipal Association (GMA) and was developed by a panel of business and government leaders to encourage cities to adopt and adhere to a set of key ethical principles.

RECOMMENDED ACTION: Approval

Donna M. Gayden, City Administrator

Elizabeth Carr-Hurst, Mayor

RESOLUTION

Resolution by the Mayor and City Council, Re-adopting the Five Ethics Principles to Recertify the City of Fairburn as a Georgia Certified City of Ethics.

WHEREAS the Board of Directors of the Georgia Municipal Association has established a Certified City of Ethics program; and,

WHEREAS the *City of Fairburn* wishes to be recertified as a Certified City of Ethics under the GMA Program; and,

WHEREAS the City of Fairburn, Georgia was recertified in June 2013 as a Georgia Certified City of Ethics; and

WHEREAS part of the certification process requires the Mayor and Council to subscribe to the ethics principles approved by the GMA Board;

NOW THEREFORE BE IT RESOLVED the Mayor and City Council of the City of Fairburn subscribes to the following ethics principles and pledges to conduct its affairs accordingly.

- Serve Others, Not Ourselves
- Use Resources with Efficiency and Economy
- Treat All People Fairly
- Use The Power of Our Position For The Well Being Of Our Constituents
- Create An Environment Of Honesty, Openness And Integrity

RESOLVED this 16th day of July 2018.

Elizabeth Carr-Hurst, Mayor

Linda J. Davis, Councilmember

Hiram A. Heath, Councilmember

Pat Pallend, Councilmember

Hattie Portis-Jones, Councilmember

Ulysses J. Smallwood, Councilmember

James Whitmore, Mayor Pro-Tem



CITY OF FAIRBURN CITY COUNCIL AGENDA ITEM

SUBJECT: CONTRACT WITH MARABLE-PIRKLE, INC.

() AGREEMENT () POLICY / DISCUSSION (X) CONTRACT
() ORDINANCE () RESOLUTION () OTHER

Submitted: 6/25/2018

Work Session: 7/16/2018

Council Meeting: 7/16/2018

DEPARTMENT: Electric

BUDGET IMPACT: None

PUBLIC HEARING? () Yes (X) No

PURPOSE: For Mayor and Council to approve a contract with Marable-Pirkle, Inc., a utility services contractor, for the removal of overhead wiring, light fixtures and poles from the Fulton County School System's South Fulton Bus Facility in the amount of \$23,770.

HISTORY: Due to manpower shortages, the Electric Department does not have the resources needed to perform this project within the timeframe needed by Fulton County Schools. Fulton County has agreed to reimburse the City for this work, along with other work required during their renovation of the bus facility.

FACTS AND ISSUES:

RECOMMENDED ACTION: For City Council to authorize the Mayor to approve the contract with Marable-Pirkle, Inc. in the amount of \$23,770.

Donna M. Gayden, City Administrator

Elizabeth Carr-Hurst, Mayor

MARABLE-PIRKLE. INC

****Serving Georgia Since 1946****

2515 FAIRBURN ROAD SW P.O. BOX 310023 ATLANTA, GA 31131
(404)344-4411 FAX (404)349-4096

DATE: 06/20/2018

To: City of Fairburn – Mr. Tom Ridgway

PROJECT: Fulton County Bus Parking Lot Lighting Removal

E-Mail: tridgway@fairburn.com

Telephone: 770-964-2244 x 313

COMMENTS: We appreciate the opportunity to provide the following proposal for the above referenced project.

Marable-Pirkle, Inc will supply equipment and personnel to:

- *Cut down overhead service wire.
- *Remove lights and arms (leaving as complete assembly).
- *Roll up and load wire, and light assembly on trailer furnished and delivered to site by City of Fairburn.
- *Pull poles load and deliver to City of Fairburn's yard.
- *Pole holes are to be filled by others per Mr. Tom Ridgway.

Total Lump Sum Price is \$23,770.00.

***Price qualifications and clarifications:**

- *Price firm for 30 days
- *Price based on normal working hours during straight time
- *Terms are 30 day net.**

ACCEPTED BY:

DATE

PURCHASE ORDER #



CITY OF FAIRBURN

CITY COUNCIL AGENDA ITEM

SUBJECT: PURCHASE FROM IRBY FOR LIGHTNING PROJECT

() AGREEMENT () POLICY / DISCUSSION () CONTRACT
() ORDINANCE () RESOLUTION (X) OTHER

Submitted: 7/6/2018 Work Session: 7/16/2018 Council Meeting: 7/16/2018

DEPARTMENT: Electric

BUDGET IMPACT: Paid through Acct. 510-0000-54-1400, Infrastructure

PUBLIC HEARING? () Yes (X) No

PURPOSE: For Mayor and Council to approve purchases for Irby totaling \$72,506.47 for materials needed for the conversion of overhead electric service to underground service on Dodd Street..

HISTORY: This material needed to be ordered, received and invoiced by the end of July to qualify for reimbursement through a CDBG Grant for improvements to the Lightning neighborhood. \$50,000 has been committed to be paid to the City.

FACTS AND ISSUES:

RECOMMENDED ACTION: For City Council to authorize the Mayor to approve the purchases from Irby in the amount of \$72,506.47.

Donna M. Gayden, City Administrator

Elizabeth Carr-Hurst, Mayor



A Sonaper Company

www.irby.com
815 Irby Drive • Jackson, MS 39215

STUART C IRBY BR743 KENNESAW
1025-A COBB INTERNATIONAL PLACE
SUITE A
KENNESAW GA 30152
770-422-1005 Fax 770-427-8455

INVOICE

INVOICE DATE	ORDER NUMBER
06/15/18	S010775119.002
PLEASE REMIT PAYMENT TO:	
STUART C IRBY CO PO Box 741001 ATLANTA GA 30384	
TO VIEW OR PAY ONLINE GO TO:	http://irby.billtrust.com
USE THIS ENROLLMENT TOKEN:	VRK LMK GQL

63811 AB 0.408 E0213 10488 D3724085674 S2 P5451172 0003:0003

SHIP TO



CITY OF FAIRBURN
ATTN: ELECTRICAL DEPARTMENT
106 HOWELL AVE
FAIRBURN GA 30213-1660

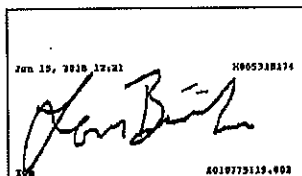
CITY OF FAIRBURN
106 HOWELL AVENUE
FAIRBURN GA 30213-1660

CUSTOMER NUMBER		CUSTOMER ORDER NUMBER		ORDERED BY		JOB/RELEASE NUMBER		OUTSIDE SALESPERSON	
129343		18-06157		TOM RIDGWAY				Michael K Cadenhead	
INSIDE SALESPERSON		SHIP VIA		TERMS		SHIP DATE		ORDER DATE	
Todd E Horton		FRIDAY OT		NET DUE 30 DAYS		06/15/18		06/11/18	
LINE	DESCRIPTION			ORDER QTY	SHIP QTY	NET UNIT PRC		EXT AMOUNT	
1	*GE QGCR965 (6817PB0037) 37.5KVA XFMR 1PH PAD-MT HV: 12470 GRDY/7200 LV: 240/120; LOOP FEED; DEAD FRONT BAYONET FUSE; NO TAPS			3	3	1365.000E		4095.00	
2	*GE QGCR964 (6817PB0025) 25KVA XFMR 1PH PAD-MT HV: 12470 GRDY/7200 LV: 240/120; LOOP FEED; DEAD FRONT BAYONET FUSE; NO TAPS			4	4	1185.000E		4740.00	
3	*OKON 4/0-25KVEPR-1/3 OKONITE 4/0 AL UD CABLE W/ 260 MIL EPR INSULATION; FILLED STRAND; W/ 12 x #14 CU CONCENTRIC NEUTRAL & JACKET OVERALL; OKONITE PRODUCT CODE # 162-23-4081			12500	6997	2950.000M		20641.15	
4	COND ACSR 336.4 MERLIN 5695FT REEL (PRICED BY FEET)			11549	11549	581.000M		6709.97	
5	COND TPLX URD 4/0 SWEETBRIAR/XLP/ EYS 1000FT			2000	2000	1110.000M		2220.00	
6	COND TPLX URD 1/0-2N BRENAU/XLP/YS 1000FT REEL			3000	3000	767.000M		2301.00	
7	*OKON 163-23-4072 1/0 25KV 260MIL EPR CABLE 2500FT RL			2485	2485	2560.000M		6361.60	
8	COND TPLX URD 350 WESLEYAN/XLP/YS 1000FT RL			1000	1000	1998.000M		1998.00	
9	UTBC 6 SD BARE SOL 25LB SPOOL			150	150	420.000C		630.00	
10	COND 6 SD POLY RISER SOL TRANS 250FT			250	250	520.000M		130.00	
11	MACL ZRP010-0000000 10KV SRG ARST RISER 10KV 8.4KV			9	9	30.400E		273.60	

Subtotal	50100.32
S&H Charges	0.00
Sales Tax	0.00
AMOUNT DUE	50100.32

All payments are due by 07/15/18.

For Terms and Conditions, please visit www.irby.com





www.irby.com
815 Irby Drive • Jackson, MS 39215

STUART C IRBY BR1023 FREDERICKSBURG
8501 JAMISON LANE
FREDERICKSBURG VA 22407-8745
540-376-3764 Fax 540-376-3765

INVOICE

INVOICE DATE	ORDER NUMBER
06/12/18	S010775119.001
PLEASE REMIT PAYMENT TO:	
STUART C IRBY CO PO Box 741001 ATLANTA GA 30384	
TO VIEW OR PAY ONLINE GO TO:	http://irby.billtrust.com
USE THIS ENROLLMENT TOKEN:	VRK LMK GQL

8381 1 AB 0.408 E0213X 10497 D3716220268 S2 P5451172 0001:0003

SHIP TO



CITY OF FAIRBURN
106 HOWELL AVENUE
FAIRBURN GA 30213-1660



CITY OF FAIRBURN
ATTN: ELECTRICAL DEPARTMENT
106 HOWELL AVE
FAIRBURN GA 30213-1660

CUSTOMER NUMBER	CUSTOMER ORDER NUMBER	ORDERED BY	JOB/RELEASE NUMBER	OUTSIDE SALESPERSON	
129343	18-06157	TOM RIDGWAY		Michael K Cadenhead	
INSIDE SALESPERSON	SHIP VIA	TERMS	SHIP DATE	ORDER DATE	
Todd E Horton	BW BEST-WAY	NET DUE 30 DAYS	06/12/18	06/11/18	
LINE	DESCRIPTION	ORDER QTY	SHIP QTY	NET UNIT PRC	EXT AMOUNT
1	COND ACSR 4/0 PENGUIN 3040FT REEL (885LB) AVERITT PRO# 0730336358	3000	3000	510.000M	1530.00

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www.irby.com

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determine proof of delivery signatures

All payments are due by 07/12/18.

For Terms and Conditions, please visit www.irby.com

Subtotal	1530.00
S&H Charges	0.00
Sales Tax	0.00
AMOUNT DUE	1530.00



www.irby.com
815 Irby Drive • Jackson, MS 39215

STUART C IRBY BR743 KENNESAW
1025-A COBB INTERNATIONAL PLACE
SUITE A
KENNESAW GA 30152
770-422-1006 Fax 770-427-8455

INVOICE

INVOICE DATE	ORDER NUMBER
06/13/18	S010775119.003
PLEASE REMIT PAYMENT TO:	
STUART C IRBY CO PO Box 741001 ATLANTA GA 30384	
TO VIEW OR PAY ONLINE GO TO:	http://irby.billtrust.com
USE THIS ENROLLMENT TOKEN:	VRK LMK GQL

6381 1 AB 0.408 E0213 10488 03720371624 S2 P5451172 0002:0003

SHIP TO



CITY OF FAIRBURN
ATTN: ELECTRICAL DEPARTMENT
106 HOWELL AVE
FAIRBURN GA 30213-1660

CITY OF FAIRBURN
106 HOWELL AVENUE
FAIRBURN GA 30213-1660

CUSTOMER NUMBER	CUSTOMER ORDER NUMBER	ORDERED BY	JOB/RELEASE NUMBER	OUTSIDE SALESPERSON	
129343	18-06157	TOM RIDGWAY		Michael K Cadenhead	
INSIDE SALESPERSON	SHIP VIA	TERMS	SHIP DATE	ORDER DATE	
Todd E Horton	DIRECT	NET DUE 30 DAYS	06/13/18	06/11/18	
LINE	DESCRIPTION	ORDER QTY	SHIP QTY	NET UNIT PRC	EXT AMOUNT
1	UTBC 1/0 SD BARE 7STR 500FT REEL	1000	1000	1495.000M	1495.00
2	UTBC 4/0 SD BARE 19STR 500FT REEL	1000	1000	2640.000M	2640.00

Subtotal	4135.00
S&H Charges	0.00
Sales Tax	0.00
AMOUNT DUE	4135.00

All payments are due by 07/13/18.

For Terms and Conditions, please visit www.irby.com



CITY OF FAIRBURN

CITY COUNCIL AGENDA ITEM

SUBJECT: Mental Fitness, 21st Century Learning, Inc. Usage Agreement

(☒) AGREEMENT () POLICY / DISCUSSION (☒) CONTRACT
() ORDINANCE () RESOLUTION () OTHER

Submitted: July 16, 2018 Work Session: July 16, 2018 Council Meeting: July 16, 2018

DEPARTMENT: Parks and Recreation

BUDGET IMPACT: none

PUBLIC HEARING? () Yes (☒) No

PURPOSE: For Mayor and Council to review and approve the usage agreement for Mental Fitness, 21st Century Learning, Inc. afterschool and summer camp program.

HISTORY: Mental Fitness, 21st Century Learning Inc. to provides high-quality after school and summer camp programming that offer students' academic/educational enrichment and recreational STEAM activities in the City of Fairburn.

FACTS AND ISSUES:

RECOMMENDED ACTION: For Mayor and Council to approve the usage agreement for Mental Fitness, 21st Century Learning, Inc. Afterschool and Summer Camp program.

Donna Gayden, (City Administrator)

Elizabeth Carr-Hurst , Mayor

**AGREEMENT FOR AFTERSCHOOL AND SUMMER CAMP PROGRAMMING
BETWEEN MENTAL FITNESS, 21ST CENTURY LEARNING INC.
AND CITY OF FAIRBURN, GEORGIA**

This Agreement, made as of July 19, 2018, by and between Mental Fitness, 21st Century Learning, Inc. (hereinafter "Mental Fitness") and the City of Fairburn, Georgia (hereinafter "the City") is for the provision of afterschool and summer camp programs to be provided by Mental Fitness to the City of Fairburn, Georgia.

WHEREAS, the City desires to enter into a contract for afterschool and summer camp programs for the City of Fairburn Parks and Recreation Department; and

WHEREAS, Mental Fitness was determined to be a responsible, responsive offeror for such services; and

WHEREAS, the City desires to have Mental Fitness provide such services under certain conditions and at certain locations now or hereafter to be determined.

NOW THEREFORE, in consideration of the mutual covenants contained herein the parties agree as follows:

A. CITY PARK PROPERTY INCLUDED: Mental Fitness agrees to operate afterschool and summer camp programs to be located at the following facilities:

1. Fairburn Youth Center
149 SW Broad Street
Fairburn, GA 30213
 - A. Afterschool: Monday -- Friday (2:00pm -- 7:00pm)
During Fulton County School District Academic Years
2018-2019
 - B. Summer Camp: Monday -- Friday (7:00am -- 7:00pm)
2018 (Approximately May 20-August 10)
2. Betty Hannah Educational Campus
310 NW Broad St,
Fairburn, GA 30213
 - A. Summer Camp: Monday -- Friday (7:00am - 7:00pm)
Approximately May 20-August 10
2018 - Betty Hannah Educational Campus

B. TERM: This Agreement shall be effective as of July 19, 2018 and shall continue in effect until the end of the Fulton County School District's 2018- 2019 academic year; provided, however, that this Agreement may be terminated by either Mental Fitness or the City, with or without cause, upon giving thirty (30) days prior written notice to the other.

C. **RENT:** The City agrees to provide space in the Fairburn Youth Center the afterschool program, Betty Hannah Educational Campus for summer programming or such other location or locations as the City finds available and appropriate for Mental Fitness to provide the afterschool and summer camp programs described in Section A of this Agreement, and Mental Fitness agrees to pay the City of Fairburn for such space a gross rent during the Term of this Agreement in the amount of \$682.00 per month, which rent shall be paid on or before the tenth (10th) day of each month. Effective on the fifteenth (15th) day of the month, a ten percent (10%) late fee shall be applied.

D. **MENTAL FITNESS AGREES TO:**

1. Provide high-quality afterschool and summer camp programs that offer students' academic/educational enrichment and recreational activities for Grades K-8. Mental Fitness will implement an enriching and enjoyable afterschool program and summer camp format that blends academic assistance, enrichment, recreation, physical activities, and arts.
2. Hire and manage all personnel who shall be Mental Fitness employees; be responsible for continuous staffing of the afterschool and summer camp programs; comply with all local and state laws, codes, and regulations regarding afterschool and summer camp program personnel shall be adhered to, including, without being limited to -- that all staff, contractors, and volunteers must have a background check on file with Mental Fitness, that the cost of such background checks will be the sole responsibility of Mental Fitness, that all Mental Fitness personnel shall maintain a clean and neat appearance, and that the maximum allowable child to staff ratio will comply with the requirements of the Department of Health and Children Services, 25:1.
3. Provide for dismissal of the afterschool and summer camp programs in the rooms designated as the "game room" and "multipurpose room" at 5:30p.m each day.
4. Provide transportation from selected schools to the City of Fairburn Youth Center at the time of school dismissal
5. To keep all areas clean, sanitary, and maintained in an orderly fashion.
6. Mental Fitness shall provide janitorial supplies and janitorial services for the summer camp program located at the Betty Hannah Educational Campus 310 NW Broad St, Fairburn, GA 30213 for the summer camp program.
7. Mental Fitness shall provide janitorial assistance at the Fairburn Youth Center in the form of supplies during summer camp hours. The City of Fairburn staff and Mental Fitness staff are responsible for the daily cleanliness of the Fairburn Youth Center.

8. Provide tables and chairs for the Betty Hannah Educational Campus as necessary to conduct the summer camp program.
9. Mental Fitness shall be responsible (after each day's use) keeping the used spaces, including all City-owned equipment, in a neat and clean condition, and shall be responsible for repairing any damages caused by Mental Fitness's negligent acts or omissions or intentional misconduct of Mental Fitness, or by the negligent acts of omissions or intentional misconduct of Mental Fitness's students, invitees, agents, and representatives.
10. Pursuant to Georgia Law, Mental Fitness shall maintain in force and effect throughout the term of this lease a policy of liability insurance, in the amount of not less than one million (\$1 million) per claim, naming the City of Fairburn as an additional insured. (review attachment for insurance requirements)
11. Abide by the terms of this Agreement and the contract documents.

D. THE CITY AGREES TO:

1. Make periodic inspections (a minimum of once a month) of the Fairburn Youth Center premises and equipment at the operating facility during the contract term.
2. Make periodic inspections (a minimum of once a month) of the Betty Hannah Educational Campus summer camp location premises, or such other designated premises during the Agreement term.
3. Provide utilities, including electricity, solid waste disposal, and water and sewer service.
4. The City shall be responsible for the routine maintenance of the City's facilities unless such maintenance is required as a result of damage caused by Mental Fitness, its employees, agents, or representatives.
5. Provide a "office" area inside of the Fairburn Youth Center's gymnasium

E. WORK PRODUCTS AND SERVICES REQUIRED

1. EQUIPMENT AND PROPERTY
The City will provide trash containers and the City will provide disposal.
2. MAINTENANCE OF EQUIPMENT
All program related equipment and equipment maintenance will be the responsibility of Mental Fitness.
3. UTILITIES

The City of Fairburn shall provide utilities to Mental Fitness, at no additional charge, which includes electricity, solid waste disposal, water and sewer service. The City of Fairburn will not provide telephone service or be responsible for charges incurred for this service.

G. CONTRACT DOCUMENTS: The Contract Documents consist of this Agreement, and any addenda. Should there be any discrepancy amongst the documents; the above order of priority will prevail.

H. GOVERNING LAW AND VENUE: The Contract Documents shall be governed by the laws of the State of Georgia. Any dispute arising with regard to the interpretation or meaning of the Contract Documents which cannot be resolved amicably may be settled by litigation. Both parties agree exclusive venue shall lie in the Superior Court of Fulton County, Georgia.

I. SEVERABILITY: Should any portion of this Agreement be deemed unconstitutional or otherwise unenforceable by a Court or body of competent jurisdiction, then the remaining portions of the Agreement shall remain in full force and effect.

J. ATTACHMENTS: The documents listed below have been attached hereto and are incorporated herein as a part of this Agreement:

<u>Attachment</u>	<u>Document Title</u>
A.	Insurance requirements

Mental Fitness, 21st Century Learning Inc.

City of Fairburn, Georgia

John C. Childs III
John Childs – Signature
John C. Childs III
John Childs – Printed

Elizabeth Carr- Hurst, Mayor

Date: 7-9-2018

Date: _____

Title: Executive Director

Attest:

Shana Moss, Interim City Clerk

Approved as to Form:

William R. (Randy) Turner, City Attorney

ADDENDUM A INSURANCE REQUIREMENTS

Mental Fitness shall procure and maintain for the duration of the contract, insurance against claims for injuries to persons or damages to property which may arise from or in connection with performance of the work hereunder by Mental Fitness, their agents, representatives, employees or subcontractors.

A. MINIMUM LIMITS OF INSURANCE

Mental Fitness shall maintain limits no less than:

1. General Liability: \$1,000,000 combined single limit per occurrence for comprehensive coverage including bodily injury, personal injury and property damage for premises/operations, products/completed operations, contractual liability, independent contractors, broad-from property damage, and underground, explosion and collapse hazard.
2. Workers' Compensation and Employers Liability: Workers' Compensation limits as required by the Labor code of the State of Georgia and Employers Liability of \$100,000 per accident.
3. Umbrella Liability: \$5,000,000 combined single limits per occurrence.

B. DEDUCTIBLES AND SELF-INSURED RETENTION

Any deductibles or self-insurance retentions must be declared to and approved by the City. At the option of the City, either: The insurer shall reduce or eliminate such deductibles or self-insured retentions as respects the City, its officer's officials, and employees; or Mental Fitness shall procure a bond guaranteeing payment of losses related to investigations, claim administration and defense expenses.

C. OTHER INSURANCE PROVISIONS

1. General Liability, Automobile Liability, and Umbrella Liability Coverages

The City and its officers, officials, employees and volunteers are to be covered as additional insured as respects: liability arising out of activities performed by or on behalf of Mental Fitness.

Any failure to comply with reporting provisions of the policies shall not affect coverage provided to the Owner and its officers, officials employees or volunteers.

Mental Fitness is responsible for insuring its own property and equipment.

2. Workers' Compensation and Employers Liability Coverage. The insurer shall agree to waive all rights of subrogation against the City and its officers, officials, employees and volunteers for losses arising from the work performed by Mental Fitness for the Owner.

3. All Coverages: Each insurance policy required by this clause shall be endorsed to state that coverage shall not be changed, cancelled, suspended, terminated or non-renewed except after sixty (60) days prior written notice by certified mail, return receipt requested, has been given to the City of said change of coverage, cancellation, suspension, termination / or non-renewal.

D. ACCEPTABILITY.

Insurance is to be placed with insurers with a Best's rating of no less than A: VII, or otherwise acceptable to the Owner.

E. VERIFICATION OF COVERAGE.

Mental Fitness shall furnish the City with certificates of insurance and with original endorsements effecting coverage required by this clause. These certificates and endorsements for each insurance policy are to be signed by a person authorized by that insurer to bind coverage on its behalf. The certificates and endorsements are to be received and approved by the City before any work commences. The City reserves the right to require complete, certified copies of all required insurance policies at any time.

F. SUBCONTRACTORS

Subcontractor means one not in the employment of Mental Fitness who is performing all or part of the services under this Agreement under a separate contract with Mental Fitness

Mental Fitness shall include all subcontractors as insured under its insurance or shall ensure that subcontractors have met the insurance requirements of this Agreement. The City may request evidence of subcontractor's insurance.

G. WAIVER OF SUBROGATION

Mental Fitness shall require all insurance policies in any way related to the work and secured and maintained by Mental Fitness to include clauses stating each underwriter shall waive all rights of recovery, under subrogation or otherwise, against the City. Mental Fitness shall require of subcontractors, by appropriate written agreements, similar waivers each in favor of all parties enumerated in this section.

INDEMNIFICATION/HOLD HARMLESS AGREEMENT

Mental Fitness shall, in addition to any other obligation hereunder agree to indemnify the City of Fairburn and to the fullest extent permitted by law, protect, defend, indemnify and hold harmless the City of Fairburn, their agents, elected Officials and employees from and against all claims, actions, liabilities, losses (including economic losses), costs arising out of any actual or alleged a) bodily injury, sickness, disease, or death, or injury to or destruction of tangible property including the loss of use resulting there from, or any other damage or loss arising out of or resulting from claims to have resulted in whole or in part from any actual or alleged act or omission of Mental Fitness, any subcontractor, anyone directly or indirectly employed by any of them, or anyone for whose acts any of them may be liable in the performance of the work; or b) violation of law, statute, ordinance, governmental administrative order, rule regulation, or infringement of patent rights or other intellectual property rights by Mental Fitness in the performance of the work; or c) liens, claims or actions made by Mental Fitness or other party performing the work, as approved by the City.

The indemnification obligations hereunder shall not be limited by any limitation on the amount, type of damages, compensation or benefits payable by or for Mental Fitness or his/her subcontractor, as approved by the City of Fairburn, under worker's compensation acts; disability benefit acts, other employee benefit acts or any statutory bar. Any costs or expenses, including attorney's fees, incurred by the City of Fairburn to enforce this agreement shall be borne by Mental Fitness.



CITY OF FAIRBURN

CITY COUNCIL AGENDA ITEM

SUBJECT: Supplemental Agreement with Fulton County Department of Community Development's Community Development Block Grant award of \$61,637.00

(X) AGREEMENT () POLICY / DISCUSSION () CONTRACT
() ORDINANCE () RESOLUTION () OTHER

Submitted: July 12, 2018 Work Session: July 16, 2018 Council Meeting: July 16, 2018

DEPARTMENT: City Administrator's Office

BUDGET IMPACT: \$61,637.00

PUBLIC HEARING? () Yes (X) No

PURPOSE: for Mayor and Council to approve Fulton County's Department of Community Development's Community Development Block Grant award of \$61,637.00 to the City of Fairburn for the Phase II Renovation of Cora Robinson Park in the Lightning Community.

HISTORY: On August 2, 2017, the Fulton County Board of Commissioners approved the 2017 Annual Action Plan and substantial amendments as part of the overall Fulton County 2015 – 2019 Consolidated Planning document which includes Community Development objectives and projected uses of funds for the Community Development Block Grant (CDBG) program activities. In 2017, the Community Development Block Grant allocation awarded the City of Fairburn in the amount of \$61,637.00 which shall be specifically dedicated to the Phase II Renovation of Cora Robinson Park in the Lightning Community.

RECOMMENDED ACTION: Staff recommends that the City Council authorize the Mayor to accept and sign the supplementary agreement with Fulton County's Department of Community Development for the Community Development Block Grant award of \$61,637.00

Donna M. Gayden, City Administrator

Elizabeth Carr-Hurst, Mayor



FULTON COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT
Community Development Block Grant Program
137 Peachtree Street, Suite 300
Atlanta GA, 30303

**SUPPLEMENTAL AGREEMENT BETWEEN FULTON COUNTY, GEORGIA
and
The City of Fairburn
STATE OF GEORGIA, COUNTY OF FULTON**

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

**2017 PUBLIC FACILITIES/INFRASTRUCTURE CONTRACT SUPPLEMENTAL
CFDA Number 14.218 – Community Development Block Grants**

Federal Award Identification Number:	B-17-UC-13-0003
City of Fairburn's DUNS Number:	099631004
Federal Award Date:	01/01/2017
Total Fulton County 2017 CDBG Municipality Agreement:	\$61,637.00

THIS SUPPLEMENTAL AGREEMENT ("Supplemental Agreement") by and between FULTON COUNTY, GEORGIA, a political subdivision of the State of Georgia, (hereinafter referred to as "the County"), and City of College Park, a municipality organized and existing in Fulton County under the laws of the State of Georgia (hereinafter referred to as the "Subrecipient"), with the County and Subrecipient collectively referred to as the "Parties."

WHEREAS, on August 2, 2017 the Fulton County Board of Commissioners approved the 2017 Annual Action Plan and substantial amendments as part of the overall Fulton County 2015 – 2019 Consolidated Planning document which includes Community Development objectives and the projected uses of funds for the Community Development Block Grant (CDBG) program activities, as prescribed under the Housing and Community Development Act of 1974, as amended; and

WHEREAS, the year 2017 CDBG allocation awarded to the City in the amount: **\$61,637.00** shall be specifically used for the Phase II Renovation of Cora Robinson Park in the Lightning Community to address public health and safety concerns and shall not be used towards any Program Administrative Costs. The activities are designed to benefit low/moderate income persons as required to meet the CDBG national objective; and

WHEREAS, these activities are designed to benefit low and moderate income persons as required to meet the CDBG national objective; and

WHEREAS, during the pendency of the Contract and while the Parties were diligently pursuing all services and obligations thereunder, said term of the Contract expired on March 31, 2018; and

WHEREAS, the County and Subrecipient wish to continue the services of the Subrecipient under the same terms and conditions as set forth under said Contract as if such services have been continued uninterrupted, except as modified by this Supplemental Agreement; and

WHEREAS, it is the intent and desire of the Parties to continue all services and obligations set forth in the Contract by incorporating each and every term of said Contract into this Supplemental Agreement as if fully set forth herein, with said Contract being attached hereto as Exhibit A; and

WHEREAS, this Supplement Agreement constitutes the contractual arrangement for said improvements and/or services that have been prepared for execution between the County and the City as consistent with the

1 Fulton County's Consolidated Plan Annual Action Plan for fiscal year 2017 to support the 2015-2019 Consolidated
2 Plan goals.
3
4

5 **NOW, THEREFORE**, in consideration of the mutual covenants and agreements set forth herein and for
6 other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties
7 agree as follows:
8

- 9 1. **INCORPORATION OF THE CONTRACT**: By this reference, all terms and conditions of the Contract,
10 attached hereto as Exhibit A, except as modified by this Supplement Agreement, are incorporated herein
11 by reference as if fully set forth herein, so as to continue in force and effect, as if no interruption has taken
12 place.
13
14 2. **TERM**: The term of this Supplemental agreement is effective as of 12:01am on June 7, 2018 and shall
15 continue in force and effect until August 31, 2018, unless otherwise extended in writing or terminated
16 pursuant to the Terms set forth in the Contract (Exhibit A).
17
18 3. **ENVIRONMENTAL REQUIRMENTS/ CONDITIONAL COMMITMENT OF FUNDS**: Notwithstanding any
19 term, provision or condition set forth in the Contract and this Supplemental Agreement, the Parties hereto
20 agree and acknowledge that the Contract and this Supplemental Agreement do not constitute a commitment
21 of funds or site approval, and that such commitment of funds or approval may occur only upon satisfactory
22 completion of Environmental Review and receipt by the County of a release of funds from the U.S.
23 Department of Housing and Urban Development (HUD), under 24 CFR Part §58.
24
25 4. Except as modified by this Supplemental Agreement all terms and conditions of the Contract shall remain
26 in full force and effect, by their incorporation herein.
27

8 **IN WITNESS WHEREOF**, each of the parties hereto has caused this Supplemental Agreement to be executed
29 and delivered on this _____ day of _____, 2018.
30
31
32
33
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36
37

[Signatures on Next Page]

IN WITNESS HEREOF, the parties hereunto have set their hands and seal.

CITY OF FAIRBURN

FULTON COUNTY

Elizabeth Carr-Hurst, Mayor
City of Fairburn

Rob Pitts, Chairperson
Fulton County Board of Commissioners

ATTEST

ATTEST

Shana T Moss, Interim City Clerk
City of Fairburn

Tonya Grier, Interim Clerk to the Commission
Fulton County Board of Commissioners

DATE:

DATE:

SEAL:

SEAL:
APPROVED AS TO CONTENT:

Frankie L. Atwater, Sr., Director
Department of Community Development

Dawn Robinson Butler, Division Manager
Department of Community Development

APPROVED AS TO FORM:

APPROVED AS TO FORM:

City Attorney

Office of the County Attorney

DATE:

DATE:
