



# CITY COUNCIL MEETING

*Beverly Burks –Mayor*

*Jamie Carroll*

*Awet Eyasu*

*Debra Johnson*

*Ahmed Hassan*

*Laura Hopkins*

*Robin I. Gomez– City Manager*

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## AGENDA

**Tuesday, January 12, 2021 7:00PM**  
**By ZOOM**

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**A. CALL TO ORDER**

**B. ROLL CALL/ PLEDGE OF ALLEGIANCE**

**C. ADMINISTRATIVE BUSINESS/ PRESENTATION**

C1) Approve Minutes: Council Meeting 12/8/2020

C2) PRESENTATION: Starnes Senior Living Housing Development – Housing Development Corporation

**D. REPORTS:**

- 1) Planning & Zoning Report
- 2) City Manager’s Report
- 3) City Attorney’s Report
- 4) Council Remarks
- 5) Mayor’s Report

**E. PUBLIC COMMENTS**

Any member of the public may address the Council, during the time allotted for public comment. Each attendee will be allowed 3 minutes for comments at the discretion of the Presiding Officer. The public comment period will be limited to 40 minutes and it is not a time for dialogue. If your public comment contains a series of questions, please submit those to the City Clerk in writing. This will facilitate follow-up by the council or staff. The City Council desires to allow an opportunity for public comment; however, the business of the City must proceed in an orderly, timely manner.

**F. OLD BUSINESS**

**G. CONSENT AGENDA**

- G1) Appoint/ fill one (1) vacant position and to reconfirm three (3) expiring term positions on the Planning and Zoning Board.
- G2) Confirm Attorney
- G3) Confirm Auditor
- G4) Confirm Judge
- G5) Confirm Solicitor
- G6) Confirm Ethics Hearing Officer
- G7) Appoint Historic Preservation Committee member

**H. NEW BUSINESS**

H1) Vice-Mayor Selection

H2) Approve Package Alcohol Application – 4556 E Ponce de Leon Ave

H3) Award Trailhead & Rowland St Pedestrian Improvements bid to the lowest bidder – SOL Construction

H4) To present to the Mayor and City Council the selection committee’s recommendation to perform the City’s zoning ordinance rewrite services

# CITY COUNCIL MEETING

H5) Public Hearing 2021 Comprehensive Plan Update

H6) Approve an additional 10% hazard/COVID-19 pay for all City employees for all hours actually worked at a City facility or in the field during the continued Pandemic.

H7) Adopt Proclamation for MLK Day

H8) Adopt Digital Inclusion Resolution

H9) Adopt Resolution by the Clarkston City Council condemning the act of falsely reporting a crime or otherwise causing a police officer to contact a person in order to discriminate against the person on the basis of the person's race, ethnicity, religious affiliation, gender, sexual orientation, or gender identity.

H10) Amend City Manager Employment Agreement

H11) Approve a Resolution on the Administration of Business Licensing Regarding Special Licensing for Pawnbrokers

## I. **ADJOURNMENT:**

## MINUTES

### CLARKSTON CITY COUNCIL

Tuesday, December 8, 2020

Via Zoom

#### Officials Present by Teleconference

Mayor: Beverly H. Burks

Council: Jamie Carroll, Awet Eyasu, Laura Hopkins

Debra Johnson

City Manager: Robin I. Gomez

City Clerk: Tracy Ashby

City Attorney: Stephen Quinn

#### **A. CALL TO ORDER**

#### **B. ROLL CALL/ PLEDGE OF ALLEGIANCE**

Present: Awet Eyasu, Jamie Carroll, Laura Hopkins, Debra Johnson

Arrived later: Ahmed Hassan

#### **C. ADMINISTRATIVE BUSINESS/ PRESENTATION**

C1) Approve Minutes: Council Meeting 11-5-2020 and Special Call 12-1-2020

Debra Johnson made a motion to approve the minutes for the Council Meeting 11-5-2020 and Special Call 12-1-2020. Awet Eyasu seconded the motion. Vote was called and the motion carried (4, 0).

#### **D. REPORTS:**

##### 1) Planning & Zoning Report

Shawanna Qawiy provided an update of the annual applications processed and the status of ongoing projects in the city. She advised that the City received three (3) proposals for the Zoning Ordinance rewrite and that item will come to the January 2021 Council Meeting. The Clarkston 2040 update will be occurring in 2021 and that is also slated to begin by February 2021.

##### 2) City Manager's Report

Mr. Gomez discussed the status of Revenues/Expenditures and he provided a budget to actual report through November 30, 2020. Notification that Friendship Forest is now open to the public. He provided the status of City operations and projects as well as community operations during continued Covid issues.

##### 3) City Attorney's Report

No report

##### 4) Council Remarks

Awet Eyasu thanked the City residents for their participation in the November election and he encouraged they also vote in the run-off election.

Ahmed Hassan wished everyone a Happy Holidays.

Jamie Carroll thanked the staff and Council for the hard work during what has been a difficult year and he wished everyone a Happy Holidays.

Laura Hopkins wished everyone a Happy Holidays and she thanked the staff, Council and newly Elected Mayor for helping her to acclimatize during her first year on council.

Debra Johnson wished everyone a happy Holidays and she remarked on her first attendance as a council member of a Mayors swearing in ceremony. She expressed appreciation to the City Manager, staff and residents for assisting her in marking her first year as a council member.

5) Mayor's Report

Mayor Beverly H. Burks thanked everyone for participating with 53% in the election. She thanked the Vice Mayor for Chairing the meetings and she thanked City staff as the greatest asset of the City during this difficult time. She encouraged participation by the residents in city committees and local non-profits to stay active in the community.

**E. PUBLIC COMMENTS**

Any member of the public may address the Council, during the time allotted for public comment. Each attendee will be allowed 3 minutes for comments at the discretion of the Presiding Officer. The public comment period will be limited to 40 minutes and it is not a time for dialogue. If your public comment contains a series of questions, please submit those to the City Clerk in writing. This will facilitate follow-up by the council or staff. The City Council desires to allow an opportunity for public comment; however, the business of the City must proceed in an orderly, timely manner.

Mayor Beverly H. Burks read the public comment policy.

Speakers who signed up for public comments were recognized:

Brian Medford welcomed Beverly Burks as the new Mayor and expressed excitement that three applicants had submitted for the Zoning rewrite and he encouraged that process move forward.

**F. OLD BUSINESS**

None

**G. NEW BUSINESS**

G1) 2021 Budget Adoption

1) 2021 Budget Presentation – City Manager

Mr. Gomez provided a detailed presentation on the 2021 Proposed Operating & Enterprise Fund Budget.

2) Public Hearing – To take public comment on the 2021 Proposed Operating & Enterprise Fund Budget

No speakers pre-registered to speak but Mayor Burks opened the floor for anyone on the virtual meeting that would like to comment. No public comments. Mayor Burks closed the public hearing.

3) Council Adopt 2021 Operating & Enterprise Budget Ordinance

Jamie Carroll made a motion to adopt the 2021 Operating & Enterprise Budget Ordinance. Laura Hopkins seconded the motion. A vote was called and the motion carried ( 5,0).

G2) Public Hearing: Ordinance to Re-Adopt the City's Sign Ordinance and to Prohibit Billboards along Interstate 285

Shawanna Qawiy detailed the purpose of the item to solicit input on the re-adoption of the current sign ordinance and there will be no changes to the ordinance.

Mayor Burks opened the public hearing:  
No speakers in support or opposed to the ordinance.  
Mayor Burks closed the public hearing.

Awet Eyasu made a motion Re-Adopt the City's Sign Ordinance and to Prohibit Billboards along Interstate 285, Debra Johnson seconded the motion. A vote was called and the motion carried (5, 0).

G3) Public Hearing: Ordinance to Confirm Zoning Designations for Every Parcel in the City

Shawanna Qawiy detailed the purpose of the item to solicit input to Confirm the Zoning Designations of every parcel in the city.

Mayor Burks opened the public hearing:  
Brian Medford spoke in support of the ordinance  
No speakers opposed to the ordinance.  
Mayor Burks closed the public hearing.

Awet Eyasu made a motion to approve the Ordinance to Confirm Zoning Designations for Every Parcel in the City, Jamie Carroll seconded the motion. A Vote was called and the motion carried (5,0).

G4) Public Hearing: Ordinance by the City of Clarkston to Adopt A New City Zoning Map

Shawanna Qawiy explained the purpose to adopt the City Zoning Map.

Mayor Burks opened the public hearing:  
Public Hearing no speakers in support or opposition  
Mayor Burks closed the public hearing.

Awet Eyasu made a motion to approve the Ordinance by the City of Clarkston to Adopt A New City Zoning Map. Debra Johnson seconded the motion. A vote was called and the motion carried (5,0).

G5) Public Hearing: Ordinance to Amend the Text of the Zoning Ordinance to Create the New Zoning Designation "Railroad Open Space"

Shawanna Qawiy explained the purpose to create a new zoning district of "Railroad Open Space"

Mayor Burks opened the public hearing:  
Public Hearing no speakers in support or opposition  
Mayor Burks closed the public hearing.

Ahmed Hassan made a motion to adopt the Ordinance to Amend the Text of the Zoning Ordinance to Create the New Zoning Designation "Railroad Open Space. Awet Eyasu Seconded the motion. A vote was called and the motion carried (5,0).

G6) Public Hearing: Ordinance to Zone the CSX Railroad Right of Way "Railroad Open Space"

Mayor Burks stated the purpose is for the City to zone the CSX railroad right of way as Railroad Open Space.

Mayor Burks opened the public hearing:  
Public Hearing no speakers in support or opposition  
Mayor Burks closed the public hearing.

Debra Johnson made a motion to approve the Ordinance to Zone the CSX Railroad Right of Way “Railroad Open Space. Ahmed Hassan seconded the motion. A vote was called and the motion carried (5, 0).

G7) Public Hearing: Ordinance to Re-Adopt the Procedures for Conducting Public Hearings Required by the Zoning Procedures Act

Awet Eyasu stated that he was opposed to this item when it was approved previously.

Stephen Quinn reported that State Law requires the City’s to adopt procedures for conducting public hearings and the details were filled in by the council members at that time. He stated that if the city had not adopted a policy, then the city could be challenged on applications in the future. The only change is that the adopted procedures will be placed in the zoning code to make it easier for applicants to access.

Mayor Burks opened the public hearing:  
Public Hearing no speakers in support or opposition  
Mayor Burks closed the public hearing.

Ahmed Hassan made a motion to approve the Ordinance to Re-Adopt the Procedures for Conducting Public Hearings Required by the Zoning Procedures Act. Jamie Carroll seconded the motion. Discussion: Awet Eyasu stated he understood the procedures needed to be codified, but that he did not agree with persons having to register in advance. Laura Hopkins agreed that people should not be required to provide in advance if they support or oppose an item on a public hearing. Stephen Quinn reported that the State Law requires at a minimum, that the city specify the allotted time for speakers in support and opposition. The pre-registering allows the Council to equitably calculate the speaking time for both sides, based on the number of pre-registered speakers. Discussion on creating a third category of speakers who are neutral. Recommendation to adopt, at this point, the proposed policy and then the Council can revisit and update the procedures at a future meeting.

A vote was called and the motion carried (3 Yes: Debra Johnson, Laura Hopkins, Jamie Carroll, 2- No: Awet Eyasu, Ahmed Hassan).

G8) Development of Local Comprehensive Plan Agreement with the Atlanta Regional Commission to prepare the comprehensive plan update for the City of Clarkston.

Shawanna Qawiy detailed the purpose of the item for the City to enter into an agreement with the ARC to delineate the roles and responsibilities of the comprehensive plan update. The sections that the City is required to update include: Needs and Opportunities, Community Work Plan (CWP), Report of Accomplishments (ROA), Broadband Element, Land Use Element. There is no cost to the city for this technical assistance. The next steps are for the city to send a stake holders list to form the stakeholder committee.

Ahmed Hassan made a motion to Development of Local Comprehensive Plan Agreement with the Atlanta Regional Commission to prepare the comprehensive plan update for the City of Clarkston. Jamie Carroll seconded the motion. A vote was called and the motion carried (5,0)

G9) Award Weekly Curbside Recycling Collections Services to the lower bidder – Latham Home Sanitation

Mr. Gomez stated the City is ready to award curbside recycling to the low bidder and to resume weekly recycling curbside service for single family homes, with a monthly rate of \$5.25. Latham is ready to begin service immediately with the execution of the 3 year agreement which includes two, one year

extensions. Materials to be recycled will be: aluminum and steel cans, plastics 1 & 2, paper and cardboard. Educational materials will be created and provided for the residents to ensure success of the program. Mr. Gomez detailed the mechanism for how the contract can be terminated if the city decided in the future.

Laura Hopkins made a motion to Award Weekly Curbside Recycling Collections Services to the lower bidder – Latham Home Sanitation. Debra Johnson seconded the motion. A vote was called and motion carried (5,0).

G10) Approve GDOT Local Maintenance Improvement Grant 2021 Application in the amount of \$103,740, for various road/street milling and resurfacing projects.

Mr. Gomez detail the city's is submitting a Georgia Department of Transportation (GDOT) Local Maintenance & Improvement Grant (LMIG) application for 2021 year to help fund the cost of the milling and resurfacing of the following City streets: Clarkston Industrial Blvd, Vaughan St, Carroll Park Dr, and Rogers St (Market to NIC).

Awet Eyasu made a motion to Approve GDOT Local Maintenance Improvement Grant 2021 Application in the amount of \$103,740, for various road/street milling and resurfacing projects. Debra Johnson seconded the motion. A vote was called and the motion carried (5,0).

G11) Approve Allocating any and all CARES Act Funds that will not otherwise be spent by December 20, 2020, Rental, Mortgage, and Utilities' Payment Assistance Relief to avoid returning Un-spent Funds to DeKalb County.

Mr. Gomez detailed that the funds are expected to be fully spent and he provided updates on various types of expenditures.

Jamie Carroll made a motion to approve the resolution to continue allocating any and all CARES Act Funds that will not otherwise be spent by December 20, 2020 to Rental, Mortgage, and Utilities' Payment Assistance Relief to avoid returning Un-spent Funds to DeKalb County. Laura Hopkins seconded the motion. A vote was called and the motion carried (5, 0).

G12) Approve allocating CARES Act Funds for an additional 5% hazard/COVID-19 pay for all Police and Public Works employees back to March 16 through at least December 20, 2020.

Mr. Gomez stated that when considering increasing from 5% to 10% and to include all staff, this would be approximately \$118,600. Discussion that the 10% would apply for all staff when they were physically on-site or in the office.

Laura Hopkins made a motion to approve an additional 5% hazard/COVID-19 pay for all city employees that are in contact with the public or in their workspace back to March 13, 2020. Debra Johnson seconded the motion. A vote was called and the motion carried (5, 0).

G13) Approve allocating CARES Act Funds to upgrade City facilities to reduce the spread of COVID-19.

Mr. Gomez discussed upgrades that have been made to city facilities in response to covid such as automated doors, faucets and hand sanitizers as well as speaker systems.

Awet Eyasu made a motion to approve allocating CARES Act Funds to upgrade City facilities to reduce the spread of COVID-19. Jamie Carroll seconded the motion. A vote was called and the motion carried (5, 0).

G14) Discuss the City of Clarkston registering to become: An affiliate member of the AARP Network of Age-Friendly States and Livable Communities.

Mayor Burks stated this item is for the city to become an affiliate member of the AARP Network of Age-Friendly States and Livable Communities. This will ensure that Clarkston is an age friendly city for youngster thru seniors and accessible to all intergenerational partners.

Debra Johnson made a motion to approve the City of Clarkston registering to become An affiliate member of the AARP Network of Age-Friendly States and Livable Communities. Laura Hopkins seconded the motion. A Vote was called and the motion carried (5,0).

G15) Discuss/Review Proposed FY 2021 City Calendars for Holidays and Council Work sessions and Meetings.

Mr. Gomez detailed the proposed city meeting calendars and holidays with one update that the March council meeting will not need to be moved. Discussion on Juneteenth Day being named Juneteenth Celebration.

Laura Hopkins made a motion to approve Proposed FY 2021 City Calendars for Holidays and Council Work sessions and Meetings. with the adjustment of moving the March meeting back to the 2<sup>nd</sup> and change Juneteenth day to Juneteenth Celebration. Awet Eyasu seconded the motion. A vote was called and the motion carried (5, 0).

G16) Discuss/Review Proposed FY 2021 City Council and City Senior Staff Strategic Retreat.

Mr. Gomez stated the Council and City staff historically hold a council retreat to discuss city operations, review various infrastructure and related capital/construction projects, and establish priorities and goals for the upcoming year. He anticipated this year's retreat would be held in virtual format. The Mayor stated she personally wanted this to be held as a webinar so the public can have the opportunity to view and if the Council retreat is held on Friday, February 12 in a webinar a link to the webinar be included with meeting posting.

Debra Johnson made a motion to approve the Proposed FY 2021 City Council and City Senior Staff Strategic Retreat. Laura Hopkins seconded the motion. A vote was called and the motion carried (5,0).

## **H. EXECUTIVE SESSION**

An executive session to Discuss a Personnel matter - Executive Sessions are not open to the public. Jamie Carroll made a motion to go into executive session to discuss a personal matter and a legal update. Awet Eyasu seconded the motion. A vote was called and the motion carried ( 5,0).

Jamie Carroll made a motion to close the executive session and go into open session. Awet Eyasu seconded the motion. A vote was called and the motion carried ( 5,0).

## **I. ADJOURNMENT**

Jamie Carroll made a motion to adjourn the meeting. Awet Eyasu seconded the motion. A vote was called and the motion carried (4, 0).



CITY OF CLARKSTON

ITEM NO: G1

CLARKSTON CITY COUNCIL MEETING

HEARING TYPE:  
City Council

BUSINESS AGENDA / MINUTES

ACTION TYPE:  
CONSENT AGENDA  
APPOINTMENT

MEETING DATE: January 12, 2021

SUBJECT: To allow the Mayor and City Council members to make recommendations and approve to fill one (1) vacant position and to reconfirm three (3) expiring term positions on the Planning and Zoning Board.

DEPARTMENT:  
Planning & Development

PUBLIC HEARING:  YES  NO

ATTACHMENTS:  YES  NO  
Pages:

INFORMATION CONTACT:  
Shawanna Qawiy, MSCM, MPA  
Planning/Economic and Development Director  
PHONE NUMBER: 404-296-6489

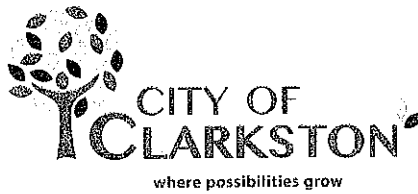
PURPOSE: The Mayor and City Council shall review and discuss reconfirming the three (3) expiring term positions and one (1) vacant position on the Planning and Zoning Board.

The terms of Birendra Dhakal, Amy Medford and Felecia Weinert will expire on December 31, 2020. The positions can be extended to another four (4) years term after the current term has expired and at the recommendation of the Mayor and City Council.

The Mayor and City Council shall also make the recommendation to fill a vacant position on the Planning and Zoning Board that will expire on December 31, 2022. The Department has attached all interested applications to consider for this position.

Mayor Burks proposed to appoint Susan Hood to fill the vacant unexpired term to December 31, 2022 and to re-appoint Birendra Dhakal, Amy Medford and Felecia Weinert for four (4) year terms to December 31, 2024.

RECOMMENDATION: N/A



**CITY OF CLARKSTON  
PLANNING & ZONING COMMITTEE APPLICATION**

DATE OF APPLICATION 05/15/2020

NAME: Harry Jerome Kendrick

HOME ADDRESS: 982 Smith, Street F-1 Clarkston, Georgia 30021

HOME PHONE: 404.748.8290

CELL PHONE:

E-mail ADDRESS: kendrickharry@ymailcom

LENGTH OF RESIDENCY IN CLARKSTON: 19 years

IF EMPLOYED, PLEASE LIST WHERE YOU WORK AND POSITION YOU HOLD:

A "Reckless Faith" Transitional Society, Inc. Founder/Chief Executive Servant CES

**PLEASE ATTACH A LETTER OF INTEREST INCLUDING, BUT NOT LIMITED TO, THE FOLLOWING:**

- Why you wish to be considered for appointment to the Planning & Zoning Committee
- Your relevant experience and knowledge

The information provided will be used by the Mayor to make a nomination and for the City Council to consider for appointment, when a vacancy exists on the Planning & Zoning Committee. If there is no vacancy, your application will be kept on file for one year for consideration should an opening occur.

Please return application to: City of Clarkston  
Office of the City Clerk  
1055 Rowland Street  
Clarkston, GA 30021

Submit by email to: [tashby@cityofclarkston.com](mailto:tashby@cityofclarkston.com)

Thank you for your willingness to serve your local government and community.



**CITY OF CLARKSTON  
PLANNING & ZONING COMMITTEE APPLICATION**

DATE OF APPLICATION \_\_\_\_\_

NAME: \_\_\_\_\_

HOME ADDRESS: \_\_\_\_\_

HOME PHONE: \_\_\_\_\_ CELL PHONE: \_\_\_\_\_

E-mail ADDRESS: \_\_\_\_\_

LENGTH OF RESIDENCY IN CLARKSTON: \_\_\_\_\_

IF EMPLOYED, PLEASE LIST WHERE YOU WORK AND POSITION YOU HOLD: \_\_\_\_\_

**PLEASE ATTACH A LETTER OF INTEREST INCLUDING, BUT NOT LIMITED TO, THE FOLLOWING:**

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1055 Rowland Street  
Clarkston, GA 30021

Submit by email to: [tashby@cityofclarkston.com](mailto:tashby@cityofclarkston.com)

Thank you for your willingness to serve your local government and community.



**CITY OF CLARKSTON  
PLANNING & ZONING COMMITTEE APPLICATION**

DATE OF APPLICATION \_\_\_\_\_

NAME: \_\_\_\_\_

HOME ADDRESS: \_\_\_\_\_

HOME PHONE: \_\_\_\_\_ CELL PHONE: \_\_\_\_\_

E-mail ADDRESS: \_\_\_\_\_

LENGTH OF RESIDENCY IN CLARKSTON: \_\_\_\_\_

IF EMPLOYED, PLEASE LIST WHERE YOU WORK AND POSITION YOU HOLD: \_\_\_\_\_

**PLEASE ATTACH A LETTER OF INTEREST INCLUDING, BUT NOT LIMITED TO, THE FOLLOWING:**

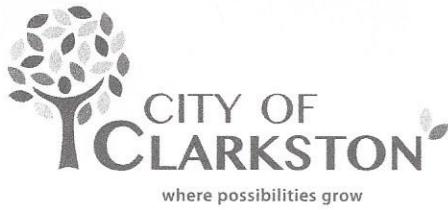
- Why you wish to be considered for appointment to the Planning & Zoning Committee
- Your relevant experience and knowledge

The information provided will be used by the Mayor to make a nomination and for the City Council to consider for appointment, when a vacancy exists on the Planning & Zoning Committee. If there is no vacancy, your application will be kept on file for one year for consideration should an opening occur.

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Submit by email to: [tashby@cityofclarkston.com](mailto:tashby@cityofclarkston.com)

Thank you for your willingness to serve your local government and community.



**CITY OF CLARKSTON  
PLANNING & ZONING COMMITTEE APPLICATION**

DATE OF APPLICATION 12/7/2020

NAME: Susan Hood

HOME ADDRESS: 1148 Clydedale Dr.

HOME PHONE: N/A

CELL PHONE: 404-790-6061

E-mail ADDRESS: slindahood@live.com

LENGTH OF RESIDENCY IN CLARKSTON: 25 yr.

IF EMPLOYED, PLEASE LIST WHERE YOU WORK AND POSITION YOU HOLD:

Retired from DeKalb County

**PLEASE ATTACH A LETTER OF INTEREST INCLUDING, BUT NOT LIMITED TO, THE FOLLOWING:**

- Why you wish to be considered for appointment to the Planning & Zoning Committee
- Your relevant experience and knowledge

The information provided will be used by the Mayor to make a nomination and for the City Council to consider for appointment, when a vacancy exists on the Planning & Zoning Committee. If there is no vacancy, your application will be kept on file for one year for consideration should an opening occur.

Please return application to: City of Clarkston  
Office of the City Clerk  
1055 Rowland Street  
Clarkston, GA 30021

Submit by email to: [tashby@cityofclarkston.com](mailto:tashby@cityofclarkston.com)

Thank you for your willingness to serve your local government and community.



**CITY OF CLARKSTON  
PLANNING & ZONING COMMITTEE APPLICATION**

DATE OF APPLICATION 12-02-2020

NAME: Warren Hadlock

HOME ADDRESS: 1210 West Smith St.

HOME PHONE: \_\_\_\_\_

CELL PHONE: 678-596-7771

E-mail ADDRESS: warrenhadlock@gmail.com

LENGTH OF RESIDENCY IN CLARKSTON: 26 years

IF EMPLOYED, PLEASE LIST WHERE YOU WORK AND POSITION YOU HOLD: \_\_\_\_\_

**PLEASE ATTACH A LETTER OF INTEREST INCLUDING, BUT NOT LIMITED TO, THE FOLLOWING:**

- Why you wish to be considered for appointment to the Planning & Zoning Committee
- Your relevant experience and knowledge

The information provided will be used by the Mayor to make a nomination and for the City Council to consider for appointment, when a vacancy exists on the Planning & Zoning Committee. If there is no vacancy, your application will be kept on file for one year for consideration should an opening occur.

Please return application to: City of Clarkston  
Office of the City Clerk  
1055 Rowland Street  
Clarkston, GA 30021

Submit by email to: [tashby@cityofclarkston.com](mailto:tashby@cityofclarkston.com)

Thank you for your willingness to serve your local government and community.

CITY OF CLARKSTON

CLARKSTON CITY COUNCIL MEETING

ITEM NO: G2

HEARING TYPE:  
Council Meeting

BUSINESS AGENDA / MINUTES

ACTION TYPE:  
CONSENT AGENDA  
APPOINTMENT

MEETING DATE: January 12, 2021

SUBJECT: Appoint City Attorney

DEPARTMENT: Administration

PUBLIC HEARING:  YES  NO

ATTACHMENT:  YES  NO  
Pages: 1

INFORMATION CONTACT: ROBIN I. GOMEZ  
City Manager 404 296-6489

PURPOSE:

To Appoint the City Attorney for the period of Jan 1, 2021 to Dec 31, 2021.

NEED/ IMPACT:

Pursuant to Section 3.03 of the Clarkston City Charter, the Mayor and Council shall appoint a city attorney, together with such assistant city attorneys as may be authorized by ordinance. The city attorney shall be responsible for representing and defending the city in all litigation in which the city is a part; may be the prosecuting officer in the municipal court; shall attend the meetings of the council as directed; shall advise the council, mayor, and other officers and employees of the city concerning legal aspects of the city's affairs; and shall approve as to form and legality all contracts, deeds, ordinances and resolutions having the force of law.

Mr. Stephen Quinn has served the City of Clarkston extremely well in this capacity since 2008 and would like to continue serving in 2021.

RECOMMENDATION:

Staff recommends the City Council vote to reappoint Mr. Stephen Quinn as Clarkston City Attorney.

December 20, 2019

Mr. Robin Gomez  
City of Clarkston  
1055 Rowland Street  
Clarkston, GA 30021

**Re: Proposed Terms of Continued Legal Representation**

Dear Robin:

Thank you for the opportunity to continue our legal representation of the City of Clarkston. We consider it a privilege to represent the City. We propose a modest increase in our fee structure for 2020. We have not increased our rates for the City in two years (since January 2018). Our rates for 2018 – 2019 were as follows:

Partners: \$210/hour  
Associates: \$175/hour  
Paralegals: \$100/hour

We propose an increase to the following rates:

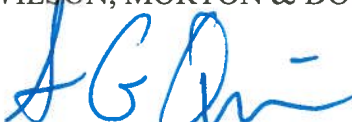
Partners: \$225/hour  
Associates: \$190/hour  
Paralegals: \$105/hour

This represents an approximate 7% increase and is commensurate with our increased costs of doing business over the period. Our proposed rates continue to be substantially discounted from our standard rates (\$275 - \$450 per hour for partners). Please note that existing litigation matters will continue to be billed at current rates; new litigation arising after the date of this letter would be billed at the 2020 rates.

Thank you again for providing us with the opportunity to continue working with you and representing the City of Clarkston. We consider it an honor to play a part in all the great things soon to come for Clarkston.

Sincerely yours,

WILSON, MORTON & DOWNS, LLC



Stephen G. Quinn

SGQ:mle

cc: Bryan A. Downs, Esq.



CITY OF CLARKSTON

CLARKSTON CITY COUNCIL MEETING

ITEM NO: G3

HEARING TYPE:  
COUNCIL MEETING

BUSINESS AGENDA / MINUTES

ACTION TYPE:  
CONSENT AGENDA  
CONTRACT

MEETING DATE: January 12, 2021

**SUBJECT:** Approve Engagement Letter and appointment of Mauldin & Jenkins as City Auditor for FY2019 Audit

DEPARTMENT: Administration

PUBLIC HEARING:  YES  NO

ATTACHMENT:  YES  NO  
Pages:

INFORMATION CONTACT: Robin Gomez  
PHONE NUMBER: 404-296-6489 ext. 411

**PURPOSE:** To approve Engagement Letter contract and appointment of Mauldin & Jenkins as City Auditor to complete the FY2020 financial statement audit.

**NEED/ IMPACT:** In accordance with the Charter, Sec. 4.05, Annual Audit, the mayor and council may employ a public accountant or a certified public accountant to make an annual audit of all financial books and records of the city. The accountant shall file his report with the mayor, at a time agreed to between him and the mayor, and shall prepare a summary of the report which shall be furnished or made available to the mayor and every councilman. Mauldin & Jenkins has provided financial audit services to the City for several years. The audit for the year ended December 31, 2019 will require additional effort due to the Single Audit Act Amendments of 1996 and Title 2 U.S. *Code of Federal Regulations* (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance) which relate to the significant amount of federal grant funds received during FY2019 in relation to the Streetscape construction project.

**RECOMMENDATIONS:** Staff recommends the City Council vote to approve the attached Engagement Letter (contract) for audit services for the year ended December 31, 2020 to occur in FY2021 in the amount of \$34,500.

CITY OF CLARKSTON

ITEM NO: G4

CLARKSTON CITY COUNCIL MEETING

HEARING TYPE:  
COUNCIL MEETING

BUSINESS AGENDA / MINUTES

ACTION TYPE:  
CONSENT AGENDA  
CONTRACT

MEETING DATE: January 12 2021

SUBJECT: Approve Contract for Municipal Court Judge Services with David C. Will

DEPARTMENT: Administration

PUBLIC HEARING:  YES  NO

ATTACHMENT:  YES  NO  
Pages: 3

INFORMATION CONTACT: ROBIN I GOMEZ  
City Manager 404 296-6489

PURPOSE:

To Approve a Contract for Municipal Court Judge Services with David C. Will

NEED/ IMPACT:

In accordance with the Charter, Sec. 3.04, the City of Clarkston Municipal Court shall be presided over by a qualified judge appointed by the City Council on an annual basis.

Judge David Will has served extremely well in this capacity for four (4) calendar years and would like to continue in 2021. The initial term of the agreement was for one (1) year and is renewable annually.

The attached Agreement outlines the services to be provided by Mr. David C. Will and sets the level of compensation which will be \$2,000 per month.

RECOMMENDATION: Staff recommends the City Council vote to approve the attached Contract for Municipal Court Judge Services between David C. Will and the City of Clarkston.

## CONTRACT TO PROVIDE MUNICIPAL COURT SERVICES

THIS AGREEMENT is made and entered into effective January 1, 2021, with the CITY OF CLARKSTON, GEORGIA, a municipal corporation, hereinafter referred to as "CITY" and DAVID C. WILL, Attorney at Law.

### W I T N E S E T H:

WHEREAS, the CITY desires the services of DAVID C. WILL as Municipal Judge, pursuant to Section 3.04 of the Charter of the CITY OF CLARKSTON; and

WHEREAS, DAVID C. WILL desires to serve in said capacity as an independent contractor, rather than as an employee of the CITY OF CLARKSTON; and

WHEREAS, it is the desire of both parties hereto to establish and set forth their mutual responsibilities one to the other.

NOW, THEREFORE, in consideration of the mutual promises contained herein, it is hereby agreed as follows:

1. Duties. The CITY hereby contracts with DAVID C. WILL to perform all functions and duties specified in Section 3.06 of the Charter of the CITY OF CLARKSTON and to perform such other legally permissible and proper duties and functions as said position shall require. These duties shall include, but are not limited to, the following:
  - a. Provide an overview of the Municipal Court judicial function, including pretrial conferences, scheduling of pro tem judges, and annual reviews of the financial condition of the Municipal Court system;
  - b. Preside over criminal, traffic, parking cases, arraignments, trials, and hearings and set forth the courtroom calendar;
  - c. Develop and carry out policies for trial procedures, including the adoption of an appropriate bail schedule;
  - d. Coordinate with the City Solicitor and Court Clerk to reduce or eliminate backlog of pending cases;
  - e. Review annually, data gathered by the CITY regarding cases generated by the Clarkston Police Department which are being filed in the District Court;
  - f. Prepare an annual report concerning Municipal Court operations and personally present that report to the Council;
  - g. Annually review and recommend changes to the Clarkston Municipal Code which relate to Municipal Court;
  - h. Make recommendations to the CITY to improve the financial or other operating conditions of the Court; and

- i. Appoint a qualified member of the State Bar of Georgia to serve as Public Defender for the Municipal Court pursuant to O.C.G.A. § 36-32-1(f).
2. Independent Contractor. In performing the duties of Municipal Court Judge, DAVID C. WILL shall serve as an independent contractor and not as an employee of the CITY. The CITY shall have no right or responsibility to control or influence the manner in which he carries out his judicial responsibilities, save and except that DAVID C. WILL agrees to carry out his duties in a timely, consistent, and impartial manner. If any employee or agent of DAVID C. WILL's tasked to assist with the duties of DAVID C. WILL under this agreement such employee/agent shall remain solely employee/agent of DAVID C. WILL. DAVID C. WILL agrees to comply with Title 34, Chapter 9 and all other applicable laws as to such persons.
3. Pro Tem Services. While it is agreed that DAVID C. WILL shall personally serve as Municipal Judge and shall be available to fill the duties of that office generally not less than eighty percent of the time, it is anticipated that ethical conflicts, scheduling conflicts, vacations, illness, etc., will occasionally require the appointment of pro tem municipal judges. It is understood that it is in the interest of both parties to maintain an active pool of pro tem judges so that the work for the Municipal Court will not be interrupted when DAVID C. WILL must be absent from that position. Therefore:
  - a. On or before the 1<sup>st</sup> of January of each and every year this contract remains in effect, DAVID C. WILL shall submit to the City Council the names of those persons whom he wishes to nominate as pro tem judges for the 12 months following the date of such appointment. These persons shall all be members of the Georgia State Bar, in good standing, and must be satisfactory to the City Council of the CITY. Upon receiving such list of proposed pro tem judges, the City Council shall, at its next regularly scheduled meeting, or as soon thereafter as may be convenient, review the list of persons nominated by DAVID C. WILL and approve or deny their appointment as pro tem municipal judges. Any pro tem municipal judge shall also be an independent contractor and not an employee of the City of Clarkston and shall exercise the same functions, duties, powers, and responsibilities as those assumed by DAVID C. WILL pursuant to this agreement.
  - b. DAVID C. WILL shall be responsible to compensate all pro tem municipal judges at his own expense and upon such terms as he and they may agree.
  - c. DAVID C. WILL shall make a reasonable effort to maintain a pool of at least two pro tem municipal judges and shall endeavor to rotate pro tem services evenly among the approved pro tem pool so that all will be reasonably familiar with Municipal Court procedures should their service be necessary.
  - d. DAVID C. WILL shall instruct all pro tems concerning procedures and customary sentences in order to promote uniformity to the greatest extent possible.
4. Term. This Agreement shall commence on the date set forth on page one and shall continue until December 31, 2021. This contract may be renewed annually upon the terms set forth herein or upon any other terms mutually acceptable to both parties.
5. Compensation. Effective January 1, 2021, the compensation shall be \$2,000 monthly.

Payment shall be made on or before the last working day of each month this Agreement remains in effect.

6. Removal. DAVID C. WILL may be removed from his position as Municipal Judge during the term of this Agreement for the reasons and upon the procedures set forth in O.C.G.A. § 36-32-2.2.
7. Hours of Work. It is recognized that the hours devoted by the judge in the performance of his responsibilities may vary with the caseload of the Court. The judge shall report, when requested by the City Council, an account describing the amount of time he is devoting to his judicial duties.
8. Periodic Review. The City Council may review the performance and compensation of the Municipal Court Judge by such method and at such times as the Council shall deem appropriate.
9. Dues and Subscriptions. The Municipal Court Judge shall maintain membership in the Georgia Council of Municipal Court Judges and all fees required for such membership shall be paid by the CITY. In addition, the CITY encourages the Municipal Judge to participate in national, regional, and state and local associations and organizations necessary and desired for his continued professional growth and advancement and to improve his performance as Municipal Judge of the CITY OF CLARKSTON. Should the Municipal Judge desire to incur any expenditure for any of the proposed activities outlined above, he may obtain prior consent from the City Manager of the CITY OF CLARKSTON, in which event the CITY shall be obligated to reimburse for such pre-authorized expenses.
10. Professional Development. The CITY agrees to reimburse the Municipal Judge for registration, travel, and subsistence expenses for professional and office travel, meetings, and occasions deemed necessary or desirable to continue the professional development of the Municipal Judge. The procedures for reimbursement referred to in paragraph 9 above shall apply to expenses incurred pursuant to this paragraph as well.
11. General Provisions. This Agreement shall constitute the entire agreement between the parties and supersedes any previous agreements or understandings. If any provisions or a portion thereof contained in this Agreement is held to be unconstitutional, invalid, or unenforceable, the remainder of this agreement, or portion thereof, shall be deemed severable, shall not be affected, and shall remain in full force and effect. No other benefits, consideration, or compensation of any kind shall be due from CITY to DAVID C. WILL or any pro tem judge other than as set forth herein.

CITY OF CLARKSTON:

\_\_\_\_\_  
Beverly H. Burks, Mayor

Date: \_\_\_\_\_

\_\_\_\_\_  
David C. Will, Municipal Judge

Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
City Clerk

Approved as to Form:

\_\_\_\_\_  
Stephen G. Quinn

CITY OF CLARKSTON

CLARKSTON CITY COUNCIL MEETING

ITEM NO:G5

HEARING TYPE:  
Council Meeting

BUSINESS AGENDA / MINUTES

ACTION TYPE:  
CONSENT AGENDA  
CONTRACT

MEETING DATE: January 12, 2021

SUBJECT: Approve Contract for Municipal Court Solicitor Services with Christopher Diwan

DEPARTMENT: City Council

PUBLIC HEARING:  YES  NO

ATTACHMENT:  YES  NO  
Pages: 3

INFORMATION CONTACT: ROBIN I GOMEZ  
Contact: 404-296-6489

PURPOSE:

To Approve a Contract for Municipal Court Solicitor Services with Christopher Diwan

NEED/ IMPACT:

The Public Safety Committee recommended that Christopher Diwan be appointed as the Municipal Court Solicitor effective January 1, 2021.

Mr. Diwan has served as the City of Clarkston Solicitor exceptionally well for four calendar years. The initial term of the agreement was for one (1) year and is renewable annually.

The attached Agreement outlines the services to be provided by Christopher Diwan and sets the level of compensation which will be \$1,000 per month.

RECOMMENDATION:

The City Manager recommends the City Council vote to approve the attached Contract for Municipal Court Solicitor services between Christopher Diwan and the City of Clarkston.

## **CONTRACT TO PROVIDE PROSECUTING ATTORNEY SERVICES TO CLARKSTON MUNICIPAL COURT**

THIS AGREEMENT is made and entered into effective this 1st day of January, 2021, by and between the CITY OF CLARKSTON, GEORGIA, a municipal corporation, hereinafter referred to as "CITY" and CHRISTOPHER DIWAN, Attorney at Law.

### W I T N E S E T H:

WHEREAS, the CITY desires the services of CHRISTOPHER DIWAN as City Solicitor, pursuant to Section 3.04 of the Charter of the CITY OF CLARKSTON; and

WHEREAS, CHRISTOPHER DIWAN is qualified to serve as prosecuting attorney of a municipal court pursuant to O.C.G.A. § 15-18-92(a) and desires to serve in said capacity as an independent contractor, rather than as an employee of the CITY OF CLARKSTON; and

WHEREAS, it is the desire of both parties hereto to establish and set forth their mutual responsibilities one to the other.

NOW, THEREFORE, in consideration of the mutual promises contained herein, it is hereby agreed as follows:

1. Duties. The CITY hereby contracts with CHRISTOPHER DIWAN to perform all functions and duties of the prosecuting attorney of the Clarkston Municipal Court (i.e., serve as City Solicitor) and to perform such other legally permissible and proper duties and functions as said position shall require. These duties shall include, but are not limited to, the following:
  - a. Prosecute cases within the jurisdiction of the City Charter, Ordinances, and Georgia State Statutes that are within the original jurisdiction of the Clarkston Municipal Court;
  - b. Perform advanced professional legal work involving the prosecution of defendants in misdemeanor criminal cases;
  - c. Participate in administrative and research functions in civil areas when so directed by the City Manager;
  - d. Report to the City Manager as requested regarding the functions of the Municipal Court system;
  - e. Collaborate with the Municipal Court Judge to develop and carry out policies for trial procedures;
  - f. Coordinate with the Municipal Court Judge, Public Defender and Court Clerk to reduce or eliminate backlog of pending cases;
  - g. Annually review data gathered by the CITY regarding cases generated by the Clarkston Police Department and filed in the Municipal Court;



- h. Prepare an annual report concerning Municipal Court operations and results and personally present that report to the City Council;
  - i. Annually review and recommend changes to the Clarkston Municipal Code which relate to Municipal Court; and
  - j. Make recommendations to the CITY to improve the financial or other operating conditions of the Court.
- 2. Independent Contractor. In performing the duties of City Solicitor, CHRISTOPHER DIWAN shall serve as an independent contractor and not as an employee of the CITY. The CITY shall have no right or responsibility to control or influence the manner in which he carries out his prosecutorial responsibilities, save and except that CHRISTOPHER DIWAN agrees to carry out his duties in a timely, consistent, fair and effective manner.
- 3. Term. This Agreement shall commence on the date set forth on page one and shall continue until December 31, 2021. This contract may be renewed annually upon the terms set forth herein or upon any other terms mutually acceptable to both parties. Notwithstanding the foregoing, CHRISTOPHER DIWAN shall serve at the pleasure of the City Council. No rights, responsibilities, salary, or other benefits shall extend beyond the term of this Agreement and nothing in this Agreement shall be deemed to vest in CHRISTOPHER DIWAN any property interest in the duties, responsibilities, or compensation provided in this contract or any right to the continuation thereof.
- 4. Compensation. Effective January 1, 2021, the compensation shall be \$1,000 monthly. Payment shall be made on or before the last working day of each month this Agreement remains in effect.
- 5. Hours of Work. It is recognized that the hours devoted by the Solicitor in the performance of his responsibilities may vary with the caseload of the Court. The Solicitor shall report to the City Manager upon request the amount of time he is devoting to his duties as Solicitor.
- 6. Periodic Review. The City Council may review the performance and compensation of the City Solicitor by such method and at such times as the Council shall deem appropriate.
- 7. Dues and Subscriptions. The City Solicitor shall maintain membership in an appropriate statewide organization for City Solicitors and all fees required for such membership shall be paid by the CITY. In addition, the CITY encourages the City Solicitor to participate in national, regional, and state and local associations and organizations necessary and desired for her continued professional growth and advancement and to improve her performance as City Solicitor. Should the City Solicitor desire to incur any expenditure for any of the proposed activities outlined above, she may obtain prior consent from the City Manager of the CITY OF CLARKSTON, in which event the CITY shall be obligated to reimburse for such pre-authorized expenses.
- 8. Professional Development. The CITY agrees to reimburse the City Solicitor for registration, travel, and subsistence expenses for professional and office travel, meetings, and occasions deemed necessary or desirable to continue the professional development of the City Solicitor. The procedures for reimbursement referred to in paragraph 7 above shall apply to expenses incurred pursuant to this paragraph as well.

9. General Provisions. This Agreement shall constitute the entire agreement between the parties and supersedes any previous agreements or understandings. If any provisions or a portion thereof contained in this Agreement is held to be unconstitutional, invalid, or unenforceable, the remainder of this agreement, or portion thereof, shall be deemed severable, shall not be affected, and shall remain in full force and effect. No other benefits, consideration, or compensation of any kind shall be due from CITY to CHRISTOPHER DIWAN other than as set forth herein.

CITY OF CLARKSTON:

\_\_\_\_\_  
Beverly H. Burks, Mayor

\_\_\_\_\_  
CHRISTOPHER DIWAN, City Solicitor

Date: \_\_\_\_\_

Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
City Clerk

Approved as to Form:

\_\_\_\_\_  
Stephen G. Quinn  
City Attorney

CITY OF CLARKSTON

ITEM NO: G6

CLARKSTON CITY COUNCIL MEETING

HEARING TYPE:  
Council Meeting

BUSINESS AGENDA / MINUTES

ACTION TYPE:  
CONSENT AGENDA  
APPOINTMENT

MEETING DATE: January 12, 2021

SUBJECT: Re-Appoint William Tinkler, Jr. to Serve As The Ethics Hearing Officer For The City Of Clarkston

DEPARTMENT: City Administration

PUBLIC HEARING:  YES  NO

ATTACHMENT:  YES  NO  
Pages: 1

INFORMATION CONTACT: Robin I. Gomez  
PHONE NUMBER: 404-296-6489

PURPOSE:

To re-approve William Tinkler, Jr. to serve as the Ethics Hearing Officer for the City of Clarkston.

NEED/ IMPACT:

In November 2014, the City Council adopted a new Ethics Ordinance that allows for an Ethics Hearing Officer to be nominated by the City Manager and approved by the City Council. The Hearing Officer shall be a member in good standing of the State Bar of Georgia for at least the most recent five (5) years.

Mr. William Tinkler was appointed and has served as the Ethics Officer since October 2015.

RECOMMENDATIONS:

Staff recommends that the City Council re-appoint Attorney William Tinkler, Jr. to serve in the capacity as Ethics Hearing Officer for the City of Clarkston.

WILLIAM TINKLER, JR.

ATTORNEY AT LAW

A PROFESSIONAL CORPORATION

SUITE 200

150 EAST PONCE DE LEON AVENUE

DECATUR, GEORGIA 30030

WILLIAM TINKLER, JR.

TELEPHONE  
(404) 371-8662  
FACSIMILE  
1-404-506-9264

December 28, 2020

via email tashby@cityofclarkston.com

Ms. Tracy Ashby  
City Clerk  
City of Clarkston  
Clarkston, Georgia

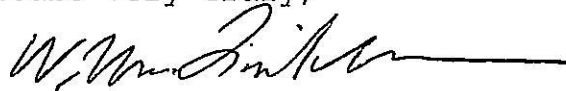
Re: City of Clarkston, Ethics Hearing Officer

Dear Ms. Ashby:

I have been honored by the City of Clarkston in being appointed the City's Ethics Hearing Officer. It would be my great pleasure to serve in that capacity in the coming year should the City require my services. If the City decides to reappoint me as Ethics Hearing Officer, I would propose to charge for my time by billing the City at an hourly rate of \$350.00, with activity and time involved, and any advanced expenses, shown on a billing statement addressed to the City.

With best regards, I am

Yours very truly,



William Tinkler, Jr.

WT/klp

cc: Stephen G. Quinn, Esq.  
squinn@wmdlegal.com

CITY OF CLARKSTON

ITEM NO: G7

CLARKSTON CITY COUNCIL MEETING

HEARING TYPE:  
City Council

BUSINESS AGENDA / MINUTES

ACTION TYPE: CONSENT  
AGENDA -Appointment

MEETING DATE: January 12, 2021

**SUBJECT:** To allow the Mayor to make a recommendation to fill an expired term position on the City of Clarkston Historic Preservation Commission.

DEPARTMENT:  
Planning/Economic & Development

PUBLIC HEARING:  YES  NO

ATTACHMENTS:  YES  NO  
Pages:

INFORMATION CONTACT: **Shawanna Qawiy, MSCM, MPA Planning/  
Economic and Development Director**

**PURPOSE:** The Mayor and City Council shall review and discuss an appointment to the Clarkston Historic Preservation Commission due to the expiration of the initial one (1) year term appointment by the Mayor.

The (previous) Mayor appointed Graham "Ashton" Walker to the initial one (1) year term, which has expired. The position's new term, once appointed by the Mayor is for three (3) years.

No new interested applications for the Clarkston Historic Preservation Commission were received.

Mayor proposes for Ashton Walker to be re-appointed to serve for a three (3) year term to December 31, 2023.

**RECOMMENDATION:** N/A

CITY OF CLARKSTON

CLARKSTON CITY COUNCIL MEETING

ITEM NO: H1

HEARING TYPE:  
Council Meeting

BUSINESS AGENDA / MINUTES

ACTION TYPE:  
APPOINTMENT

MEETING DATE: January 12, 2021

SUBJECT: Elect Vice Mayor

DEPARTMENT: Administration

PUBLIC HEARING:  YES  NO

ATTACHMENT:  YES  NO  
Pages:

INFORMATION CONTACT: ROBIN I. GOMEZ  
City Manager 404 296-6489

PURPOSE:

To Elect the Vice Mayor for the period of Jan 1, 2021 to Dec 31, 2021.

NEED/ IMPACT:

Pursuant to Section 2.04 of the Clarkston City Charter, The city council, at its January regular meeting, shall elect from its membership a vice-mayor for a term of one year. The vice-mayor shall perform the duties of the mayor during his/her absence or inability to act, and shall fill out any unexpired term in the office of mayor, unless and until the position is filled by special election.

RECOMMENDATIONS: To be Voted at 1-12-2021 Meeting

Laura Hopkins has nominated Debra Johnson for Vice Mayor

Ahmed Hassan has nominated Awet Eyasu to continue servings as Vice Mayor

CITY OF CLARKSTON

ITEM NO: H2

CLARKSTON CITY COUNCIL MEETING

HEARING TYPE:  
Council Meeting

BUSINESS AGENDA / MINUTES

ACTION TYPE:  
Resolution

MEETING DATE: January 12, 2021

SUBJECT: To consider a new alcohol beverage license application.

DEPARTMENT: Alcohol Review Committee

PUBLIC HEARING:  YES  NO

ATTACHMENT:  YES  NO  
Pages:

INFORMATION CONTACT: City Manager  
PHONE NUMBER: 404-296-6489

PURPOSE: The Alcohol Review Committee (ARC) has received and reviewed an ownership change application for alcohol beverage package store for Beer/Wine/Malt Beverages. The location to be considered for this alcohol beverage license is Mighty Money Inc DBA 76 Food Mart located at 4556 E Ponce De Leon Ave.

NEED/ IMPACT: The new owner of the 76 Food Mart at 4556 E Ponce de Leon Ave has made application for an alcohol beverage, license for Beer/Wine/Malt beverages for retail package sales. To date: all of the required inspections have been performed and the required background check has been passed. Code Compliance Officer Shennetha Smith has reviewed the application and has measured the location and found it does meet minimum distances as defined by the Code.

The ARC has performed a thorough review of the various components to this application.

RECOMMENDATIONS: Staff (ARC) recommends approval.

Under Clarkston Code Sec. 3-53, the City Council is vested with the final authority to grant an alcohol license.



*New* Alcohol Beverage License  
Review

Date: 12-22-2020

*New*

Amendment

Renewal

Business/Trade Name: **Mighty Money Inc Inc DBA 76 Food Mart**

Contact Name: **Leticia Amersi, President**

Business Address: **4556 E Ponce de Leon Ave**

**TYPE OF BUSINESS**

Retail Alcohol Package Store

**TYPE OF LICENSE AND FEES**

Retail Dealers On-Premise Consumption/Retail Dealers Package

Beer/Malt Beverages \$750

Wine \$750

Beer/Wine/Malt Beverages \$1,000

Distilled Spirits \$2,500

Administrative (Investigative Application) Fee (applicable to all Licenses) \$200.00

Employee Work Permit Initial/Renewal \$50.00 (per employee)

**FOR OFFICE USE ONLY**

**Ownership Change/New Application Retail Alcohol Package Store Beer/Wine/Malt/  
City- No requirements for monthly reporting**

**All Required Forms submitted & Complete, All Required Fees Paid**

**Reviewed by P/D Mgr. Recommend approval. No change of use from prior ownership,**

**Code Compliance performed full file review and onsite inspection, there are no issues noted to prevent renewal.**

**License Fees paid**

**Beer/Wine/Malt beverages only package sales**

**State Alcohol license pending City alcohol issuance**

**Business license application submitted and under review,**

**RECOMMENDATION: APPROVAL**

*approved, Re 7 12.28.2020*



## New Alcohol Beverage License Application

**Instructions:** This application must be typed or printed legibly and executed under oath. Each question must be fully answered. If space provided is not sufficient to answer the question please use a separate sheet of paper. Holding an alcohol beverage license with the City of Clarkston is a privilege.

New                       Amendment

Date: 9/24/20

Contact Name: Leticia Amersi Phone: 404-444-9777

Business/Trade Name: Mighty Money, Inc.

D/B/A: 76 Food Mart

Business Address: 4556 East Ponce de Leon Avenue, Clarkston, DeKalb, Georgia 30021

Emergency Contact Name: Leticia Amersi Phone: 404-444-9777

**TYPE OF BUSINESS**

- Convenience Store
- Grocery Store
- Package Store
- Manufacturer
- Specialty Beverage Store
- Restaurant
- Wholesale
- Other: \_\_\_\_\_

**TYPE OF LICENSE AND FEES**

Retail Dealers On-Premise Consumption/Retail Dealers Package

- Beer/Malt Beverages \$750
  - Wine \$750
  - Beer/Wine/Malt Beverages \$1,000
  - Distilled Spirits \$2,500
  - Wholesale Wine or Beer/Malt \$350
  - Wholesale Beer/Wine/Malt \$450
  - Wholesale Distilled Spirits (City) \$5,000, No location in City \$450
  - Administrative (Investigative Application) Fee (applicable to all Licenses) \$200.00
- Employee Work Permit Initial/Renewal \$50.00 (per employee) Must apply Clarkston Municipal Courts Office (404-292-9465)

**FOR OFFICE USE ONLY**

Department	Date	Approve/Deny	Comments
City Clerk	12-22-20	<i>Apply</i>	<i>ownership change</i>
Planning & Development	12-8-2020	<i>OK</i>	<i>Code Compliance has documented compliance</i>
Police Department	12-22-2020	Approved	
Quality of Life Officer	12-1-2020	<i>JS Smith</i>	GCIC Background verified Code Officer
City Manager			Signed Cover page

**APPLICANT INFORMATION**

Please submit a passport photograph of owner(s) with completed application.

Full Name: Leticia Amersi Date of Birth: [REDACTED]  
 Current Address: 1469 Frazier Road, Decatur, Georgia 30033

Name of Agent or Representative (if different from Applicant): Dana Farkas, Dana Farkas Solutions, LLC, Representative  
 Phone: 770-315-4816  
 Address: 245 Sequoyah Drive, Alpharetta, Georgia 30004

Address of Applicant (if different for the past 5 years):  
1469 Frazier Road, Decatur, Georgia 30033  
4555 Stone Lane, Stone Mountain, Georgia 30083

Have you ever been arrested?  Yes  No (If yes, explain) \_\_\_\_\_

**BUSINESS INFORMATION**

Type of business entity:  Sole Proprietorship  Partnership  Corporation  Other

Has an Occupational Tax Certificate been obtained and paid for at said business?  Yes  No (If not issued by the City of Clarkston please include a copy with application.) applying at same time

Federal Tax ID Number: 85-1775191 State Tax ID Number: 308932835

Do you own the property?  Yes  No (If no, please provide name, address, and contact number for the landlord. A copy of the Lease must be attached to this application.) Henrico MK, Inc., 4725 Peachtree Corners Circle, Suite 360, Peachtree Corners, Georgia 30092

Name each person(s) having a financial interest in the Establishment.

Full Name	Position	Social Security Number	Address	% of Interest
Leticia Amersi	President	[REDACTED]	1469 Frazier Road Decatur, Georgia 30033	100%

Have you or anyone with interest in the establishment ever or do you currently hold an alcohol beverage license with any other municipality, county, or state?  Yes  No

If so, have you or anyone holding interest in the establishment ever been placed on probation or had your license revoked?  Yes  No (If yes, please explain on separate sheet of paper and attach hereto.)

Provide name, address, Social Security Number, and phone number for each Manager if different from owner. A passport photograph, Personnel Statement, and Background Check must be submitted for each manager.

Full Name	Position	Social Security Number	Address	% of Interest
N/A				

If new application for Retail Sale, attach a surveyor's plat and state the straight line distance from property line of school, church, library, or public recreation area to the wall of the building where alcohol beverages are sold.

Church: 570 yards

School: ~~1,109 yards~~ 1,730 yards L.A

Library: 2,333 yards

Public Recreation: 667 yards

**VERIFICATION OF APPLICATION**

I hereby make application for an Alcohol Beverage License for the City of Clarkston. I understand that holding this license is a privilege. I do hereby affirm and swear that the information provided herein is true, complete and accurate, and I understand that any inaccuracies may be considered just cause for invalidation of this application and any action taken on this application. I understand the City of Clarkston reserves the right to enforce any and all ordinances regardless of payment of license fee and further that it is my/our responsibility to conform with said ordinances in full. I hereby acknowledge that all requirements shall be adhered to. I can read the English language and I freely and voluntarily have completed this application. I understand that it is a felony to make false statements or writings to the City of Clarkston pursuant to O.C.G.A. §16-10-20.

*[Handwritten Signature]*

Signature of Applicant or Agent

Leticia Amersi

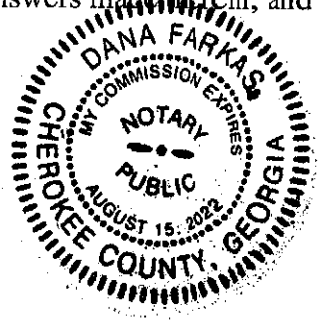
Print or Type Name

I certify that Leticia Amersi (name of applicant) personally appeared before me, and that he signed his name to the foregoing statements and answers made therein, and under oath, has sworn that said statements and answers are true.

This 22<sup>nd</sup> day of September, 2020

Dana Farkas  
Notary Public

My commission expires on: 8/15/22



**ALCOHOLIC BEVERAGE PERSONNEL STATEMENT**  
**OWNERS/MANAGERS/ASSISTANT MANAGERS**

For Official Use Only Type of License: _____	Business: <u>Mighty Money, Inc. dba 76 Food Mart</u> Address: <u>4556 East Ponce de Leon Avenue, Clarkston, GA 30021</u> Telephone: _____
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Instructions: This personnel statement must be executed under oath or affirmation by every person having any ownership or profit sharing interest in, or managing any place of business applying for license from the City of Clarkston, Georgia to sell or deal in alcoholic beverages or distilled spirits. Please type or print clearly in ink. If not legible, Statement will not be accepted. Each question must be fully answered. If the space provided is not sufficient, answer the question on a separate sheet and indicate in the space provided that such separate sheet is attached. A personnel statement, including two (2) passport-size photographs and two (2) fingerprint cards are required by Questions 31 and 32, for all owners/managers/assistant managers and must be submitted with every license application.

1. Leticia Amersi, 1469 Frazier Road, Decatur, Georgia 30033  
Full Name of Applicant and Address

2. Social Security Number: [REDACTED]

3. Driver's License Number: [REDACTED]

4. Date of Birth: [REDACTED] Place of Birth: St. Louis, Missouri

5. U.S. Citizen A copy of verifiable identification must be provided at the time of application. Copy of driver's license or State photo ID card.  
a.  by birth  
b.  Naturalized

Date: \_\_\_\_\_ Place: \_\_\_\_\_ Court: \_\_\_\_\_  
Petition Number: \_\_\_\_\_ Certificate Number: \_\_\_\_\_  
Derived Parent Certificate Number(s) \_\_\_\_\_  
Alien Registration Number: \_\_\_\_\_  
Native Country: \_\_\_\_\_ Date of Port Entry: \_\_\_\_\_

6. How long have you been a legal resident of Georgia? 17 Years        Months

7. Marital Status  Single  Married  Widowed  Divorced  Separated

8. If married, give spouse's full name Noorali Amersi

9. Physical Description of Applicant [REDACTED]

10. Education and training specific to restaurant/alcohol field. None specific to alcohol or restaurants.

11. Have you ever used or been known by any other name  yes  No

12. List maiden name, names by former marriages, former names changed legally or otherwise, aliases or nicknames. For each, list the period which you were known by this name. Leticia Marie Adams  
August 29, 1981, to March 30, 2001

13. Are you registered to vote in the state of Georgia  yes  No  
County Registered DeKalb Number of years registered 12 years

county property taxes paid  
by mortgage company

14. For the last calendar year, did you file and pay any County property tax

Yes  No

15. For the last calendar year, did you file and pay any City property tax

Yes  No

No City taxes

Name of City \_\_\_\_\_

16. Employment record for the past ten (10) years (Give most recent experience first, is self-employed give details)

From To Employer Occupational Duties Reason for Leaving

- a. \_\_\_\_\_
- b. Stay at home wife and mother
- c. \_\_\_\_\_
- d. \_\_\_\_\_
- e. \_\_\_\_\_
- f. \_\_\_\_\_
- g. \_\_\_\_\_
- h. \_\_\_\_\_

17. List, with your most recent place of residence first, all of your residences for the past ten (10) years

Date From/To Street City State

- a. \_\_\_\_\_
- b. 1469 Frazier Road, Decatur, Georgia 30033
- c. 4555 Stone Lane, Stone Mountain, Georgia 30083
- d. \_\_\_\_\_
- e. \_\_\_\_\_

18. Military Service ( ) Yes  No List Serial Number \_\_\_\_\_ Branch of Service \_\_\_\_\_  
Period of Service \_\_\_\_\_ Date of Discharge \_\_\_\_\_ Type of Discharge \_\_\_\_\_

19. Have you ever been convicted of a felony relating to violence, illegal substances, gambling, theft or alcohol use, or of a crime opposed to decency and morality, or who has been convicted of a crime involving violation of the ordinances of the city or any other city or county relating to the use, sale, taxability, or possession of malt beverages, wine or liquor, or violations of the laws of the state and federal government pertaining to the manufacture, possession, transportation or sale of malt beverages, wine or intoxicating liquors, or the taxability thereof within ten (10) years preceding this application? \_\_\_\_\_ Yes  No

20. Full name of dealer and trade name, if any, submitting application of which this personnel statement is a part.

Mighty Money, Inc. dba 76 Food Mart

21. Position of applicant in dealer's business. Owner/President

22. Does applicant have any ownership/profit sharing interest in the business?  Yes ( ) No

State annual salary of applicant or the estimated annual profit or compensation derived from this business.  
contributions as allowed, but not to exceed \$100,000

23. Do you have any financial interest in any bar, lounge, tavern, restaurant, or other place of business where alcoholic beverages are sold and consumed on the business premises? ( ) Yes  No if yes, explain

24. Do you have any financial or are you employed in any wholesale or retail liquor business other than the business submitting the license application of which this personnel statement is a part? ( ) Yes  No if yes, give names and locations and amount of interest in each.

25. Do you have any financial interest or are you employed in any business engaged in distilling, bottling, rectifying or selling (wholesale, retail or manufacturing) alcoholic beverages in this state or outside this state which has not otherwise been disclosed in the statement. ( ) Yes  No If yes, explain

26. Have you ever had any financial interest in an alcoholic beverage business which was denied a permit? ( ) Yes  No if yes, explain

27. Has any alcoholic beverage business in which you hold or have held any financial interest or have been employed, ever been cited for any violation for the rules and regulations of the State Revenue Commission relating to the sale or distribution of distilled spirits? ( ) Yes  No If yes, explain

28. Have you ever been denied a bond by a commercial surety company? ( ) Yes  No if yes, explain

29. Are you related by blood, marriage or adoption to any persons engaged in any business handling alcoholic beverages, whiskeys or liquors in the State of Georgia.  Yes ( ) No

30. Personal References. Give three (3) personal references, not relatives (i.e., former employees, fellow employees or school teachers who are responsible adults, business or professional men or women) who have known you well during the past five (5) years.

Name Gulshan Delawala  
Residence 5365 Catalpa Court, Lilburn, Georgia 30047  
Business Address \_\_\_\_\_  
Telephone Number 404-542-3606 Number of years known 13

Name Gulshan Damanwala  
Residence 4614 Monarch Bluff Court, Sugar Land, Texas 77479  
Business Address \_\_\_\_\_  
Telephone Number 678-438-5357 Number of years known 5

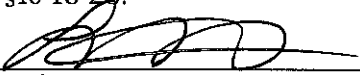
Name Nasim Lalani  
Residence 306 Parkview Manor Drive, Tucker, Georgia 30080  
Business Address \_\_\_\_\_  
Telephone Number 404-513-7133 Number of years known 7

31. Attach two (2) passport-size photographs (front view). Write name on back of photographs and also the name of dealer submitting a license application. Initial here if such photographs are attached. yes

32. There must be submitted with this personal statement the fingerprints of applicant on two (2) fingerprint cards, which will be furnished to the City of Clarkston. Initial here that such fingerprint cards are attached. \_\_\_\_\_

**Verification**

I, Leticia Amersi, applicant, do solemnly swear, subject to criminal penalties for false swearing, that the statements and answers made by me to the foregoing questions in this application for a City of Clarkston license as a dealer in alcoholic beverage and distilled spirits are true, and no false or fraudulent statements or answer is made therein to procure the granting of such license. I hereby submit for an Alcoholic Beverage Privilege License Personnel Statement for the City of Clarkston. I do hereby swear or affirm that the information provided herein is true, complete and accurate, and I understand that any inaccuracies may be considered just cause for invalidation of this statement and any related application. I certify that neither I, nor any of the other owners of the retail or wholesale establishment, nor the manager of such establishment has been convicted or has plead guilty or entered a plea of nolo contendere to any crime, misdemeanor, and/or felony involving moral turpitude, lottery, or illegal possession or sale of narcotics or liquors within a period of ten (10) years immediately prior to the filing of such application. I understand the City of Clarkston reserves the right to enforce any and all ordinances regardless of payment of license fees and further that it is my/our responsibility to conform to said ordinance in full. I hereby acknowledge that all requirements shall be adhered to. I can read the English language and I freely and voluntarily have completed this application. I understand that it is a felony to make false statements or writings to the City of Clarkston pursuant to O.C.G.A. §16-10-20.

  
Applicant's Signature (full name in ink)

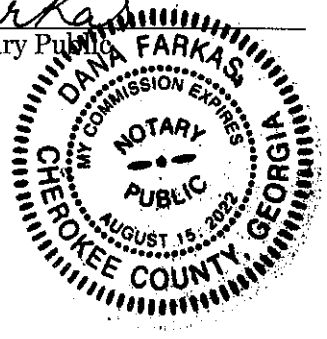
Leticia Amersi  
Applicant's Name (Print or Type)

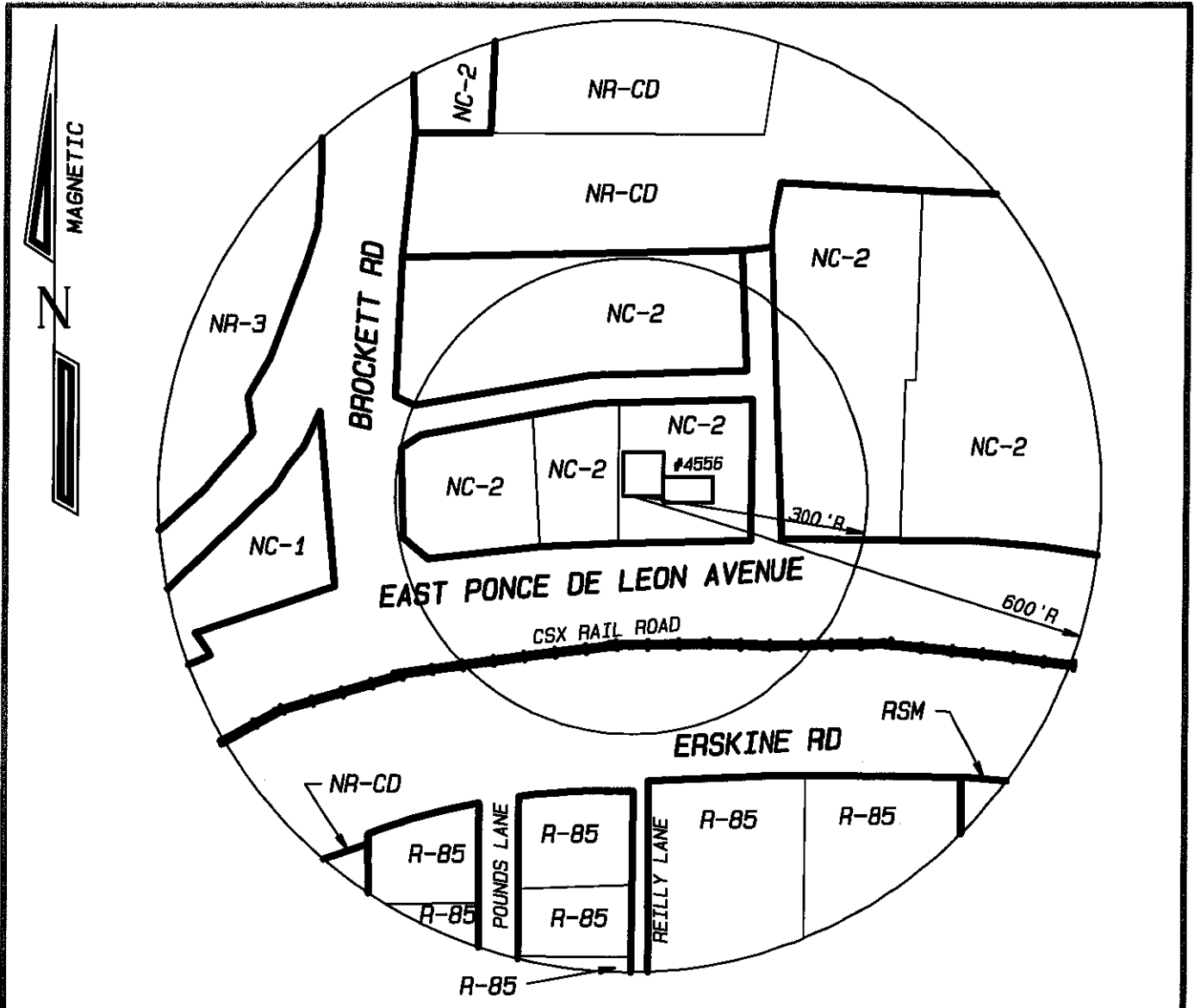
I certify that Leticia Amersi (name of applicant) personally appeared before me, and that he signed his name to the foregoing statements and answers made therein, and under oath, has sworn that said statements and answers are true.

This 22<sup>nd</sup> day of September, 2020.

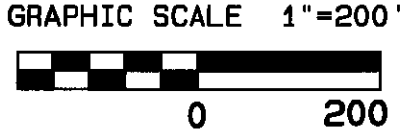
Dana Farkas  
Notary Public

Seal:





**ALCOHOL LICENSE SURVEY NOTES:**  
 NEAREST RESIDENCE: ±475 YDS TO 1298 COUNTRY ADDRESS.  
 NEAREST PUBLIC SCHOOL: ±1,730 YDS TO IDLEWOOD ELEMENTARY SCHOOL  
 1484 IDLEWOOD ROAD  
 NEAREST PUBLIC PARK: ±667 YDS TO FRIENDSHIP FOREST  
 4380 EAST PONCE DE LEON AVENUE  
 NEAREST CHURCH: ±570 YDS TO VIETNAMESE FAITH BAPTIST CHURCH  
 4692 EAST PONCE DE LEON AVENUE  
 NEAREST ALCOHOL TREATMENT FACILITY: ±6,224 YDS TO DEKALB COUNTY MENTAL HEALTH  
 455 WINN WAY DECATUR  
 NEAREST CONVENIENCE STORE: ±433 YDS FOOD MART  
 1307 BROCKETT ROAD  
 NEAREST LIBRARY: ±2333 YDS TO CLARKSTON PUBLIC LIBRARY  
 951 NORTH INDIAN CREEK DRIVE



**BETTERTON  
 SURVEYING & DESIGN, INC.**

LAND SURVEYING,  
 LAND PLANNING,  
 SUBDIVISION & COMMERCIAL  
 SITE DESIGN

950 WEST SANDTOWN ROAD  
 MARIETTA, GEORGIA 30064  
 (678) 483-0242



SEPTEMBER 11, 2020

**ALCOHOL SURVEY**

4556 EAST PONCE DE LEON AVENUE  
 LOCATED IN:  
 LAND LOT 120 - 18TH DISTRICT  
 DEKALB COUNTY, GEORGIA  
 CITY OF CLARKSTON  
 SCALE: 1" = 200FT.  
 DATE: 9/11/20  
 PREPARED FOR:  
 GAS EXPRESS, LLC



# STATE OF GEORGIA

## Secretary of State

Corporations Division

313 West Tower

2 Martin Luther King, Jr. Dr.

Atlanta, Georgia 30334-1530

### CERTIFICATE OF INCORPORATION

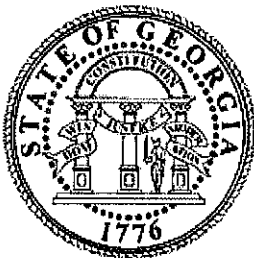
I, **Brad Raffensperger**, the Secretary of State and the Corporation Commissioner of the State of Georgia, hereby certify under the seal of my office that

#### **MIGHTY MONEY INC**

a Domestic Profit Corporation

has been duly incorporated under the laws of the State of Georgia on **06/09/2020** by the filing of articles of incorporation in the Office of the Secretary of State and by the paying of fees as provided by Title 14 of the Official Code of Georgia Annotated.

WITNESS my hand and official seal in the City of Atlanta  
and the State of Georgia on **06/11/2020**.



*Brad Raffensperger*

**Brad Raffensperger**  
Secretary of State

**ARTICLES OF INCORPORATION**

\*Electronically Filed\*  
Secretary of State  
Filing Date: 6/9/2020 12:21:35 PM

**GENERAL INFORMATION**

**CONTROL NUMBER** 20087190  
**BUSINESS NAME** MIGHTY MONEY INC  
**BUSINESS TYPE** Domestic Profit Corporation  
**EFFECTIVE DATE** 06/09/2020  
**SHARES** 1000

**REGISTERED OFFICE ADDRESS**

**ADDRESS** 4556 E PONCE DE LEON AVE, CLARKSTON, GA, 30021, USA

**REGISTERED AGENT**

<b>NAME</b>	<b>ADDRESS</b>	<b>COUNTY</b>
LETICA AMERSI	1469 FRAZIER RD, DECATUR, GA, 30033, USA	Dekalb

**INCORPORATORS**

<b>NAME</b>	<b>TITLE</b>	<b>ADDRESS</b>
LETICA AMERSI	INCORPORATOR	1469 FRAZIER RD, DECATUR, GA, 30033, USA

**EXEMPTIONS**

N/A

**AUTHORIZER INFORMATION**

**AUTHORIZER SIGNATURE** LETICA AMERSI  
**AUTHORIZER TITLE** Incorporator

CITY OF CLARKSTON

ITEM NO: H3

CLARKSTON CITY COUNCIL MEETING

HEARING TYPE:  
Council Meeting

BUSINESS AGENDA / MINUTES

ACTION TYPE:  
Award Low Bid

MEETING DATE: JANUARY 12, 2021

SUBJECT: Award Trailhead & Rowland St Pedestrian Improvements bid to the lowest bidder – SOL Construction

DEPARTMENT: City Administration

PUBLIC HEARING:  YES  NO

ATTACHMENT:  YES  NO  
Pages:

INFORMATION CONTACT: ROBIN I. GOMEZ  
PHONE NUMBER: 404-296-6489

PURPOSE:

Award the Trailhead & Rowland St Pedestrian Improvements Project to the low bid presented by Sol Construction in the amount of \$1,081,011.10.

NEED/IMPACT:

In the fall of 2017, City Council voted unanimously on a list of SPLOST projects to be constructed with the revenues collected from the 2017 DeKalb County SPLOST referendum. The referenced project was included in the City SPLOST program. Staff prepared a budget for all the SPLOST projects in 2017 including the referenced project. The engineering & construction budget for this project is \$1,255,000.

In the summer of 2018, the City staff prepared a project scope and advertised for design services. Five (5) design firms proposed on the work and the City Council selected POND to provide design and construction plans. The SPLOST 04 D project is identified as 5 segments:

- Mell Ave @ Church Street Trailhead and Park
- Rowland Street from Lovejoy Street from North Indian Creek
- Rowland Street from North Indian Creek to Market Street including Hill Street from Rowland St. to Rogers Street
- Hill Street from Rowland Street to Rogers Street
- Rogers Street from Market Street to North Indian Creek
- Rowland Street from Market Street to Norman Road

Refer to the attached scope of work for additional segment details.

It should be noted that the genesis of this project began in 2012 when Council approved a "Green Street" policy that stated the City should encourage the application of "green infrastructure" (use of vegetation within public infrastructure to improve water quality) and converting existing city streets to shared bicyclist/pedestrian/vehicular infrastructure where feasible and practical. When the Rowland Street project was presented to council in early 2017 as a potential SPLOST project, City staff re-introduced this idea of "Green Streets" and upon Council approval, proceeded to prepare a scope of work that satisfied the 2012 City adopted policy.

In 2018, the City held two public information meetings on the referenced project. The City received comments from the public and included a number of scope changes to the concept plans as a result of the public input.

Also of note is the coordination with the NAMB-Send Relief development project that occurred when the city permit was issued in the summer of 2019. As a result of this coordination, NAMB agreed to install granite curbing on Rowland Street in those areas that would not be impacted by the City construction project. This coordination will now result in a cost savings to the City of several thousand dollars.

Staff prepared an "Invitation-To-Bid" package and advertised per state and local bidding requirements for the construction of Public Transportation Infrastructure. The City posted the legal ad in the Champion Newspaper, Georgia Procurement Registry and the City web site. The advertisement was for a period of 30 days to procure the services of a contractor. The bid opening occurred on November 27<sup>th</sup>, 2020.

**BID RESULTS**

The city received 7 bids. All bidders were deemed qualified to submit a bid, with the results as follows:

<b>Contractor</b>	<b>Bid Amount</b>
Tri-Scapes	\$1,435,872.24
Ohmshiv Construction	\$1,279,366.95
CMES	\$1,414,452.18
DAF	\$1,140,471.00
SOL Construction	\$1,081,011.10
JHC Corporation	\$1,559,765.25
Construction Engineering & Management	\$1,531,708.35

- The city budget for construction is \$1,055,000
- The engineers estimate of \$1,596,000 was prepared before the bids were opened

Given the significant difference between the engineers estimate and the low bid amount, staff reached out to the low bidder, SOL Construction, to ensure they understood the project scope and were willing to move forward with the work. The President of the company acknowledged their understanding of the project scope and bid submitted and is willing to move forward with an Agreement with the City.

It should be noted that SOL Construction was awarded the City's 2<sup>nd</sup> SPLOST project in 2018 with the Phase IV East Ponce de Leon sidewalk and new granite curb installation project. They exceeded the City's expectations on this project and staff believes they have the knowledge and skill-set to perform this work.

**Funding**

Funding sources for this project is as follows:

- ✓ GDOT LMIG (3 years)
- ✓ 2017 SPLOST

## SCOPE OF WORK

**Contract Duration:** 365 calendar days

**Project Description:**

The Trailhead & Rowland Street Pedestrian Enhancements Project has six (6) distinct segments. The descriptions of each segment are as follows:

The “PATH Trailhead” project, located at the intersection of Mell Ave and Northern Avenue, is currently undeveloped with a PATH Trail that extends through the south end of the property. The work will generally consist of a passive park (PATH Trailhead) that will consist of trees, benches, bike air pump station, granite monument sign, an Information Kiosk and Exhibit that depicts the history of the Clarkston Trolley system.

Improvements to Rowland Street from Lovejoy Street to North Indian Creek will consist of milling, asphalt resurfacing, placement of bicyclist path symbol signs on the pavement, removing the three-way stop sign at Wagoner Street and installation of a traffic calming device known as an easabout.

Rowland Street, from North Indian Creek to Norman Street, will be converted into a multi-use facility that can safely accommodate a wide range of transportation uses from bikes to pedestrians and vehicles. The project plans provide details to reconstruct the curb line to provide a curvilinear road footprint with application of traffic calming devices (elongated raised speed table) to be utilized as a crosswalk. New granite curb will be installed with existing granite curb to be salvaged and re-used at the pedestrian crossings. Sidewalks will also be constructed along most of the roadway section. The traffic calming device will be combined with a reduction in posted speed limit to 15 MPH that will improve the safety for bicyclist and pedestrians. Driveway pruning (elimination of curb cuts), resurfacing, restriping and addition of street trees are included in the project plans. The project will tie-into the existing “HAWK Pedestrian Crossing Improvements & Right-In & Right-Out” channelization project at North Indian Creek and Rowland Street.

Hill Street, from Rogers Street to Rowland Street, will be converted to a 2 lane roadway with a raised landscaped median.

The section of Rowland Street from Market Street to Norman Street will consist of a 100% pedestrian walkway with bollards placed on both ends of the Rowland Street to remove all vehicular traffic. The City is currently in negotiations with effected property owners to remove two existing driveways onto Rowland Street while providing an alternate access into the existing office complex.

At the Norman Road/Rowland Street intersection, brick pavers will be utilized in combination with “green” stained asphalt pavement, to signify the crosswalk. A raised landscaped center island on Norman Road will also be constructed to improve the safe passage of pedestrians and bicyclist crossing Norman Road onto the existing PATH Trail.

Rogers Street improvements will include construction of traffic calming known as “chokers”, milling and resurfacing.

CITY OF CLARKSTON

ITEM NO: H4

MAYOR AND CITY COUNCIL WORKSESSION

HEARING TYPE:  
Council Meeting

BUSINESS AGENDA / MINUTES

ACTION TYPE:  
Resolution

MEETING DATE: January 12, 2021

**Subject:** To present to the Mayor and City Council the selection committee’s recommendation to perform the City’s zoning ordinance rewrite services.

DEPARTMENT:  
**Planning/Economic & Development**

PUBLIC HEARING:  YES  NO

ATTACHMENT:  YES  NO  
Pages:

INFORMATION CONTACT:  
**Planning/Economic & Development Director - Shawanna Qawiy, MSCM, MPA**  
PHONE NUMBER: 404-296-6489

The City released a Request for Proposals (RFP) for zoning ordinance rewrite services.

The RFP timeline included the following key dates.

- Release the RFP: October 20, 2020
- Advertise in the Champion News: October 29, 2020
- Response(s) Due: November 20, 2020
- Review and Select Interviewees: November 30, 2020-December 8, 2020
- Conduct Interviews: December 17, 2020
- City Council Authorization: January 12, 2021
- Contract Begins: TBD

Four (4) consulting firms were interviewed on December 17, 2020. All the interviewed firms’ qualifications were impressive, and the selection process was highly competitive.

The selection team recommends POND & COMPANY to perform the City’s zoning rewrite services.

**STAFF RECOMMENDATION(S):**

Staff recommends POND & COMPANY to perform the City’s zoning rewrite services.



City of Clarkston

# Zoning Ordinance Rewrite

11.20.20

**POND**





# 1. Letter of Interest



**TO: City of Clarkston | Shawanna Qawiy | 1055 Rowland Street | Clarkston, GA 30021**

**RE: City of Clarkston, Zoning Ordinance Rewrite**

Dear Ms. Qawiy and the Clarkston Selection Committee,

As a suburb of Atlanta, Clarkston has experienced development that has been geared towards the automobile. For well over a decade, metro Atlanta communities have worked towards creating more walkable and pedestrian friendly environments to improve the health and well-being of their residents while reaping the economic development benefits of more mobile and connected communities.

To plan for its recent growth through annexation as well as future growth that is to come in the next 10 – 15 years, Clarkston recently updated its comprehensive plan. The proposed Zoning Ordinance Rewrite will provide the mechanism needed for Clarkston to implement the land use and development recommendations from the 2040 Comprehensive Plan. Further, it is an opportunity to move away from a text-based ordinance to incorporating form-based codes while maintaining traditional zoning regulations. The Pond team has worked with several local and county governments to update their zoning and development regulations to become the conduit for implementing their respective vision for the future through codes that are user-friendly and intuitive rather than cumbersome and difficult to interpret.

We understand that the City of Clarkston's residents represent a rich diversity through its designation as a refugee settlement community. In order to ensure all voices are represented in the zoning rewrite process, it is important to use a variety of engagement tools. We

will also tap into community resources, such as Friends of Refugees and the Ethiopian Community Association of Atlanta, to identify key representatives of each cultural group to identify the appropriate means to reach out to those groups.

The team we have assembled for this project has been carefully selected to provide the best combination of experience in creating and updating zoning and development regulations, developing meaningful community engagement plans, streamlining technical review processes, ensuring that fee structures are in line with peer communities, and helping staff understand and enforce the new zoning ordinance. **We have included Sycamore Consulting on our team to lead community engagement.** They are a certified DBE firm who has been our partner on numerous projects. Their participation will be a minimum of 15% of the contract.

Our proposed Project Manager, Lauren Blaszyk, AICP, has worked in both the public and private sectors of planning. She has been responsible for the interpretation and implementation of zoning and development codes in various positions throughout her career. She understands the need for clear and concise regulations that are consistent and easy to understand for staff and all user groups.

**Throughout the life of the project, Lauren and Principal Matt Wilder will closely monitor the schedule, staff time, and budget to**

**ensure the City's investment in a complete update of its Zoning Ordinance is managed responsibly.** Lauren has a proven track record of positive relationships with clients and will communicate regularly with City staff on project progress while allowing them multiple opportunities to provide input in the drafting of the Zoning Ordinance and the City's new zoning map.

**The Pond Team confirms all information contained in this response is complete and accurate.** The Pond Team has the project experience and staff expertise needed to help Clarkston create and adopt a Zoning Ordinance that will serve the community for years to come.

Sincerely,



**Lauren Blaszyk, AICP**

Project Manager

E [BlaszykL@pondco.com](mailto:BlaszykL@pondco.com)

T 678.336.7740 | Direct 470.387.8930



**Matthew Wilder, PLA, ASLA, LEED AP**

Principal | PLACE Director

E [WilderM@pondco.com](mailto:WilderM@pondco.com)

T 678.336.7740 | Direct 678.292.1111



## 2. Work Plan & Technical Approach



- ▶ Tying the 2040 Comprehensive Plan's land use and development initiatives to policy through Clarkston's updated zoning ordinance
- ▶ Developing a hybrid zoning ordinance that incorporates form-based code with traditional zoning that is easy to interpret for all user groups
- ▶ Incorporating graphics and illustrations to explain text
- ▶ Creating a meaningful engagement strategy that allows Clarkston's diverse residents to have a voice in the zoning rewrite process
- ▶ Educating and informing elected and appointed officials
- ▶ Collaborating with City staff and key stakeholders throughout the zoning rewrite process

## Why Select the Pond Team for the City of Clarkston?

### Implementation-Focused Approach to Completing the Zoning Rewrite

We know that a zoning ordinance is more than just a “planning document”—it’s your community’s blueprint for action. Pond has helped shape several zoning ordinances and codes that have been adopted and continue to be used. We combine industry best practices with the unique attributes and assets of Clarkston to deliver a zoning ordinance that enhances your existing spaces and paves the way for new ideas.

### Track Record of Engaging Community & Other Stakeholders

Whether in person or remotely, the Pond team has the resources and expertise to conduct successful and meaningful meetings with city staff, members of the community, elected/appointed officials, and other stakeholders throughout the entire project. We will work with you to identify stakeholders and members of a Technical Advisory Committee, and create a tailored plan to incorporate feedback from every audience.

### Recent Similar Experience Creating & Implementing

Our team has served communities of similar size and character to Clarkston. These communities share many of your goals—to enhance the quality of life for its citizens, support local business and development, and maintain the characteristics that give Clarkston its special charm. This project experience informs our approach to this project.

*The required W9 and insurance documentation for this proposal is included in the [Forms](#) section at the end of this document.*



## Engagement-Driven Approach

In any public project, the degree of success in building consensus between key stakeholders, elected officials, and the public often relies on the strength of the project’s strategy for engaging the public. We understand the need to hear from a variety of voices and to reach a broad and diverse audience. **Community engagement is so important to this project that we’ve built the overall approach to the project around it. As a trusted partner to Pond on many projects, Sycamore Consulting will lead the effort.**

Our coordinated approach focuses on our ability to effectively bring key audiences into the process at important milestones in the schedule. For the Pond team, community engagement is a collaborative effort built into the planning process.

### A Proven Public Engagement Strategy

Our planning process begins with the development and adoption of a Public Involvement Plan, a guiding document that outlines the tools, techniques, and strategies to be used to meaningfully engage the Project

Management Team, key stakeholders, technical advisors, the general public, and elected officials. It will be important for us to engage the community in an equitable way, tailored to Clarkston.

## Engagement Hierarchy

### ► PROJECT MANAGEMENT TEAM

Our projects include a Project Management Team (PMT) that consists of representatives from the municipal staff, Pond planning team, and additional stakeholders, as needed. The purpose of the PMT is to discuss the project progress, to brainstorm solutions and strategies to address challenges and needs, and to

plan community engagement opportunities at a very high level. Engagement with this group will begin with an in-person or virtual kick off once the project commences, followed by monthly or bi-weekly conference calls, in-person meetings, or video conferences as appropriate and in accordance with COVID-19 protocols.

### ► TECHNICAL ADVISORY COMMITTEE

The Technical Advisory Committee (TAC) allows us to engage with an informed stakeholder group that can offer meaningful perspectives and input on changes needed to the Zoning Ordinance. They also understand the community and can offer valuable insight on how residents, developers, builders, the real estate community, and others will react to zoning changes. We typically hold a minimum of 5 – 6 TAC meetings during a zoning rewrite project. The TAC will also be responsible for reviewing multiple drafts of Clarkston’s new zoning ordinance.



PMT Kick-off Meeting with representatives of the Stone Mountain community.

## ELECTED OFFICIALS

Engagement with elected officials is a crucial component of the zoning rewrite process, as it ensures that they remain educated and informed, and thoroughly understand proposed changes to zoning and development regulations. We think it is important to engage your elected officials early in the process through council briefings, including an elected official representative on the TAC, and inviting them to other public engagement activities. We believe presentations to both the planning commission and city council at each stage of the rewrite is appropriate. We will also rely on city council members to communicate engagement activities through their existing constituent relationships.



PATH Lakewood meeting.

## GENERAL PUBLIC

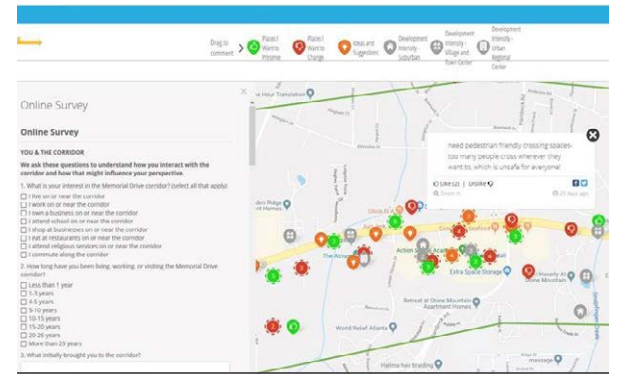
We will engage the general public from project outset beginning with a project website that introduces Clarkston residents and stakeholders to the zoning rewrite process. The website is a beginning point to seek community feedback through polling, incorporates Social Pinpoint mapping that encourages community

feedback and productive commentary, and provides educational content about zoning and how to implement the City’s vision for future development from the 2040 Comprehensive Plan. This can be accomplished through short videos as well as written content. This website is augmented by postcard mailings encouraging participation and inviting people to give feedback.

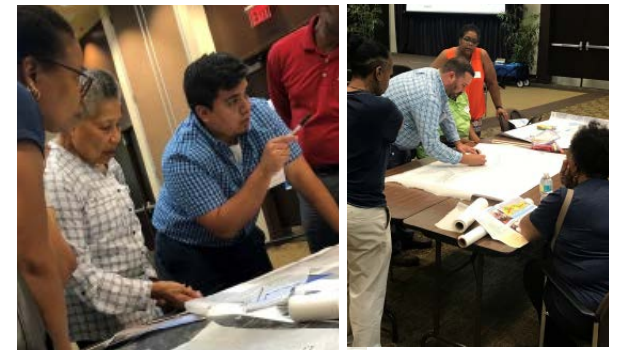
## ENGAGING DIVERSE COMMUNITIES

The City of Clarkston’s diverse population requires tailored approaches to engagement. These include:

- Working with local organizations, such as Friends of Refugees and the Ethiopian Community Association of Atlanta, to identify under-served populations and hosting group discussions within these communities
- Incorporating Google translate into websites and surveys to reach immigrant populations
- Utilizing Pond’s diverse in-house staff who speak multiple languages to provide interpretation at meetings (in-person or virtual) and other engagement opportunities
- Adjusting workshop and public meeting times to accommodate workers who have non- traditional work hours.



Social Pinpoint allows the project team to conduct surveys, capture comments associated with specific locations, and translates into any language.



Workshops provide residents with hands on opportunities to engage in the process.



## Recent Planning Awards

Georgia Planning Association (GPA) Award **Best Public Engagement** for the City of Roswell Bicycle & Pedestrian Plan (2020)

NACo Community Engagement Award **Reaching out to Diverse Communities** and GPA Outstanding Planning Document for Gwinnett 2040 Unified Plan (2019)

## Creative Engagement Strategies

### ▶ OUR ENGAGEMENT TOOLS

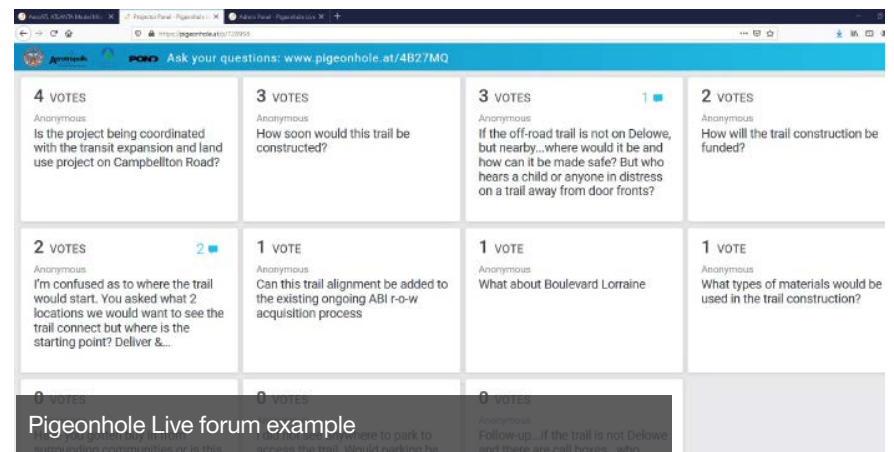
We design engagement strategies that make public participation convenient, easy, and engaging. Our intent is to reach a broad audience and educate sectors of the community that otherwise would not attend a traditional public meeting. Public health crises, like the coronavirus, also necessitate that we develop alternative strategies to continue advancing projects. Our community engagement strategies for the Zoning Ordinance Rewrite include:

- We initiate the process by branding the effort with a distinct logo and name. We would refine the theme with the PMT.
- We then launch an online presence through a project website, incorporating the Social Pinpoint engagement platform, which uses online surveys, mapping, and other tools to collect meaningful input while also serving as a hub for project information. Social Pinpoint allows for translation based on the language set for the device on which it is being viewed, allowing residents of all backgrounds and cultures to engage in the zoning rewrite process.
- To further our online approach, we will complement the City's existing social media strategy that provides graphics, content, and a posting timeline for Facebook, Twitter, Instagram, and the City website.
- We would attend neighborhood association, community and civic organization, and council member-led meetings to encourage participation and educate residents and stakeholders about zoning and the zoning rewrite process.
- We can send out postcards or flyers in utility bills notifying residents of the zoning rewrite and encouraging participation by advertising dates for engagement activities.



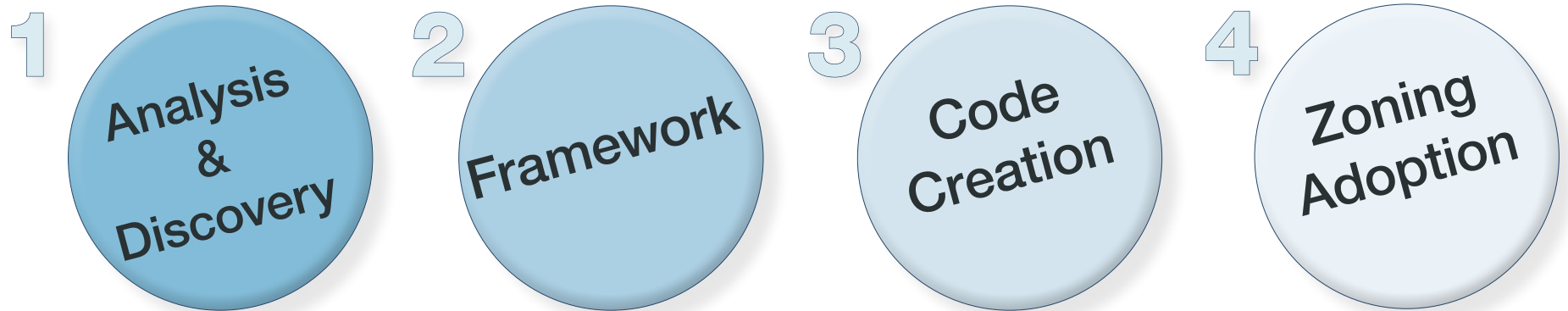
Pond team members working closely with residents during a workshop for the revitalization of Memorial Drive.

- Complementing the online approach will be opportunities to bring the community together at multiple points which can include:
  - ◆ An initial public meeting that serves as an educational session (i.e. “Zoning 101”) to familiarize residents and interested stakeholders on what zoning is and its connection to implementing the City’s vision laid out in the 2040 Comprehensive Plan as it relates to land use, development, redevelopment, and other related issues.
  - ◆ A hands-on workshop where the public is invited to engage with the planning team and city staff. Pond has the tools and technology to conduct this workshop in a virtual environment, if necessary.
  - ◆ Pop up events or gallery exhibits in outdoor public locations to gather feedback and continue to educate the community about zoning and the zoning rewrite effort.
  - ◆ A presentation providing an overview of proposed changes to zoning and the development regulations, to allow the public to provide feedback.
  - ◆ A final meeting to present the City’s new zoning ordinance and zoning map, highlighting key changes that have been incorporated.
- In coordination with any in-person events, we would use Pigeonhole Live as an online community presentation tool to expand our audience, giving voice to every attendee, not just the most vocal. This is also a great engagement alternative in the event public meetings are prevented from occurring due to public health concerns.



# A Streamlined Project Approach

Our approach can be summarized in four steps:



The following pages explore these steps in greater detail.

We will be your partner in taking this project from the earliest existing plan reviews through the adoption of a Zoning Ordinance. We will do this by:

- Working with you to identify stakeholders for a Technical Advisory Committee (TAC).
- Providing meeting agendas and content for the TAC and community meetings for staff review in advance of scheduled meetings.
- Providing ample time for the City to review the Diagnostic Report, recommendations, updated zoning ordinance sections, drafts of the zoning ordinance, and any other project deliverables.

Due to ongoing public health and safety concerns related to COVID-19, many (or all) meetings may need to take place virtually to abide by local and state guidelines. This is a constantly changing situation and we are prepared to accommodate your preferences for in-person or virtual meetings as needed through the duration of this project.

### Managing Budget & Scope

Effective budget and scope management begins at the project kickoff meeting. Once we have a clear understanding of goals and objectives, we can effectively estimate schedule, staffing, and budget needs. As part of our internal business meetings, Pond regularly reviews project budgets, invoicing to date, and schedule performance so we can allocate resources appropriately. This allows us to maintain agreed-upon timelines and costs.





# 1. Analysis & Discovery

This stage focuses on creating the foundation that the rest of the project process will be built upon.

## 1.1 Project Kickoff Meeting

This meeting will include representatives from appropriate City departments to review the project timeline and tasks, lay out clear expectations and goals for the updated zoning ordinance, discuss public engagement, and establish communication protocols. It will include an in-person or virtual tour of the city.

## 1.2 Regular Project Management Team Calls

To facilitate check-ins with City staff, the consultant team will conduct regular Project Management Team (PMT) meetings to provide updates and address any pressing project issues or needs. Frequency of these meetings will be determined at the Project Kickoff Meeting (Task 1.1).

## 1.3 Existing Plans & Regulations Review

We will review the Clarkston 2040 Comprehensive Plan, LCI studies, and other plans for policies and recommendations that should be incorporated into the zoning ordinance. We will also review the City's existing zoning and development regulations.

## 1.4 Community Outreach

We will develop a comprehensive, tailored public engagement plan to reach all of the voices in the City of Clarkston.

## 1.5 Stakeholder Interviews & Technical Advisory Committee

We will interview department staff and other stakeholders, members of the Planning Commission and City Council, and members of other appointed boards. We will also assemble the Technical Advisory Committee (TAC) for the first time.

## 1.6 First Community Meeting

This meeting will introduce the project team to the community, and begin to educate the public about zoning, development regulations, and the purpose of the zoning ordinance rewrite. We will share initial findings from stakeholder interviews and feedback from the TAC, including areas where major updates or revisions are needed. This will be the first of many opportunities to gather public feedback.

## 1.7 Planning Commission & City Council Updates

We will check in with the Planning Commission and City Council to update them on progress and share input received. We will also present key revisions and updates that will be needed.



**DELIVERABLES** Summary of project kickoff meeting, public involvement plan, and meeting summaries for consideration as part of the Diagnostic Report in Task 2: Framework

## 2. Framework

This stage creates the diagnostic report that will inform zoning updates.

### 2.1 Draft Diagnostic Report

We will compile the results of our findings from Task 1 and recommended changes to a draft Diagnostic Report to be presented to City staff. Items to be considered include but are not limited to: Current Zoning and Map Analysis, Development Review Process, Regulations, and Fees; Stakeholder and Public Input; Formatting, Layout & Graphics; and Annotated Zoning Ordinance Outline. We will identify Best Practices from other communities like Clarkston with existing zoning ordinances that would serve as good models or templates for the team to reference.

After the City reviews the report, we will conduct a meeting to discuss feedback from staff. Once consensus is reached on the direction of the recommendations, the Diagnostic Report will be revised accordingly.

### 2.2 TAC Meeting

The draft Diagnostic Report will be reviewed by the TAC and a second meeting convened to discuss comments and feedback.

### 2.3 Community Meeting

After staff and TAC review, we will conduct a second community meeting to present the findings of the draft Diagnostic Report, and solicit additional feedback, which will be considered and incorporated appropriately into the final Diagnostic Report.

### 2.4 Planning Commission & City Council Updates

We will provide the draft Diagnostic Report to the Planning Commission and City Council for review. We will also present report content in their regularly-scheduled meetings to receive comments and feedback.

### 2.5 Final Diagnostic Report

Once all feedback and comments have been heard and incorporated into the draft, the Diagnostic Report will be finalized and 15 hard copies will be provided to the City to document the process and methodology that informs the final Zoning Ordinance.



**DELIVERABLES** Meeting summaries and Diagnostic Report

# 3. Code Creation

We will deliver a draft Zoning Ordinance after a series of comment-and-revision cycles.

### 3.1 Review Draft Code Sections

The consultant team will release individual sections/chapters of the draft zoning ordinance for initial review by staff as well as the City Attorney to ensure compliance with local, state, and federal statutes. These draft zoning ordinance sections will reflect the desired layout, formatting, graphics, and illustrations; address inconsistencies and contradictions in the existing regulations; implement land use and development policies included in existing plans; and input from stakeholders, TAC, the community, and elected and appointed officials. A conversion table tying existing zoning to new zoning districts, or eliminated districts to new zoning districts, will also be provided for initial review.

### 3.2 TAC Meeting

After incorporating staff comments, the consultant team will meet with the TAC to discuss committee members' comments and recommended revisions to the Zoning Ordinance.

### 3.3 Draft Zoning Ordinance

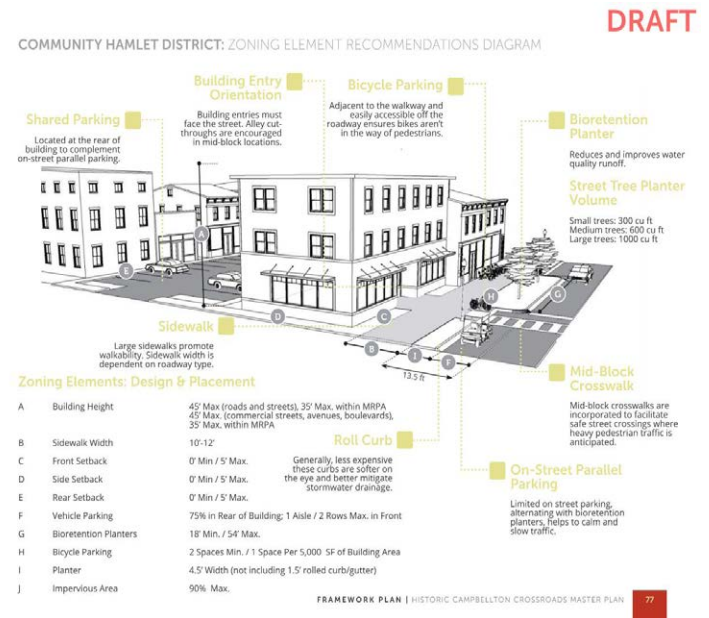
Comments and requested revisions will be incorporated into each ordinance section and consolidated into a draft zoning ordinance.

### 3.4 TAC Meeting

Upon completion of a draft zoning ordinance, the consultant team will hold a final meeting with the TAC to receive additional comments and revisions. This could involve working sessions to have the draft ordinance ready for release to the public for review.

### 3.5 Public Review

We will release the draft ordinance for public review prior to a final community meeting. We will also hold training sessions with city staff and with developers, real estate professionals, and others who would be regularly referencing the zoning ordinance. This will familiarize everyone with major revisions.



Example zoning illustration from a recent Pond project

**DELIVERABLES** Meeting summaries and draft Zoning Ordinance

## 4. Zoning Adoption

During this stage, we will finalize the Zoning Ordinance and map for adoption and implementation by the City.

### 4.1 Public Hearing Zoning Ordinance Draft & Zoning Map

Any additional revisions needed based on City staff and public comments will be incorporated into a draft Zoning Ordinance. An updated zoning map will also be ready for presentation at required public hearings.

### 4.2 Public Hearings

We will present the draft of the Zoning Ordinance and new map at up to two public hearings to hear comments. We will incorporate these comments into the final draft Zoning Ordinance and map.

### 4.3 Zoning Ordinance & Map Adoption

We will attend up to two Council meetings and provide an overview presentation of the new zoning ordinance and zoning map. Comments and any final requests for revisions will be incorporated into the document and map.

### 4.4 Final Zoning Ordinance

Following adoption, Pond will incorporate any final changes and provide 15 hard copies of the final Clarkston Zoning Ordinance and zoning map to the City. An electronic version of the ordinance—which includes links, cross references, graphics, and illustrations—and the zoning map will be provided to the City so that it is accessible to the public and other user groups.

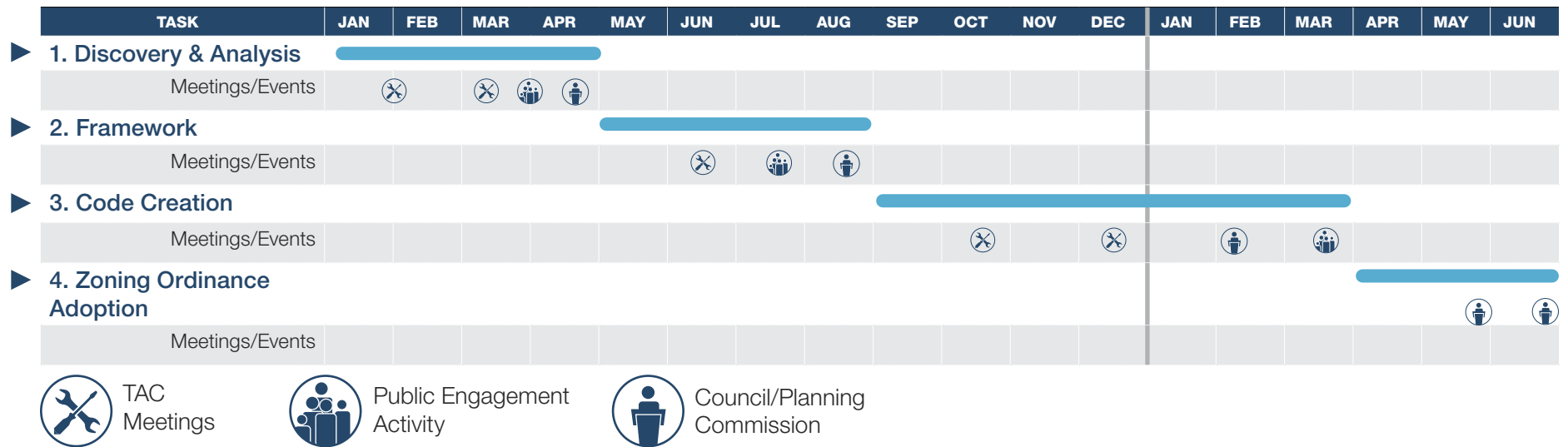


Example graphic from zoning and design guidelines update

**DELIVERABLES** Adopted Zoning Ordinance and final map

# Timeline

The draft preliminary schedule below shows a project timeframe of 18 months, beginning in January 2021. However, the final timeline will depend on the amount of time it will take to get through the adoption process and could take longer. In addition to the meetings shown below, we will determine a regular Project Management Team (PMT) meeting schedule with the City and Technical Advisory Committee (TAC). The content of the meetings/ events noted are discussed in the [Approach](#) section.



# Cost

TASK	COST
1. Discovery & Analysis	\$30,000
2. Framework	\$20,000
3. Code Creation	\$35,000
4. Zoning Ordinance Adoption	\$10,000
<b>TOTAL</b>	<b>\$95,000</b>

# 3. Experience & Qualifications



## About Pond & Company

Founded in 1965, Pond is a full-service planning, engineering, landscape architecture, architecture, and construction firm providing services to local, regional, state, and federal clients.

Our PLACE (Planning, Landscape Architecture, Civil Engineering) Team is a diverse group of professionals who have collaborated with many communities to develop meaningful plans and places. We pride ourselves on consistently developing planning projects that are:

### ► COMMUNITY-DRIVEN

Our sensitivity to community empowerment produces plans that are reflective of their communities and the people they serve.

### ► VISIONARY

We listen to the community’s overall vision for its future success and help refine it—reinforcing and leveraging the unique qualities of your community.

### ► IMPLEMENTABLE

Our plans are not written to sit on your shelf. We leverage our multi-disciplined team’s expertise to create recommendations that are realistic and actionable.

**Pond will lead all phases of this project and deliver the final zoning ordinance and zoning map.**

Many factors set Pond apart as the best-qualified firm to complete the Town Center Master Plan. Distinguishing factors included their proposed community engagement plan and ability to be flexible and adaptable, **understanding the City’s needs for implementing the Master Plan (i.e. zoning codification, LCI grandfathering, etc.)**, and familiarity with the City and work on similarly scaled projects.

*Staff recommendation from  
Johns Creek Town Center Master Plan*



I want to commend [the planning team] on making this document much more **visually appealing and much easier to grasp the information in it**. More visuals and fewer words. Thank you so much to the entire team that worked so hard on it.

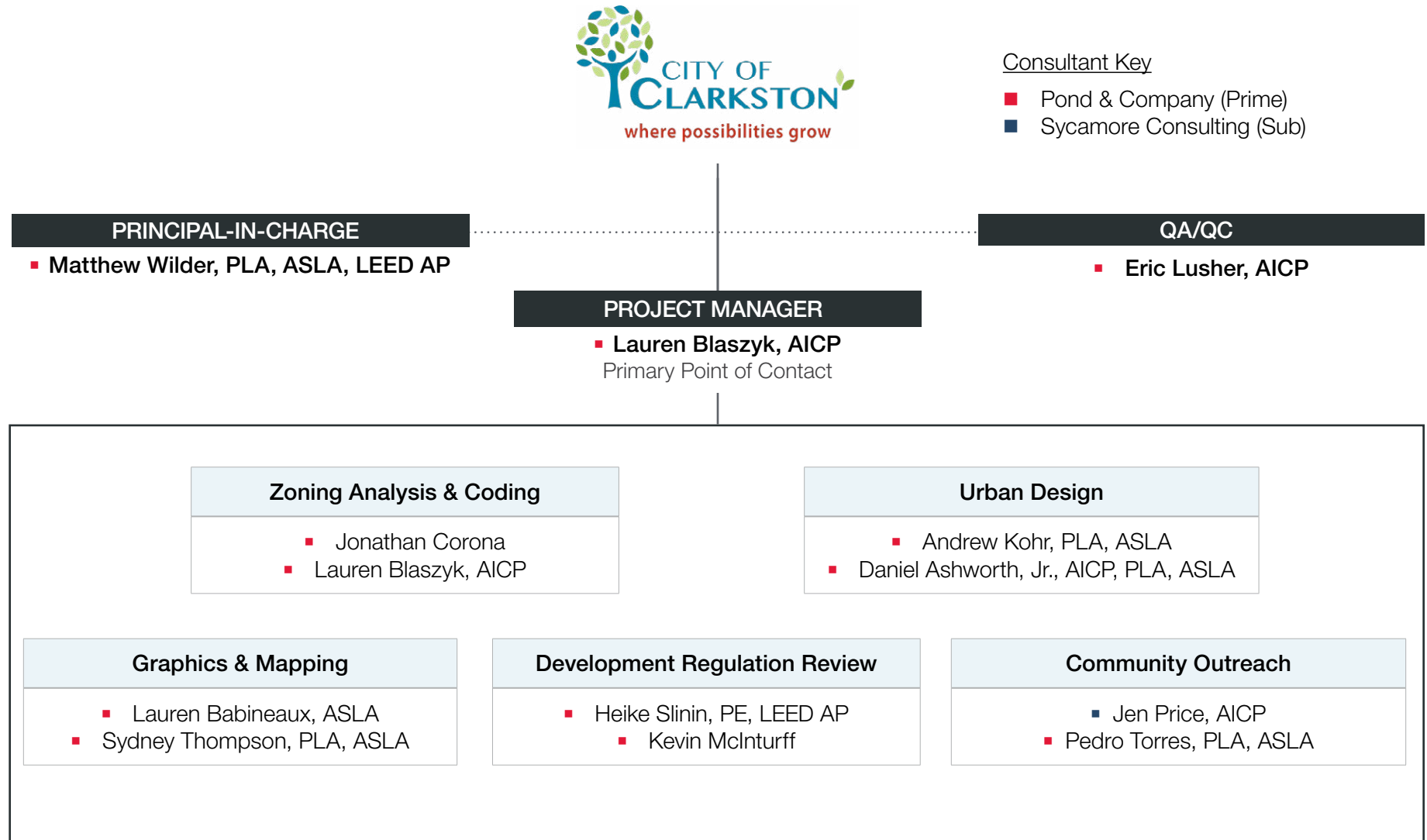
*Chairman Nash, Gwinnett County*

“I just wanted to take a moment to thank you and the entire team for the great work on the master plan. The support has been amazing and greatly appreciated. And the team’s ability to pivot during the pandemic and garner the community input was more than we could have asked for.”

- Chakira Johnson  
City of Stone Mountain  
Councilmember/Mayor Pro Tem  
Vice-Chair, Downtown  
Development Authority



Our project team consists of experienced professionals from a variety of disciplines needed to make this a successful project. Our Project Manager, **Lauren Blaszyk, AICP**, has experience in both the public and private sector. She has worked in planning departments where she was responsible for interpreting and enforcing zoning regulations as well as updating them to address needed changes in uses and regulations. As a consultant, she has brought that experience to the table in working on several code and ordinance updates. Resumes summarizing the qualifications and experience of these individuals begin on the following page.





## Lauren Blaszyk, AICP

Project Manager | Pond  
 Percentage of Time: 55%

Lauren has a wide variety of experience in the planning field, including land use and zoning, transportation, economic development, the Main Street Program, policy, and public involvement. She has spent her 17-year career in both the public and private sectors, which gives her a unique perspective on planning projects and issues. Lauren has assisted with, and managed, a broad range of plans and studies, including comprehensive plans, corridor studies, economic development strategies, wayfinding signage plans, comprehensive transportation plans, downtown master plans, design guidelines and overlay districts, and zoning and code ordinance updates. She takes pride in her ability to connect with clients and the public, allowing her to find common ground amongst different perspectives.



### Project Experience

#### Gwinnett 2040 Unified Plan

Gwinnett County, GA  
 Deputy Project Manager

#### Gwinnett UDO Residential Zoning District Update

Gwinnett County, GA  
 Project Manager

#### Snellville UDC

Snellville, GA  
 Planner/Project Manager

#### Campbellton Historic Crossroads Village Master Plan

Chattahoochee Hills, GA  
 Lead Planner

#### Milton UDO

Milton, GA  
 Planner

#### Roswell 2040 Comprehensive Plan

Roswell, GA  
 Lead Planner

#### Pickens County Comprehensive Plan

Pickens County, SC  
 Lead Planner

#### College Park Planning & Zoning Services

College Park, GA  
 City Planner

#### Downtown Vinings & Veterans Memorial Highway Design Guidelines

Cobb County, GA  
 Project Manager

#### Smyrna B.O.L.D Downtown Master Plan Update

Smyrna, GA  
 Project Manager

#### Stone Mountain Village Forward Master Plan

Stone Mountain, GA  
 Project Manager

### Education

- Bachelor of City Planning  
 University of Virginia, 1997

### Registration

- American Institute of Certified Planners  
 #027542

### Professional Affiliations

- American Planning Association

### Awards

- 2020 Community Engagement (“Reaching Out to Diverse Communities”) Recognition, Gwinnett 2040 Unified Plan, National Association of Counties
- 2019 Outstanding Planning Document, Gwinnett 2040 Unified Plan, Georgia Planning Association



## Matthew Wilder, PLA, ASLA, LEED AP

Principal-in-Charge | Pond  
 Percentage of Time: 15%

Matthew is the Program Manager of PLACE at Pond where our Planners, Landscape Architects, and Civil Engineers work collaboratively to plan, design, and build the wonderful communities in which we conduct our daily lives. He is a landscape architect by training with 20 years of experience, and his career has given him the opportunity to design neighborhood and regional parks, plan trail and greenways that connect numerous communities, improve transportation networks to elevate the status of bicyclists and pedestrians, and develop urban design plans for cities, districts, and corridors that set the stage for decades of growth and success. He greatly appreciates the value of good public spaces and the community they foster. Matthew wants to work with communities and clients to develop to lay the groundwork for long term investment and ownership by the people who live and work there. As principal-in-charge, he will ensure that project manager Lauren Blaszyk has the resources needed to successfully complete this project.



### Project Experience

**Decatur UDO: Phase 1**  
 Decatur, GA  
 Planner

**Mall Boulevard/Gwinnett Place Drive Complete Streets**  
 Gwinnett County, GA  
 Design Director

**Dunwoody Design Standards**  
 Dunwoody, GA  
 Planner

**Peachtree Corners, Innovation District Trail Scoping Study**  
 Peachtree Corners, GA  
 Landscape Architect

**Stone Mountain Village Forward Master Plan**  
 Stone Mountain, GA  
 Principal-in-Charge

**Indian Trail-Lilburn Road Master Plan Update**  
 Gwinnett County, GA  
 Design Director

**Avondale Estates Master Plan Update**  
 Avondale Estates, GA  
 Design Director

**Roswell East/West Alley Master Plan**  
 Roswell, GA  
 Landscape Architect

**Gwinnett Place CID Multi-modal Green Corridor Master Plan**  
 Gwinnett County, GA  
 Landscape Architect

**ACTivate Gwinnett Place Master Plan**  
 Gwinnett County, GA  
 Senior Landscape Architect

### Education

- MLA, Landscape Architecture, University of Georgia, 2001
- Certificate in Historic Preservation, 2001
- BS, Botany, Miami University, 1997

### Registration

- Professional Landscape Architect GA #001386
- USGBC LEED® Accredited Professional

### Professional Affiliations

- American Society of Landscape Architects



## Eric Lusher, AICP

QA/QC | Pond

Percentage of Time: 15%



Eric has experience in community planning, transportation planning, and engineering. With his diverse background, Eric has specific expertise in developing comprehensive plans, downtown master plans, transportation studies, conducting traffic forecasts and travel demand modeling activities, preparing traffic analyses, and developing bicycle and pedestrian plans. As this implies, one of Eric's strengths is his ability to pull from this diverse expertise to develop holistic plans. As a consultant, Eric has served a variety of different clients, including DOTs, Toll Authorities, MPOs, transit agencies, municipal governments, CIDs, and private developers.

### Education

- MS, Urban & Regional Planning Florida State University (FSU), 2005
- BS, Social Science, FSU, 2002
- Certificate in Planning, FSU, 2002

### Registration

- American Institute of Certified Planners #023406

### Awards

- 2020 Outstanding Public Involvement, Roswell Bicycle & Pedestrian Master Plan, Georgia Planning Association

### Project Experience

**Memorial Drive Revitalization Corridor Plan**  
DeKalb County, GA  
Project Manager

**Gwinnett 2040 Unified Plan**  
Gwinnett County, GA  
Project Manager

**Woodstock Comprehensive Plan**  
Woodstock, GA  
Project Manager

**Roswell 2035 & 2040 Comprehensive Plans**  
Roswell, GA  
Project Manager

**Downtown Suwanee Master Plan**  
Suwanee, GA  
Planner

## Jonathan Corona

Zoning Analysis & Coding | Percentage of Time: 75%



Jonathan is a planner focused on the development of municipal comprehensive plans, zoning and development ordinances, transportation plans, and small area plans. He has an eye for graphics and a talent for connecting with community members. Jonathan recently played an active role in recent projects where the planning team considered existing historic resources, top tier design, and scale within reason of the communities' needs and desires. He is passionate about translating a community vision into policies and concepts, building on strengths of communities, and enhancing their economies and overall functionality.

### Education

- Master of Community Planning, Auburn University, 2017
- BS, Environmental Design, Auburn University, 2016

### Professional Affiliations

- American Planning Association

### Project Experience

**Unified Development Ordinance (UDO)**  
Douglasville, GA  
Planner

**Unified Development Ordinance (UDO)**  
Norcross, GA  
Planner & Public Involvement

**Sidney Zoning Ordinance**  
Sidney, OH  
Planner

**2040 Comprehensive Plan Update**  
Snellville, GA  
Planner & Public Involvement

**2040 Comprehensive Plan Update**  
Norcross, GA  
Planner & Public Involvement

## Andrew Kohr, PLA, ASLA

Urban Design | Pond  
Percentage of Time: 30%



Andrew is Director of Pond’s Landscape Architecture Studio and a senior member of the firm’s PLACE team, which specializes in working on projects that blend policy, planning, and design. His career has focused almost exclusively on the public sector, where he has passion for investigating and planning within the public realm. His diverse portfolio has included comprehensive plans, small area plans, downtown master plans, trail feasibility studies, and corridor plans (Memorial Drive). In 2018, his Lenox Road Vision Plan for the Buckhead Community Improvement District won the Georgia Planning Association Plan of the Year.

### Education

- MLA, Landscape Architecture Ball State University, 2005
- BA, Historic Preservation Mary Washington College, 2002

### Registration

- Registered LA, SC #1156
- LA #45947, Council of LA Registration Boards

### Professional Affiliations

- ASLA
- Atlanta Urban Design Commission (past chair)

### Project Experience

#### Charleston Area Character Appraisals

Charleston, SC  
Lead Planner

#### North Charleston Comprehensive Plan

North Charleston, SC  
Planner

#### Country Club Rd. Complete Streets

Spartanburg, SC  
Design Support

#### Memorial Drive Revitalization Corridor Plan

Atlanta, GA  
Urban Designer

#### Lenox Road Corridor Plan

Atlanta, GA  
Project Manager

## Daniel Ashworth, Jr., AICP, PLA, ASLA

Urban Design | Percentage of Time: 30%



Daniel is a Landscape Architect and Planner with extensive experience in innovative roadway, streetscape, and public space designs that add value, vibrancy, and a sense of place to cities and neighborhoods. His expertise includes mobility planning, streetscape schematic design, construction documentation, construction administration, and project management. He has worked on many roadway design and streetscape projects at a variety of stages in several states. Daniel brings the ability to see the larger community development and traffic operations benefits of the project by seeing land use and transportation as a paired relationship in making great places, all the way down to the individual details of the design including the finishes, furnishings, and planting selections.

### Education

- MLA, Landscape Architecture & Regional Planning, University of Pennsylvania, 2004
- BLA, Landscape Architecture, Mississippi State University, 2002
- BS, Landscaping Contracting & Management, Mississippi State University, 2002

### Registrations

- Registered LA, SC #1439
- American Institute of Certified Planners

### Project Experience

#### Memphis 3.0 Comprehensive Plan

Memphis, TN  
Planner & Public Involvement

#### Memphis Medical District Streetscapes

Memphis, TN  
Project Manager & Design Lead

#### The Heights Line Streetscape Design

Memphis, TN  
Project Manager & Design Lead

#### Styx Alley Design

West Palm Beach, FL  
Project Manager

## Lauren Babineaux, ASLA

Graphics & Mapping | Percentage of Time: 50%



Lauren is skilled in public work that includes public parks and urban planning. She has a passion for design and it shows; she is skilled in memorial art, trails, community development and planning, multipurpose planting designs, and overall design enhancements. Lauren is able to clearly explain her designs verbally and through the use of computer graphics, 3-D renderings, construction documentation, illustrative plans, site analysis, and graphic design work.

### Education

- BLA, Landscape Architecture, University of Georgia, 2017

### Professional Affiliations

- American Society of Landscape Architects

### Project Experience

**Smyrna B.O.L.D. Downtown Master Plan Update**  
Smyrna, GA  
Plan Development & Graphics

**Stone Mountain Village Forward Master Plan**  
Stone Mountain, GA  
Plan Development & Graphics

**Avondale Estates Street Grid Plan**  
Avondale Estates, GA  
Urban Designer

**Campbellton Crossroads Small Area Plan**  
Chattahoochee Hills, GA  
Urban Designer

**Green Street Study**  
Gainesville, GA  
Urban Designer

**Hammond Park Implementation Action Plan**  
Sandy Springs, GA  
Urban Designer

## Sydney Thompson, PLA

Graphics & Mapping | Percentage of Time: 50%



Sydney's experience includes high-end residential, parks, public spaces, and urban planning. She uses graphics and narratives to clearly explain her design intent and is skilled in all aspects of a project ranging from concept design and planning graphics, technical construction documents, to client communication. With a background in residential design, she understands how the smallest details of a design make the biggest impacts on how people experience a space. By implementing the ideas and practices she learned in residential design, she is able to bring larger sites down to the human scale.

### Education

- BLA, Landscape Architecture University of Georgia, 2013

### Registration

- Professional Landscape Architect GA #LA001801

### Professional Affiliations

- American Society of Landscape Architects

### Project Experience

**Smyrna B.O.L.D. Downtown Master Plan Update**  
Smyrna, GA  
Plan Development & Graphics

**Findley Plaza Revitalization**  
Atlanta, GA  
Landscape Architect

**AlphaLoop**  
Alpharetta, GA  
Landscape Architect

**Stone Mountain Village Forward Master Plan**  
Stone Mountain, GA  
Plan Development & Graphics

**Atlanta Green Infrastructure Projects**  
Atlanta, GA  
Landscape Architect

## Heike Slinin, PE, LEED AP

Development Regulation Review | Pond  
Percentage of Time: 40%



### Education

- BS, Civil Engineering, Clemson University, 1997

### Registrations

- Professional Engineer, GA #029236
- GSWCC – Level II Certified Design Professional #000.000.30021
- LEED AP

Heike has over 17 years of experience providing a wide range of civil engineering and site services from municipal and commercial projects to heavy industrial and military projects. She has extensive experience in performing plan reviews, conducting site visits, and meeting with clients to provide project solutions. Cities she has served include the Cities of Acworth, Flowery Branch, Sugar Hill, Clarkston, and Chamblee, among others.

### Project Experience

**On-Call Planning and Engineering Services**  
Chamblee, GA  
Civil Engineer

**Snellville Unified Development Ordinance**  
Snellville, GA  
Civil Engineer

**Development Code Update, Environmental Standards**  
Chamblee, GA  
Civil Engineer

**Milton Unified Development Code**  
Milton, GA  
Civil Engineer

**Decatur Unified Development Ordinance**  
Decatur, GA  
Civil Engineer

**Flowery Branch On-Call Planning & Engineering Services**  
Flowery Branch, GA  
Civil Engineer

## Kevin McInturff, PE,

Development Regulation Review | Pond  
Percentage of Time: 40%

### Education

- BS, Civil Engineering Technology, Southern Polytechnic State University, 1993

### Registrations

- Professional Engineer, GA #30833
- State of Georgia
- Solid Waste Association of North America (SWANA) certified landfill operator #578
- Industrial Wastewater Treatment Operator, GA #31443
- GSWCC Level 1B Certified Inspector #428
- GSWCC Level II Certified Design Professional #428

Kevin has extensive experience in the public sector including serving as County Engineer for a north Georgia county of a population of 200,000 for over 15 years. While serving as County Engineer, he managed over \$100M worth of infrastructure projects including roundabouts, multi-use trail systems, parks, intersection improvements, landfill construction, culverts, and bridges. He established a stormwater special taxing district system to help fund the county's growing stormwater infrastructure needs.

Kevin was also responsible for establishing many of the infrastructure specifications, subdivision codes, and engineering plan review procedures in the county. During his tenure with the private sector, he worked for one of the largest solid waste management firms at the time and was responsible for environmental compliance and wastewater management for its northeast Georgia facilities.

## Jen Price, AICP

Community Engagement Lead | Sycamore Consulting  
Percentage of Time: 40%



Jen has 18 years of experience in active living planning, community impacts assessments, and multi-stakeholder involvement.

### Project Experience

**Memorial Drive Corridor Revitalization Study\***  
DeKalb County, GA

**AeroATL Model Mile Feasibility Study\***  
South Metro Atlanta, GA

**DeKalb County Zoning Code Update\***  
DeKalb County, GA

**Poplar Road Corridor Studydate\***  
Newnan, GA

**Memorial Corridor Overlay**  
DeKalb County, GA

**DeKalb County SPLOST Consulting Services**  
DeKalb County, GA

**DeKalb County Comprehensive Transportation Plan Update**  
DeKalb County, GA

**Stonecrest Town Center Livable Centers Initiative**  
DeKalb County, GA

**DeKalb County Master Active Living Plan**  
DeKalb County, GA

**North Druid Hills Transportation & Connectivity**

**Land Use Plan**  
DeKalb County, GA

\* Partner with Pond on experience

### Education

- MS, Urban Planning and Regional Planning, Florida State University, 2001
- BS, Civil Engineering, Florida A&M University, 1999
- BS, Mathematics, BEthune-Cookman College, 1997

### Registrations

- American Institute of Certified Planners, July 2007

## Pedro Torres, PLA, ASLA, SITES AP

Community Engagement | Pond  
Percentage of Time: 25%



Pedro has eight years of project experience includes a vast array of residential, commercial, and public projects that vary from small intimate healing gardens to large-scale planning and design. At Pond, Pedro uses his knowledge and skills to prepare site analysis diagrams, illustrative final concepts, construction documents, and 3-D model renderings. His experience gives him the ability to be detailed oriented and cognizant of the project's constructability. A fluent Spanish speaker, Pedro often contributes to Pond's community engagement efforts for planning projects in diverse communities.

### Education

- MBA, University of North Georgia, 2016
- BLA, University of Georgia, 2012

### Registrations

- Registered Landscape Architect, GA #001732
- Leadership in Energy and Environmental Design (LEED GA)

### Project Experience

**Gwinnett 2040 Unified Plan**  
Gwinnett County, GA  
Community Engagement

**Roswell 2040 Comprehensive Plan**  
Roswell, GA  
Community Engagement

**AeroATL Model Mile Feasibility Study**  
South Metro Atlanta, GA  
Landscape Architect

**Panola Mountain State Park Master Plan Update**  
Stockbridge, GA  
Landscape Architect

**JTA Mobility Works Complete Streets**  
Jacksonville, FL  
Landscape Architect

The Pond team has experience working on similar projects throughout the southeastern US, as illustrated in the table below. References for the first four (4) projects appear on the following pages.

Pond has worked on 12 projects within the City of Clarkston.

PROJECT	LOCATION
<a href="#">Gwinnett 2040 Unified Plan, Housing Study &amp; UDO</a>	Gwinnett County, GA
<a href="#">Snellville Unified Development Ordinance (Sub)</a>	Snellville, GA
<a href="#">Campbellton Historic Crossroads Village Master Plan</a>	Chattahoochee Hills, GA
<a href="#">Memorial Drive Corridor Revitalization Plan</a>	DeKalb County, GA
Milton Unified Development Code (subconsultant)	Milton, GA
Glynn County Code Update (subconsultant)	Glynn County, GA
Thomson-McDuffie County Ordinance Updates	McDuffie County, GA
Hall County UDO (subconsultant)	Hall County, GA
Winder Code Update (subconsultant)	Winder, GA

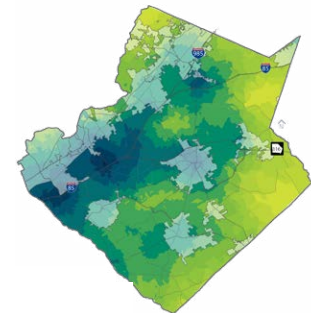
- City of Clarkston, Streetscape
- City of Clarkston, Design Guidelines
- City of Clarkston, Parking Lot Bioretention
- City of Clarkston, Fee Application Revision
- City of Clarkston, Community Development Projects
- City of Clarkston, Clarkston Planning Services
- City of Clarkston, SPLOST 4
- City of Clarkston, Annex CA Services
- City of Clarkston, Annex Phase I Designs
- City of Clarkston, Parking Lot Redesign
- City of Clarkston, Engineering On-Call Services
- City of Clarkston, Reviews





# Gwinnett 2040 Unified Plan, Housing Study & UDO

Gwinnett County, GA | 2017 - Current



## SIMILARITIES TO YOUR PROJECT

- Development and implementation of community vision
- Extensive community/stakeholder engagement in a diverse county
- Coordination with PMT and Advisory Committee
- Development of Diagnostic Report and UDO zoning updates

## RESULTS

After the adoption of the Unified Plan, Pond began the UDO Residential Zoning Districts review and update, and corresponding housing study. When complete, these documents will guide the diversification of housing growth for the entire county.



*2019 Outstanding Planning Document Award Georgia Planning Association  
2020 NaCo "Reaching Out to Diverse Communities"*

## REFERENCE INFORMATION

### Gwinnett County

Nancy Lovingood  
Special Projects Manager  
P: 678.518.6211  
E: [Nancy.Lovingood@gwinnettcountry.com](mailto:Nancy.Lovingood@gwinnettcountry.com)

## LEARN MORE

<https://www.gwinnettcountry.com/web/gwinnett/Departments/PlanningandDevelopment/>

## 2040 Unified Plan

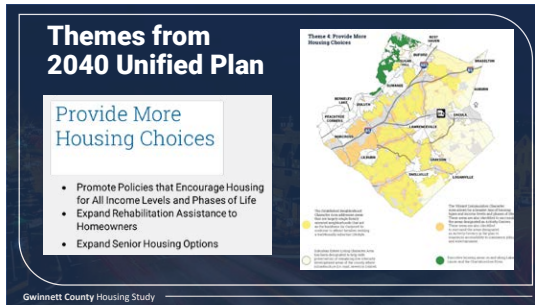
Pond led the comprehensive effort to update, in an aggressive nine month schedule, Gwinnett County's Comprehensive Plan (referred to as the "Unified Plan") which integrates many of the County's functions including Transportation, Economic Development, Housing, Land Use, Water & Sewer, and Community Services. Accomplishments Include:

- Successful integration of multiple county initiatives. The final plan demonstrates through a policy framework how all these initiatives work together to reinforce Gwinnett's future vision.
- The plan document was designed and organized to encourage accessibility and user-friendliness. Overall, the plan is structured as a narrative to tell a story instead of being a mere reference document.
- Development and deployment of "Opportunity for Change," a unique process and mechanism combining community engagement and technical analysis to help guide the creation of a Future Development Map.
- Use of traditional marketing focus groups to understand perceptions and values related to housing, community amenities, and Gwinnett County.
- The Future Development Map was refined to promote redevelopment, recognition of nodal development, and the "Vibrant Communities" designation which identifies those parts of

the community where housing choice and options should be prioritized.

- Character area narratives use a combination of text, graphic imagery (including a series of typologies covering urban scale, buildings, parks, and street environments), and site design context.
- Over 80 engagement and outreach events.
- The engagement process included a variety of techniques including traditional community meetings, stakeholder committees, pop-up events, intercept interviews, and assorted speaking engagements.
- Brand and social media engagement to maximize plan participation and outreach.
- Customized and focused engagement techniques to reach out to traditionally under-served communities and young families. This included aforementioned intercept interviews (at Hispanic-and Asian-oriented shopping centers, grocery stores, parks, and playgrounds), targeted speaking engagements (such as the Hispanic Chamber of Commerce), and even radio interviews. Spanish Language Radio Interviews were conducted at La Raza, Vida Atlanta, and La Que Buena.

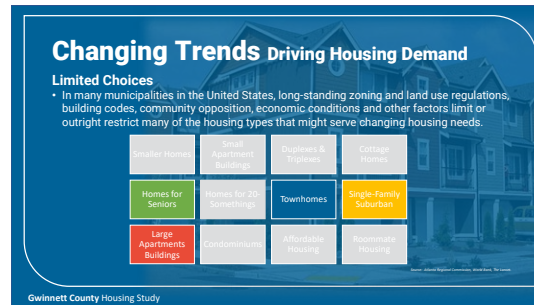
# Gwinnett 2040 Unified Plan, Housing Study & UDO (continued)



## Gwinnett Housing Study

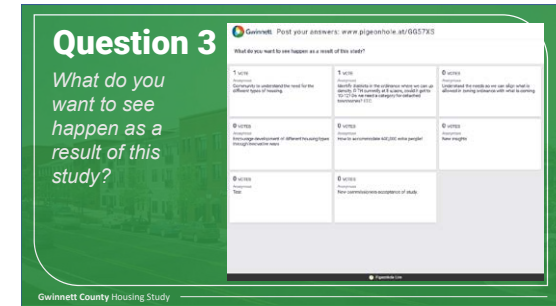
The County followed up its 2040 Unified Plan with a Housing Study to identify the types and quantity of housing units needed to accommodate residents over the next 20 years. Due to its proximity to Atlanta, Gwinnett developed as a bedroom community to large employment centers. Its residential offerings are limited to single-family residential homes, and traditional apartment complexes—and limited townhome, condo, and senior housing options. The study considers changing trends in the types of housing desired by people of all ages and generations.

Pond is part of the team conducting this study, providing valuable input due to our in-depth knowledge from leading the Unified Plan, including Land Use and Housing Policies. The study is looking at baseline housing data and projecting needs based on anticipated population growth. Early recommendations include the addition of missing middle housing (duplexes, triplexes, fourplexes, cottage courts, courtyard buildings, townhomes, and live-work units) to offer a better variety of housing types to the County's diverse population.



## Gwinnett UDO Residential Zoning Districts Review

Concurrent with the Housing Study and to help implement its findings, Pond is leading the team reviewing the County's 17 existing residential zoning districts. We are reviewing setback and parking requirements, minimum lot frontage and density allowances, lot sizes and building coverage, and maximum building heights. This will enable us to identify metrics limiting the ability of builders and developers to offer a variety of housing. We are also reviewing the types of housing currently allowed in each zoning district and determining which types of middle housing should be added to existing districts. These findings will be summarized in a Diagnostic Report. Through zoning text amendments, zoning districts will be modified, and new zoning districts will be added to allow and encourage a variety of housing types across the county.



# Snellville Unified Development Ordinance

Snellville, GA | 2016 - 2020

## SIMILARITIES TO YOUR PROJECT

- Analysis of existing code and development regulations for the Diagnostic Report
- Incorporation of changes into the UDO
- Creation of several UDO drafts for staff review
- Compliance with state and local regulations
- Coordination with staff and stakeholders
- Community engagement

## RESULTS

This project was recently completed and is in the process of being adopted.

## REFERENCE INFORMATION

### City of Snellville

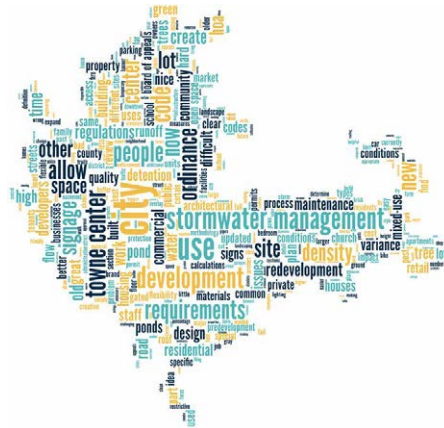
Jason Thompson  
Planning and Development Director

P: 770.985.3518

E: [jthompson@snellville.org](mailto:jthompson@snellville.org)

### LEARN MORE

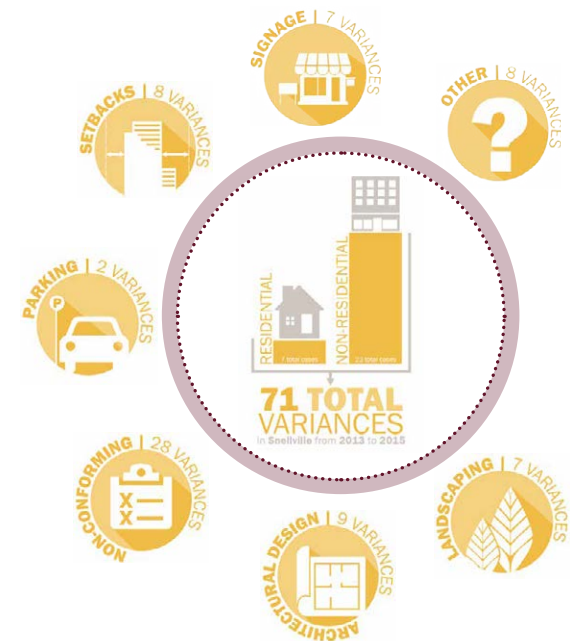
[http://www.snellvildevelopmentcode.org/diary-updates/a-renovated-development-code./](http://www.snellvildevelopmentcode.org/diary-updates/a-renovated-development-code/)



Pond’s Community Development staff was part of the overall consulting team charged with creating the City’s Unified Development Ordinance (UDO).

Pond’s responsibilities included a review and analysis of existing ordinances related to post-development stormwater and floodplain management, stream buffers, illicit discharge and illegal connections, soil erosion and sedimentation control, water and sewer service, streets, and public improvements. Pond reviewed these ordinances for alignment with best industry practices, the Georgia Stormwater Management Manual, the Gwinnett County Stormwater Management Manual, and compliance with the Metropolitan North Georgia Water Planning District (MNGWPD) model ordinances, as applicable. We provided a detailed, written report of modifications needed, which were included in the Final Diagnostic Report provided to the City.

After staff review and subsequent discussions Pond then updated the existing ordinances for inclusion in the new UDO, incorporating requested edits to tailor them to the City’s needs while ensuring compliance with state and county regulations. The consultant team has incorporated final edits—resulting from policy direction from the Snellville City Council—into a final draft UDO document, which was presented to staff and the public for final comment.



# Campbellton Historic Crossroads Village Master Plan

Chattahoochee Hills, GA | 2020

## SIMILARITIES TO YOUR PROJECT

- Tying a visionary planning document to recommendations for key zoning elements
- Form based illustrations and graphics
- Close coordination with a Core Team/TAC which includes staff and elected officials from both cities
- Extensive community engagement process conducted in a mostly virtual environment

## RESULTS

This plan is in its final stages and is anticipated to be completed and adopted by both cities in December 2020.

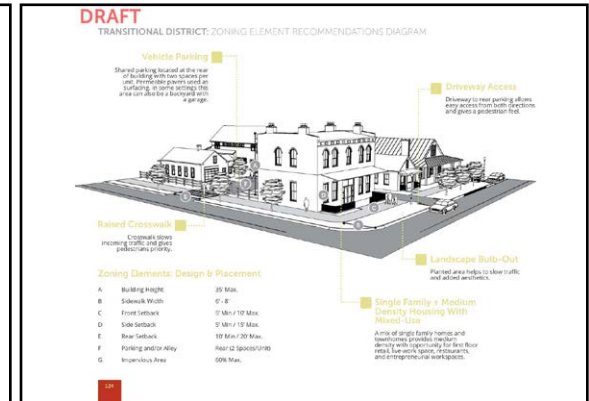
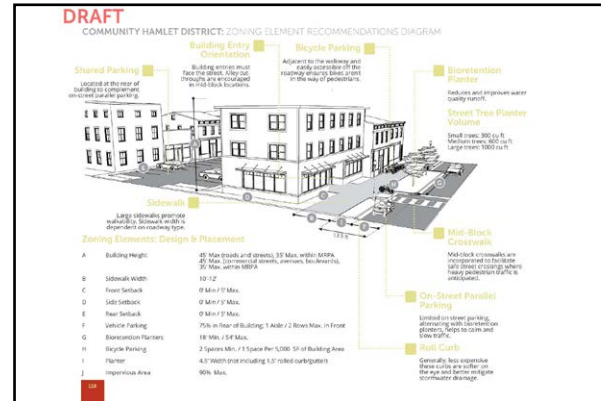
## REFERENCE INFORMATION

### City of Chattahoochee Hills

Mike Morton  
Community Development Director  
P: 404.822.6728  
E: [mikemorton@chatthillsga.us](mailto:mikemorton@chatthillsga.us)

## LEARN MORE

<https://planningatpond.com/campbellton-crossroads-master-plan>



**Two communities. One historic village.** A world of opportunity. The Campbellton Historic Crossroads Village Master Plan emphasizes the importance of history with the recognition that planning wisely for future development is necessary to manage change. This project is a multi-jurisdictional project between the cities of Chattahoochee Hills and South Fulton.

The purpose of this project is to manifest the idea of reconstituting old Campbellton and the expansion of it into a larger village while preserving the surrounding rural agrarian quality that draw so many to this area to live, work and play. This guiding document will be a framework plan that translates the overarching principles, developed through the iterative public process, into clear and implementable recommendations that both communities of Chattahoochee Hills and South Fulton can utilize to guide future development. As both cities were in the process of updating their respective zoning ordinances when the project began, recommendations for zoning elements to implement the framework plan are anticipated to be incorporated into their final zoning regulations for adoption by their respective city councils.

**Ultimately this plan is both a tool and a guidebook to support positive change** in Campbellton and subsequently for both Chattahoochee Hills and South Fulton. The focus is to create an overall plan that honors the history and character of the area so when development does come there is a vision framework created by both communities to guide it. A major goal is the creation of opportunities for residents and visitors including business development and employment, easy access to quality everyday goods and services, high quality development and housing, the expansion of recreation, and re-establishing the historic town center as a walkable and vibrant area.

# Memorial Drive Corridor

DeKalb County, GA | 2019 - 2020

## SIMILARITIES TO YOUR PROJECT

- Public engagement within a diverse community that included interactive online mapping and surveys, workshops, stakeholder meetings, pop up events, and public presentations
- Focus on nodal development with consideration of zoning/land use implications
- Consideration of public open space, mobility improvements, streetscapes, and redevelopment
- Retail and housing analysis with economic development implementation strategies

## RESULTS

The DeKalb County Board of Commissioners adopted the study in September 2020. The County is identifying funding and forming a Community Action Group to assist with its implementation.

## REFERENCE INFORMATION

### DeKalb County

Larry Washington

P: 404.371.2178

E: [lwashington@dekalbcountyga.gov](mailto:lwashington@dekalbcountyga.gov)

### LEARN MORE

<https://www.dekalbcountyga.gov/planning-and-sustainability/memorial-drive-tool-box>



Pond, supported by our subconsultant, Sycamore Consulting, led a comprehensive redevelopment plan along the Memorial Drive corridor in unincorporated DeKalb County. This plan included a variety of elements including demographic analysis, market research, master planning, transportation planning, and housing. The goal of the plan was two-fold: (1) assist the community in better envisioning it's preferred future through illustrative examples of redevelopment and (2) identification of the public side tools that the County can consider to attract and encourage private reinvestment.

The plan was aided by a comprehensive community engagement strategy that included tactical opportunities to engage with students, area shoppers, residents, and specific engagement to under-served communities. This strategy was further supported by a series of community meetings (with attendance of over 400 people!) and an online Social Pinpoint survey and interactive map with nearly 6,900 responses.

The final plan includes a detailed action plan of policy and infrastructure initiatives. A unique component of this emerging action plan is a focus on immediate implementation steps that can be taken by the County as proofs of concept and intent for redevelopment. The County is currently budgeting and planning to implement several of the initiatives recommended, including pedestrian safety studies along the corridor, studying the feasibility of a CID, constructing pocket parks, and forming a Community Action Group.

# 4. Forms





where possibilities grow

## COMPANY/FIRM INFORMATION

Company Legal/Corporate Name: Pond & Company

Doing Business as (if different than above: N/A

Address: 3500 Parkway Lane, Suite 600

City: Atlanta State: GA Zip: 30092

Phone: 678.336.7740 Fax: 678.336.7744

E-Mail Address: blaszykl@pondco.com

Website: www.pondco.com

Remit to Address (if different than above)

Address: N/A

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

### **Contact for Questions about this response:**

NAME: Lauren Blaszyk, AICP

Phone: 678.336.7740 E-Mail Address: blaszykl@pondco.com

Day-to-Day Contact (if awarded):

NAME: Lauren Blaszyk, AICP

Phone: 678.336.7740 E-Mail Address: blaszykl@pondco.com

\_\_\_\_\_ Certified Small Business; Certifying Agency: \_\_\_\_\_

\_\_\_\_\_ Certified Minority, Woman, or Disadvantaged Business Enterprise

Certifying Agency: \_\_\_\_\_

**Attachment "A"**  
**Required Submission Documents**



**RESPONSE CERTIFICATION**

By Signing and Submitting this Response, the Company/Firm certifies that:

- a. It is under no legal prohibition to contract with the City of Clarkston.
- b. It has read, understands, and is in compliance with the specifications, terms and conditions stated herein, as well as its attachments, and any referenced documents.
- c. It has no known, undisclosed conflicts of interest.
- d. No offer of gifts, payments, or other consideration were made to any City employee, officer, elected official, or consultant who has or may have had a role in the procurement process for the services and/or goods/materials covered by this agreement/contract.
- e. It understands the City of Clarkston may copy all parts of this response, including without limitation any documents and/or materials copyrighted by the respondent, for internal use in evaluating respondent's offer, or in response to a public/open records request pursuant to Georgia Code and/or Federal Freedom of Information Act.
- f. Respondent hereby warrants to the City that the respondent and each of its subcontractors will comply with, and are contractually obligated to comply with all Federal Immigration Laws and regulations that related to their employees.
- g. Respondent certifies that they have not been debarred by any Federal or public agency.
- h. It is current on any and all obligations due the City.
- i. It will accept such terms and conditions in a resulting agreement/contract if awarded by the City.
- j. The signatory is an officer or duly authorized agent of respondent with full power and authority to submit binding offers for the services specified herein.

**ACCEPTED AND AGREED TO:**

Company Name: Pond & Company

Signature: 

Printed Name: Robert P. Williams, PE

Title: Executive Vice President

Date: 11.17.20



**STATE OF GEORGIA**  
**Secretary of State**  
**Corporations Division**  
**313 West Tower**  
**2 Martin Luther King, Jr. Dr.**  
**Atlanta, Georgia 30334-1530**

**CERTIFICATE OF EXISTENCE**

I, **Brad Raffensperger**, the Secretary of State of the State of Georgia, do hereby certify under the seal of my office that

**POND & COMPANY**  
a Domestic Profit Corporation

was formed in the jurisdiction stated below or was authorized to transact business in Georgia on the below date. Said entity is in compliance with the applicable filing and annual registration provisions of Title 14 of the Official Code of Georgia Annotated and has not filed articles of dissolution, certificate of cancellation or any other similar document with the office of the Secretary of State.

This certificate relates only to the legal existence of the above-named entity as of the date issued. It does not certify whether or not a notice of intent to dissolve, an application for withdrawal, a statement of commencement of winding up or any other similar document has been filed or is pending with the Secretary of State.

This certificate is issued pursuant to Title 14 of the Official Code of Georgia Annotated and is prima-facie evidence that said entity is in existence or is authorized to transact business in this state.

Docket Number : 17422973  
Date Inc/Auth/Filed: 09/30/1985  
Jurisdiction : Georgia  
Print Date : 06/28/2019  
Form Number : 211



*Brad Raffensperger*

Brad Raffensperger  
Secretary of State

Form **W-9**  
 (Rev. October 2018)  
 Department of the Treasury  
 Internal Revenue Service

**Request for Taxpayer  
 Identification Number and Certification**

Give Form to the  
 requester. Do not  
 send to the IRS.

Go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9) for instructions and the latest information.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.  
**Pond & Company**

2 Business name/disregarded entity name, if different from above  
**Pond & Company**

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.

Individual/sole proprietor or single-member LLC

C Corporation

S Corporation

Partnership

Trust/estate

Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ \_\_\_\_\_

Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

Other (see instructions) ▶ \_\_\_\_\_

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any) \_\_\_\_\_

Exemption from FATCA reporting code (if any) \_\_\_\_\_

(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.  
**3500 Parkway Lane Suite 500**

6 City, state, and ZIP code  
**Peachtree Corners, GA 30092**

7 List account number(s) here (optional)

Requester's name and address (optional)

**Part I Taxpayer Identification Number (TIN)**

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number									
				-					
or									
Employer identification number									
5	8	-	1	6	3	9	1	2	8

**Part II Certification**

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here Signature of U.S. person ▶  Date ▶ 1/17/2020

**General Instructions**

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9).

**Purpose of Form**

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

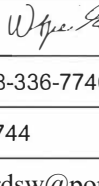
- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See *What Is backup withholding, later*.

**Attachment "A"**  
**Required Submission Documents**

<b>BIDDER INFORMATION</b>	
Company Name: Pond & Company	
Company Address: 3500 Parkway Lane, Suite 500, Peachtree Corners, GA 30092	
Authorized By (typed or printed name): Wayne Edwards	
Title: Corporate Controller	
Authorized Signature: 	Date: 11/17/2020
Telephone Number: 678-336-7740	
Fax Number: 678-336-7744	
Email Address: edwardsw@pondco.com	
Company's Web Page: pondco.com	

<b>REMITTANCE INFORMATION (where payments should be sent)</b>			
Remit to Name: Pond & Company			
Remit to Address: 3500 Parkway Lane Suite 500			
City: Peachtree Corners	State: GA	Zip: 30092	County: Gwinnett
Phone: 678-336-7740	Fax:	Toll Free:	
Contact: Accounts Receivable		Email: accountsreceivable@pondco.com	
Tax ID: <input type="checkbox"/> SSN _____ Federal Tax ID 58-1639128			
Business Type: <input type="checkbox"/> Individual <input checked="" type="checkbox"/> Business <input type="checkbox"/> Misc.			

<b>PURCHASE ORDER INFORMATION (where purchase orders should be sent)</b>			
Purchase Order Name: Pond & Company			
Purchase Order Address: 3500 Parkway Lane Suite 500			
City: Peachtree Corners	State: GA	Zip: 30092	County: Gwinnett
Phone: 678-336-7740	Fax:	Toll Free:	
Contact: Accounts Receivable		Email: accountsreceivable@pondco.com	
Payment Terms: Discount <u>0</u> % No. Days <u>N/A</u> Net Due <u>30</u>			
Freight Terms: Ship Via: <u>N/A</u> FOB <u>N/A</u>			

<b>MBE/DBE/WBE STATUS (check appropriate box(es))</b>			
<input type="checkbox"/> African American	<input type="checkbox"/> Hispanic	<input type="checkbox"/> Native American	<input type="checkbox"/> Asian American
<input type="checkbox"/> Disabled	<input type="checkbox"/> Veteran	<input type="checkbox"/> Woman-Owned	<input checked="" type="checkbox"/> Not-Applicable

**Attachment "A"**  
**Required Submission Documents**

**BIDDER QUALIFICATION FORM**

Company Name: Pond & Company  
Address: 3500 Parkway Lane, Suite 500, Peachtree Corners, GA 30092  
When Organized: 1985 Where Incorporated: Georgia  
How many years have you engaged in business under the present firm name? 35 years  
Credit available for this contract? N/A  
Contracts now in hand? 1101 active contracts, 1 with City of Clarkston  
Has bidder ever refused to execute a contract at the original bid amount? No  
Has bidder ever been declared in default on a contract? No  
Comments: \_\_\_\_\_  
\_\_\_\_\_

Company Name: Pond & Company  
Authorized By (typed name): Wayne Edwards  
Authorized Signature: *Wayne Edwards*  
Title: Corporate Controller Date: 11/17/2020

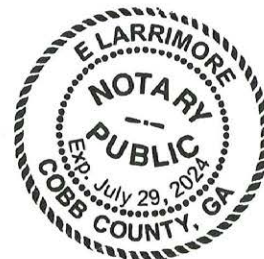
**References**

Following is a reference list of contracts that are similar to this project:

- | <u>NAME OF PROJECT/DATE</u>   | <u>LOCATION</u> | <u>CONTACT</u>      | <u>PHONE #</u> |
|---|-----------------|---------------------|----------------|
| <u>1. Gwinnett 2040 Unified Plan, Housing Study, and UDO Nov 2017 - Feb 2019, Gwinnett County</u> |                 |                     |                |
| <u>Nancy Lovingood, Special Projects Manager</u>  |                 | <u>678.518.6211</u> |                |
| <u>2. Snellville Unified Development Ordinance July 2020 - July 2021, City of Snellville</u>      |                 |                     |                |
| <u>Jason Thompson, Planning &amp; Development Director</u>  |                 | <u>770.985.3518</u> |                |
| <u>3. Cambellton Crossroads March 2020 - Dec 2020, City of Chattahoochee Hills</u>                |                 |                     |                |
| <u>Mike Morton, Community Development Director</u>  |                 | <u>404.822.6728</u> |                |

SUBSCRIBED AND SWORN  
BEFORE ME ON THIS THE  
17 DAY OF November, 2020  
*E. Larrimore*  
Notary Public

My Commission Expires: 7-29-24  
[NOTARY SEAL]



**Attachment "A"**  
**Required Submission Documents**

**LIST OF SUB-CONTRACTORS**

I do  , do not  , propose to sub-contract some of the work on this project. I propose to sub-contract work to the following contractors.

NAME/ADDRESS	TYPE OF WORK	% of Contract
Sycamore Consulting 114 New Street, Suite K-1 Decatur, GA 30030	Community Engagement	15%
_____	_____	_____
_____	_____	_____
_____	_____	_____
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_____	_____	_____
_____	_____	_____

Pond & Company  
\_\_\_\_\_  
**Contractor Name**

**Attachment "A"**  
**Required Submission Documents**

**BIDDER MINORITY PARTICIPATION GOAL**  
(Attach additional pages if required.)

I do  , do not  , propose to employ the minority sub-contractors as listed below on some of the work on this project.

NAME/ADDRESS	TYPE OF WORK	% of Contract
Sycamore Consulting 114 New Street, Suite K-1 Decatur, GA 30030	Community Engagement	15%
_____	_____	_____
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Pond & Company  
\_\_\_\_\_  
Contractor Name

Attachment "A"  
Required Submission Documents

FINANCIAL & LEGAL STABILITY STATEMENT

Please check appropriate item(s):

- Firm has the financial capability to undertake the work and assume the liability required if awarded this solicitation.
- Firm has the legal capability to undertake the work and assume the responsibilities required if awarded this solicitation.  
Pending litigations (if any) will not affect the firm's ability to perform on this contract, if awarded.

Company Name: Pond & Company

Authorized By (typed name): Wayne Edwards

Authorized Signature: *Wayne Edwards*

Title: Corporate Controller Date: 11/17/2020

SUBSCRIBED AND SWORN

BEFORE ME ON THIS THE  
17 DAY OF November, 2020 My Commission Expires: 7/29/24

*A. Larrimore*  
Notary Public




**Attachment "A"**  
**Required Submission Documents**

**INSURABILITY STATEMENT**

Please check appropriate item(s):

- By submission of this form, this firm confirms the ability to acquire and maintain the required levels of insurance as outlined in the bid document. It is the understanding of this firm that proof of Insurance must be provided prior to contract execution and maintained throughout the entire term of the contract.

Company Name: Pond & Company  
Authorized By (typed name): Robert P. Williams, PE  
Authorized Signature:   
Title: Executive Vice President Date: 11.17.20

SUBSCRIBED AND SWORN

BEFORE ME ON THIS THE

17 DAY OF November, 2020

My Commission Expires: 7/29/24

 [NOTARY SEAL]  
Notary Public





**Attachment "A"**  
**Required Submission Documents**



**GEORGIA SECURITY AND IMMIGRATION COMPLIANCE ACT AFFIDAVIT**

Contract No. and Name: Request for Proposals - Zoning Ordinance Rewrite

Name of Contracting Entity: Pond & Company

By executing this affidavit, the undersigned person or entity verifies its compliance with O.C.G.A. § 13-10-91, stating affirmatively that the individual, firm, or corporation which is contracting with Bibb County has registered with, is authorized to participate in, and is participating in the federal work authorization program commonly known as E-Verify,\* in accordance with the applicable provisions and deadlines established in O.C.G.A. § 13-10-91.

The undersigned person or entity further agrees that it will continue to use the federal work authorization program throughout the contract period, and it will contract for the physical performance of services in satisfaction of such contract only with subcontractors who present an affidavit to the undersigned with the information required by O.C.G.A. § 13-10-91(b).

The undersigned person or entity further agrees to maintain records of such compliance and provide a copy of each such verification to City of Clarkston at the time the subcontractor(s) is retained to perform such service.

1527445 04.03.2020  Check if exempt  
EEV/E-Verify™ User Identification Number Date of Authorization

*[Handwritten Signature]*  
By: Authorized Officer or Agent  
(Name of Person or Entity)

11.17.20  
Date

HR Manager  
Title of Authorized Officer or Agent

Yesenia Chavez  
Printed Name of Authorized Officer or Agent

SUBSCRIBED AND SWORN  
BEFORE ME ON THIS THE

17 DAY OF November, 2020

My Commission Expires: 7/29/24

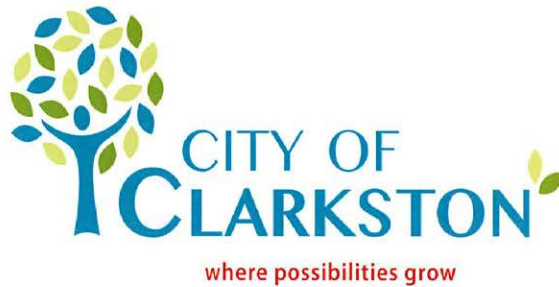
*[Handwritten Signature]*  
Notary Public

[NOTARY SEAL]



\* or any subsequent replacement operated by the United States Department of Homeland Security or any subsequent federal work authorization program operated by the United States Department of Homeland Security to verify information of newly hired employees, pursuant to the Immigration Reform and Control Act of 1986 (IRCA), P.L. 99-603.

**Attachment "A"**  
**Required Submission Documents**



City of Clarkston  
1055 Rowland Street  
Clarkston, Georgia 30021  
Tel: (404) 296-6489

**CERTIFICATION REGARDING DEBARMENT, SUSPENSION  
INELIGIBILITY AND VOLUNTARY EXCLUSION**

The Bidder/offer certifies, by submission of this Proposal or acceptance of this contract, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntary excluded from participation in this transaction by any Federal department or agency. It further agrees by submitting this proposal that it will include this clause without modification in all lower tier, transactions, proposals, contracts, and subcontracts. Where the Bidder/offeror or any lower tier participant is unable to certify to this statement, it shall attach an explanation of this solicitation/proposal.

Dated at this 17 day of November, 2020.

Signature of Contractor:  \_\_\_\_\_

Title: Executive Vice President      Robert P. Williams, PE

**For City of Clarkston Personnel Only:**

City of Clarkston Finance Department will verify that the above bidder/offer certifies, by submission of this Proposal or acceptance of this contract, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntary excluded from participation in this transaction by any Federal department or agency.

Signature of Finance Director \_\_\_\_\_ Date \_\_\_\_\_

Printed Name \_\_\_\_\_

**NON COLLUSION AFFIDAVIT**

Date:	11.17.20
Project:	City of Clarkston
Project #:	No project number
Project Description:	The chosen firm will work with the City of Clarkston to re-write the zoning code of ordinances.
Services Provided:	General Contracting
State of:	Georgia
County of:	Dekalb

I, Robert P. Williams, PE having first been duly sworn, deposes and states as follows:

I am the party making the foregoing Proposal or Bid; that such Proposal or Bid is genuine and not collusive or sham; that said Proposer or Bidder has not colluded, conspired, connived, or agreed, directly or indirectly, with any Proposer or Bidder or person, to put in a sham Proposal or Bid, or that such other person refrain from proposing or bidding, and has not in any manner, directly or indirectly sought by agreement or collusion, or communication or conference, with any person, to fix the Proposal Fee or Bid Price of affiant or any other Proposer or Bidder, or to fix any overhead, profit or cost element of said Proposal Fee or Bid Price, or that of any other Proposer or Bidder, or to secure any advantage against City of Clarkston, Georgia or any person interested in the proposed Contract; and that all statements in said Proposal or Bid are true; and further, that such Proposer or Bidder has not directly or indirectly submitted this Proposal or Bid, or the contents thereof, or divulged information or data relative thereto to any association or to any member or agent thereof.

Contractor:  
Pond & Company



(Signature)

(Seal)





3500 Parkway Lane | Suite 500 | Peachtree Corners, GA 30092  
678.336.7740 | Pondco.com

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**POND**

CITY OF CLARKSTON

ITEM NO: H5

MAYOR AND CITY COUNCIL WORKSESSION

HEARING TYPE:  
Council Meeting

BUSINESS AGENDA / MINUTES

ACTION TYPE:  
Resolution

MEETING DATE: January 12, 2021

Subject: Public Hearing- 2021 Comprehensive Plan Update

DEPARTMENT:  
Planning/Economic &  
Development

PUBLIC HEARING:  YES  NO

ATTACHMENT:  YES  NO  
Pages:

INFORMATION CONTACT:  
Planning/Economic & Development Director -  
Shawanna Qawiy, MSCM, MPA  
PHONE NUMBER: 404-296-6489

The City of Clarkston's Comprehensive Plan known as the Clarkston 2040 is mandated to be updated before the deadline date of October 31, 2021.

The City has signed the Development of Local Comprehensive Plan Agreement that will allow the Atlanta Regional Commission (ARC) to provide assistance to the City to update the Clarkston 2040 Comprehensive Plan.

**To begin the updating process, the City is required to have an initial public hearing.**

The initial public hearing is to brief the community on the process to be used to develop the plan, opportunities for public participation in development of the plan, and to obtain input on the proposed planning process.

**STAFF RECOMMENDATION(S):**

N/A

# City of Clarkston Comprehensive Plan: 5 -Year Update

January 7, 2021



regional impact + local relevance

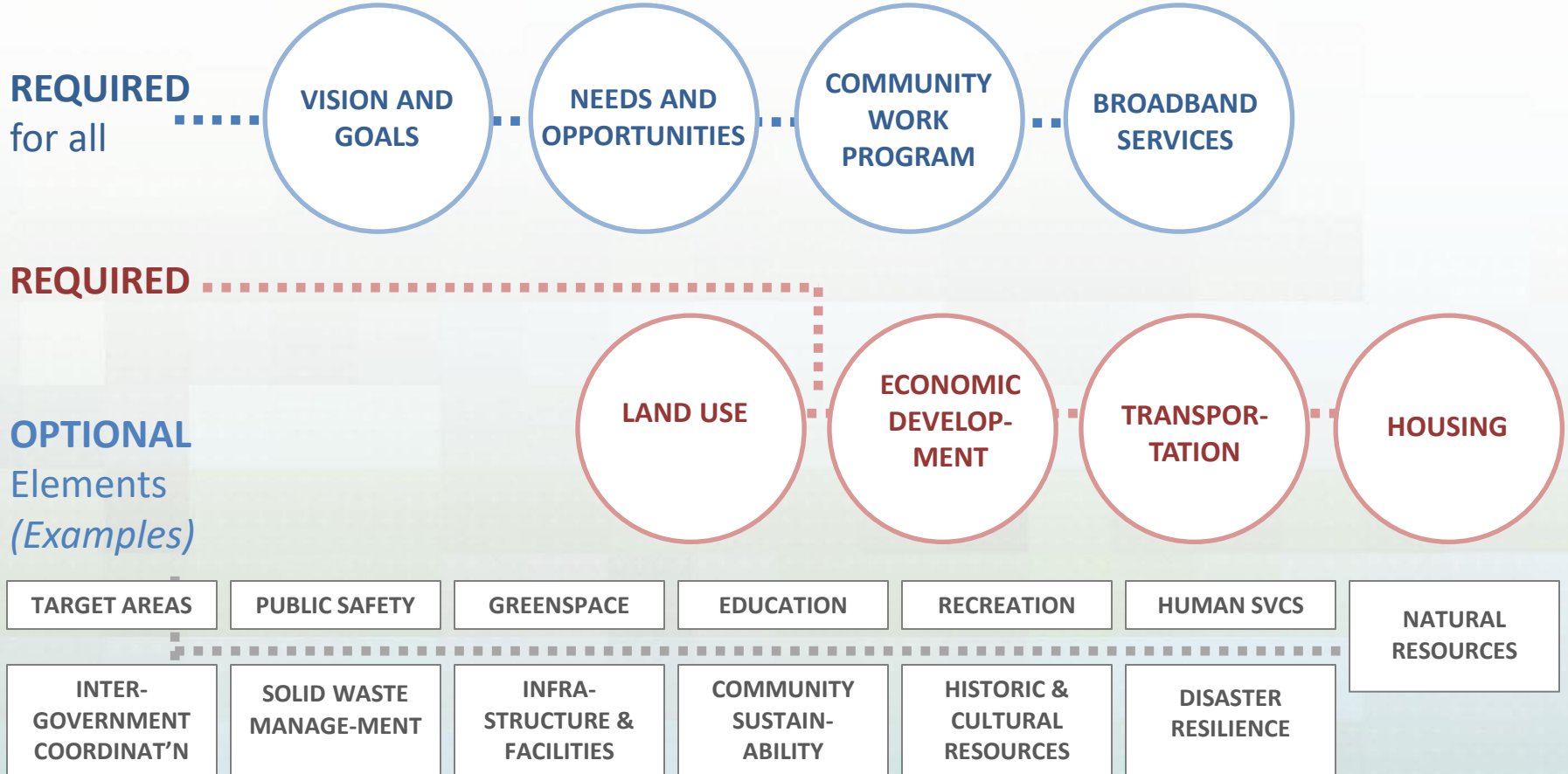
# Why Do We Plan?

- Prepare for the future
- Anticipate change
- Accommodate the present
- Enhance strengths
- Minimize weaknesses
- Build community
- Provide for the public health, safety and welfare



regional impact + local relevance

# Process - Plan Elements



regional impact + local relevance



# Process

- **Local Government Responsibilities**
  - Designate primary contact to coordinate with ARC- **Completed**
  - Develop Report of Accomplishments (ROA), showing status of items in existing Work Plan
  - Develop new Work Plan, with ARC input
  - Form Steering Committee
  - Schedule Steering Committee meetings
  - Develop public awareness and invitations to public meetings
  - Post notices of public hearings as required by community's existing procedures
  - Provide timely notice to ARC of local government meetings that ARC staff should attend



regional impact + local relevance

# Process

- **ARC Responsibilities (more detail in MOA)**
  - Designate Project Manager- [Rachel Will](#)
  - Update Needs and Opportunities/Vision and Goals as needed, using ARC resources, local data, and community input
  - Review updated Work Plan developed by local staff
  - Update Land Use, Transportation, Housing, and Economic Development Elements, as needed
  - Present/support/attend both required public hearings (one at kick-off and one prior to transmittal for regional/state review)
  - Facilitate one (1) public meeting
  - Develop survey, etc.
  - Facilitate three (3) Steering Committee meetings
  - Develop language for official public hearing notices, if requested
  - Develop ads and other public involvement materials, if requested
  - Implement any revisions required by DCA following state review
  - Provide final plan and other documents



regional impact + local relevance

# Schedule

## January

- Develop draft schedule and milestones
- Assemble Steering Committee
- Required Public Hearing
- Get local staff's thoughts on:
  - Strengths and weaknesses of existing plan
  - Major issues emerging in last 5 years that need to be addressed
  - Any sensitive topics, e.g., elections, development, citizen concerns?
  - Public engagement considerations
  - Answer any questions



regional impact + local relevance

# Schedule

- **Jan/Feb:** Steering Committee Meeting #1 - TBA
- **Feb:** Public Meeting/Engagement Opportunity #1 – TBA
- **March:** Steering Committee Meeting #2 - TBA
- **April:** Open additional public engagement opportunity, e.g., survey, online event, etc.
- **May:** Steering Committee Meeting #3- TBA
- **June-July:** ARC finalizes plan document based on input, City staff reviews
- **August:** Local staff schedules pre-transmittal public hearing, aka “Second Required Public Hearing”:
  - *A second public hearing must be held once the plan has been drafted and made available for public review, but prior to its transmittal to the Regional Commission for review. The purpose of this hearing is to brief the community on the contents of the plan, provide an opportunity for residents to make final suggestions, additions or revisions, and notify the community of when the plan will be submitted to the Regional Commission for review...*
  - Transmit plan document to ARC and DCA to begin regional and state review
  - **Deadline for review, approval, and local adoption: October 31, 2021**



## Questions

**Rachel Will**  
**Senior Planner**  
**Atlanta Regional Commission**  
**[rwill@atlantaregional.org](mailto:rwill@atlantaregional.org)**



regional impact + local relevance

CITY OF CLARKSTON

ITEM NO: H6

CLARKSTON CITY COUNCIL MEETING

HEARING TYPE:  
Council Meeting

BUSINESS AGENDA / MINUTES

ACTION TYPE:  
Approve

MEETING DATE: JANUARY 12, 2021

SUBJECT: Approve an additional 10% hazard/COVID-19 pay for all City employees for all hours actually worked at a City facility or in the field during the continued Pandemic.

DEPARTMENT: City Administration

PUBLIC HEARING:  YES  NO

ATTACHMENT:  YES  NO  
Pages:

INFORMATION CONTACT: ROBIN I. GOMEZ  
PHONE NUMBER: 404-296-6489

PURPOSE:

To continue to provide in 2021 the additional 10% Hazard/COVID-19 pay for all City employees for all hours actually worked at a City facility or in the field until the Pandemic time period slows down enough, provides for a safer environment, to allow for the reopening of City offices/facilities to the public.

NEED/IMPACT:

On March 16, 2020, the City began providing an additional 5% compensation identified as hazard/COVID-19 pay, for all Police and Public Works employees for all hours actually worked taking into consideration the various hazards faced by performing their regular tasks in person as nearly all of the work must be performed in person (not remotely). At the December 8, 2020, Council meeting, the Council approved increasing the amount to 10% retroactively back to March 16 for all City employees for actual hours worked at a City facility or out in the field (excluded hours worked at home or administrative time- hours not actually worked). The additional pay from March 16, 2020 to December 20, 2020, that totaled \$122,815.43, for all employees in Administration (CM, Clerk, Finance), Planning & Development, City Court, Police, and Public Works was funded by the City's share of the CARES Act funds (from the \$1,433,288).

As we presented and discussed at the December 1 Council Worksession and December 8 Council meeting, other jurisdictions with their CARES Act funds allocation have or will be providing the hazard/COVID-19 additional pay at higher rates than our 5%.

Currently, any additional Hazard/COVID-19 pay in 2021, as we began in March 2020, will be funded out of the City's General Fund. We still face some uncertainty as to how long our current operations (closed to the public) will continue as the Pandemic continues to be quite present in our area. Should any additional, similar CARES Act funds become available we will similarly utilize them to fund this expenditure in 2021 (as we did in 2020).

CITY OF CLARKSTON



ITEM NO: H7

CLARKSTON CITY COUNCIL MEETING

HEARING TYPE:  
Council Meeting

BUSINESS AGENDA / MINUTES

ACTION TYPE:  
Proclamation

MEETING DATE: January 12 2021

SUBJECT: Approve Proclamation designating the Martin Luther King Jr. Holiday as a Day of Service in Clarkston

DEPARTMENT: City Administration

PUBLIC HEARING:  YES  NO

ATTACHMENT:  YES  NO  
Pages:

INFORMATION CONTACT: Beverly Burks,  
Debra Johnson, Jamie Carroll  
PHONE NUMBER: 404-296-6489

PURPOSE:

Dr. Martin Luther King Jr. devoted his life to advancing equality, social justice, and opportunity for all, and in 1994, Congress designated the Martin Luther King Jr. holiday as a national day of volunteer service.

The Clarkston City Council will contemplate designating the Martin Luther King Jr. Holiday as a Day of Service in Clarkston and call upon the Clarkston residents to pay tribute to the life and works of Dr. Martin Luther King Jr. through participation in community service projects on Martin Luther King Jr. Day.

RECOMMENDATION:

Staff has no recommendations.

CITY OF CLARKSTON  
PROCLAMATION  
THE DAY OF JANUARY 18<sup>TH</sup>  
AS THE 26<sup>TH</sup> MARTIN LUTHER KING JR. DAY OF SERVICE

Whereas, Dr. Martin Luther King Jr. devoted his life to advancing equality, social justice, and opportunity for all, and challenged all Americans to participate in the never-ending work of building a more perfect union; and

Whereas, Dr. King's teachings can continue to guide and inspire us in addressing challenges in our communities; and

Whereas, in 1994, Congress designated the Martin Luther King Jr. holiday as a national day of volunteer service, and charged AmeriCorps with leading this effort; and

Whereas, since 1994, millions of Americans have been inspired by the life and work of Dr. Martin Luther King Jr. to serve their neighbors and communities on the King Holiday; and

Whereas, serving on MLK Day is an appropriate way to honor Dr. King, meet local and national needs, bring our citizens together, and strengthen our communities and nation; and

Whereas, MLK Day offers an opportunity for Americans to give back to their communities on the holiday and make an ongoing commitment to service throughout the year; and

Whereas, virtual and COVID-19 appropriate MLK Day service projects are being organized by a wide range of nonprofit and community organizations, educational institutions, public agencies, private businesses, and other organizations across the nation to meet important community needs; and

Whereas, each of us can and must contribute to making our communities better with increased opportunity for all our citizens, and

Whereas, citizens of Clarkston have the opportunity to participate in virtual and safe service events throughout our city on the Martin Luther King Jr. Day of Service, January 18, 2021, as well as create and implement community service projects where they identify the need;

NOW, THEREFORE, I, Beverly H. Burks, Mayor of Clarkston proclaim the Martin Luther King Jr. Holiday as a Day of Service in Clarkston and call upon the people of the Clarkston to pay tribute to the life and works of Dr. Martin Luther King Jr. through participation in community service projects on Martin Luther King Jr. Day and throughout the year.



SO ORDAINED, this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

ATTEST:

CITY COUNCIL  
CITY OF CLARKSTON, GEORGIA

By \_\_\_\_\_  
Tracy Ashby, City Clerk

\_\_\_\_\_  
Beverly H. Burks, Mayor

Approved as to Form:

\_\_\_\_\_  
Stephen G. Quinn, City Attorney

CITY OF CLARKSTON

CLARKSTON CITY COUNCIL MEETING

ITEM NO: H8

HEARING TYPE:  
Council Meeting

BUSINESS AGENDA / MINUTES

ACTION TYPE:  
Resolution

MEETING DATE: January 12 2021

SUBJECT: Adopt Digital Inclusion Resolution

DEPARTMENT: City Administration

PUBLIC HEARING:  YES  NO

ATTACHMENT:  YES  NO  
Pages:

INFORMATION CONTACT: Beverly Burks,  
Debra Johnson, Jamie Carroll  
PHONE NUMBER: 404-296-6489

PURPOSE:

The City Council understands the importance of Digital Inclusion as the assurance of accessible, available, affordable, relevant, privacy and equitable access to the World Wide Web (i.e., the Internet). The Clarkston City Council will contemplate adopting the attached resolution to support equitable Internet access for the people and businesses of Clarkston and the creation public-private partnerships to make internet access available and affordable.

RECOMMENDATION:

Staff has no recommendations.

## DIGITAL INCLUSION RESOLUTION

WHEREAS, Digital Inclusion is the assurance of accessible, available, affordable, relevant, privacy and equitable access to the World Wide Web (i.e., the Internet); and

WHEREAS, Internet access for all people and businesses is essential for the city to thrive in the digital economy; and

WHEREAS, Internet access enables Clarkston's residents to utilize online educational opportunities and remote employment opportunities; and

WHEREAS, Internet access enables the people of this city to utilize digital resources and tools furnished by local, state and federal government agencies; and

WHEREAS, access to Internet-based educational tools serve as a means to employ strategies for data protection of the people of Clarkston; and

WHEREAS, inequitable access to Internet resources would further damage emergency stricken communities; and

WHEREAS, COVID-19 exposed the digital divide for marginalized communities and people of color; now, therefore,

BE IT RESOLVED, That Clarkston City Council holds Digital Inclusion in high regard favors affordable of Internet access for the people of Clarkston; and

BE IT FURTHER RESOLVED, That Clarkston City Council supports Residents of Clarkston have access to open Wi-Fi, kiosks, workstations, etc. in public places that are convenient and accessible;

BE IT FURTHER RESOLVED, That Clarkston City Council values available Internet-based goods and services for the people of Clarkston; and

BE IT FURTHER RESOLVED, That Clarkston City Council recognizes the importance of Internet-based goods and services in response to notable events including, but not limited to natural disasters and pandemics; and

BE IT FURTHER RESOLVED, That Clarkston City Council holds in high regard data privacy and the digital protection of the people and businesses of Clarkston; and

BE IT FURTHER RESOLVED, That Clarkston City Council body supports accessibility that ensures technologies help impaired or disabled individuals access and use the Internet; and

BE IT FURTHER RESOLVED, That Clarkston City Council supports equitable Internet access for the people and businesses of Clarkston; and

BE IT FURTHER RESOLVED, That Clarkston City Council supports the creation public-private partnerships to make internet access available and affordable.

SO ORDAINED, this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

ATTEST:

CITY COUNCIL  
CITY OF CLARKSTON, GEORGIA

By \_\_\_\_\_  
Tracy Ashby, City Clerk

\_\_\_\_\_  
Beverly H. Burks, Mayor

Approved as to Form:

\_\_\_\_\_  
Stephen G. Quinn, City Attorney

CITY OF CLARKSTON

CLARKSTON CITY COUNCIL MEETING

ITEM NO: H9

HEARING TYPE:  
Council Meeting

BUSINESS AGENDA / MINUTES

ACTION TYPE:  
Resolution

MEETING DATE: January 12, 2021

**SUBJECT:** Adopt a Resolution by the Clarkston City Council condemning the act of falsely reporting a crime or otherwise causing a police officer to contact a person in order to discriminate against the person on the basis of the person's race, ethnicity, religious affiliation, gender, sexual orientation, or gender identity.

DEPARTMENT: City Administration

PUBLIC HEARING:  YES  NO

ATTACHMENT:  YES  NO  
Pages:

INFORMATION CONTACT: Beverly Burks,  
Debra Johnson, Jamie Carroll  
PHONE NUMBER: 404-296-6489

**PURPOSE:**

The City Council seeks to prevent the misuse of 911 and other organizations that deal with emergencies and falsely calling 911 is a form of intimidation and weaponization of our law enforcement against black and brown people that places its affected persons in danger.

The City Council will consider adopting the resolution that condemns the act of falsely reporting a crime or otherwise causing a police officer to contact a person in order to discriminate against the person on the basis of the person's race, ethnicity, religious affiliation, gender, sexual orientation, or gender identity.

**RECOMMENDATION:**

Staff has no recommendations.

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION BY THE CLARKSTON CITY COUNCIL CONDEMNING THE ACT OF FALSLY REPORTING A CRIME OR OTHERWISE CAUSING A POLICE OFFICER TO CONTACT A PERSON IN ORDER TO DISCRIMINATE AGAINST THE PERSON ON THE BASIS OF THE PERSON'S RACE, ETHNICITY, RELIGIOUS AFFILIATION, GENDER, SEXUAL ORIENTATION, OR GENDER IDENTITY.**

WHEREAS, O.C.G.A. § 16-10-26 makes it a misdemeanor to make a false report to any law enforcement officer or cause such a false report to be made; and

WHEREAS, O.C.G.A. § 16-11-39.2 makes it a misdemeanor to make a false report through the 9-1-1 system; and

WHEREAS, the City Council seeks to prevent the misuse of law enforcement and 9-1-1 and seeks to discourage discriminatory false reports; and

WHEREAS, residents are not discourage from calling on law enforcement or using 9-1-1 for legitimate purposes but are urged to be responsible when using these public resources; and

WHEREAS, falsely reporting a crime or falsely calling 9-1-1 can be used as a form of intimidation and weaponization of our law enforcement against black and brown people that places its affected persons in danger; and

WHEREAS, false reports interfere with the orderly enforcement of laws and response to emergencies and thereby places all residents of Clarkston at risk.

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. The misuse of law enforcement by members of the public to discriminate against others is hereby condemned by the Clarkston City Council in the strongest possible terms. Such conduct will not be tolerated.

Section 2. If any city official, including Police Officers and regular City employees, becomes aware of a false report to law enforcement or 9-1-1, such conduct should be promptly referred to the DeKalb County Solicitor for prosecution.

Section 3. The City Council finds that false reporting is an especially heinous offense when undertaken for the purpose of causing a peace officer to arrive at a

location to contact a person with the specific intent to discriminate against that person on the basis of the person's actual or perceived race, ethnicity, religious affiliation, gender, sexual orientation, or gender identity. It is the official policy of the City of Clarkston that anyone making such a discriminatory false report should be prosecuted and punished to the maximum extent allowed by law, including incarceration for the maximum period allowed by law.

SO RESOLVED, this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

A  
TEST:

CITY COUNCIL  
CITY OF CLARKSTON, GEORGIA

By \_\_\_\_\_  
Tracy Ashby, City Clerk

\_\_\_\_\_  
Beverly H. Burks, Mayor

Approved as to Form:

\_\_\_\_\_  
Stephen G. Quinn, City Attorney

CITY OF CLARKSTON

ITEM NO: H10

CLARKSTON CITY COUNCIL MEETING

HEARING TYPE:  
Council Meeting

BUSINESS AGENDA / MINUTES

ACTION TYPE:  
Amend Employment  
Agreement

MEETING DATE: JANUARY 12, 2021

SUBJECT: Approve City Manager's employment agreement modification to provide for a 3% salary increase

DEPARTMENT: City Administration

PUBLIC HEARING:  YES  NO

ATTACHMENT:  YES  NO  
Pages: 10

INFORMATION CONTACT: STEPHEN QUINN  
PHONE NUMBER: 404-296-6489

PURPOSE:

Approve a change to the City Manager's employment agreement to provide for a 3% salary increase.

NEED/IMPACT:

On December 4, 2018, the City of Clarkston City Council approved an employment agreement with Robin I. Gomez to employ him as the City Manager for the City of Clarkston. The agreement (copy enclosed) provided for the various employment conditions and terms including duties, compensation & benefits, notices, annual performance review. Per the Council's performance review of the City Manager and discussion/direction at the Council's executive session held on December 8, 2020, the Council recommended providing the CM a 3% salary increase, the same as all other City employees to begin with the next City employee pay. The 3% increase will make the salary \$123,600.



STATE OF GEORGIA

COUNTY OF DEKALB

**EMPLOYMENT AGREEMENT**

THIS EMPLOYMENT CONTRACT (“Agreement”) is made and entered into as of the 4<sup>th</sup> day of December, 2018, by and between the CITY OF CLARKSTON, GEORGIA, hereinafter referred to as “City” and ROBIN I. GOMEZ, hereinafter referred to as “Employee.”

WITNESSETH

WHEREAS, the City wishes to employ the services of Employee as City Manager of the City of Clarkston, Georgia, in accordance with the terms and conditions contained in this Agreement; and

WHEREAS, the Employee wishes to accept employment with the City as City Manager in accordance with the terms and conditions of this Agreement;

NOW THEREFORE, in consideration of the payments, covenants and mutual promises contained herein, and in consideration of other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, City and Employee agree as follows:

1.

EMPLOYMENT OF EMPLOYEE

City hereby employs the Employee and Employee accepts employment as an employee for the purposes of rendering services to City as the “City Manager” in accordance with the terms of this Agreement. Employee’s term of employment shall

begin on January 7, 2019 (referred to hereafter as the "Effective Date") and shall be of an indefinite duration, subject to the termination provisions set forth in this Agreement.

2.

### DUTIES

Employee shall perform the functions and duties of the City Manager as specified in the City's Charter and Ordinances. In addition, as "City Manager," Employee shall specifically provide such advice, analysis, and service as shall be requested by the Mayor and City Council. Employee shall devote all of his productive time, ability and attention to the performance of the duties under this Agreement as is reasonably necessary for a satisfactory performance. The parties recognize that Employee will be required to contribute a great deal of time outside of normal business hours to his employment. Accordingly, Employee shall be allowed to establish an appropriate work schedule so long as all job duties are met. Employee shall not, directly or indirectly, render any services of a business, commercial or professional nature to any other person or entity, whether for compensation or otherwise, without the prior written consent of the City, which consent may be granted or withheld in the City's sole and absolute discretion. Employee shall perform his duties as "City Manager" at City's offices (or at other locations as the requirements of the duties require) and necessary supplies, facilities and equipment will be supplied by the City.

3.

### NOTICES

Any notices to be given under this Agreement by either party to the other may be affected either by personal delivery in writing or by registered or certified mail with

postage prepaid and return receipt requested. Mailed notices shall be addressed to the parties at the addresses appearing in this paragraph, but each party may change the address by written notice in accordance with the paragraph. Notices delivered personally shall be deemed received as of the actual receipt; mailed notices shall be deemed received as of three (3) days after mailing. Each party has a duty to notify the other party of any change of address within five (5) days of such a change.

NOTICE ADDRESSES:

City of Clarkston  
Attention: City Clerk  
1055 Rowland Street  
Clarkston, GA 30021

Mr. Robin Gomez  
1020 Noble Vines Dr  
Clarkston GA 30021

4.

COMPENSATION AND BENEFITS

(A) For all services described herein, City shall pay Employee an annual base salary ("Base Salary") of One Hundred Twenty Thousand Dollars (\$120,000.00) per year, to be paid in such manner and at such time as other employees of the City are paid.

(B) The City shall provide to Employee, free of charge to the Employee, a mobile phone with two-way calling capability for Employee's use in carrying out his duties under this Agreement.

(C) Employee shall receive the same insurance benefits provided to other full time employees of the City, pursuant to personnel policies adopted by the City.

(D) Employee shall accrue vacation leave in the same manner as all other City employees, pursuant to personnel policies adopted by the City.

Accumulated but unused vacation leave may be carried forward to the next year during the term of this Agreement to the extent and in the manner provided for in City's personnel policies.

(E) Employee shall accrue sick leave in the same manner as all other full time City employees, pursuant to personnel policies adopted by the City. Accumulated but unused sick leave may be carried forward to the next year during the term of this Agreement to the extent and in the manner provided for in City's personnel policies.

(F) Employee may wish to participate in reasonable professional development programs through the International City/County Management Association and/or the Georgia Municipal Association. Employee shall notify the City at least thirty (30) days in advance of any such program and the City may elect to pay or reimburse Employee for the reasonable costs associated with the professional development programs, including reasonable travel, subsistence and registration expenses. It shall be in the City's sole discretion to pay for professional development activities or not. The City shall pay or reimburse the Employee the annual cost, fee or dues for Employee's membership in the International City/County Manager's Association. Payment of the expenses set forth in this paragraph shall be subject to budget limitations and shall be paid or reimbursed in accordance with the City's travel and expense policy in effect at the time that the expense is incurred.

(G) Employee shall be entitled to participate in a City-sponsored retirement plan in the same manner as other employees, pursuant to policies adopted by the City.

(H) During the term of this Agreement, the City shall provide Employee with a motor vehicle for his use in performing his job duties as City Manager and in

commuting between his residence and City Hall. The City shall bear the cost of owning, operating and maintaining such vehicle. Employee is strictly prohibited from using the vehicle provided pursuant to this section for any personal purpose.

5.

#### ANNUAL PERFORMANCE REVIEW

The parties shall make good faith efforts to establish annual performance goals for the Employee within 30 days of the Effective Date of this Agreement for the remainder of the year 2019, and no later than the first 30 days of every calendar year thereafter that this Agreement is in effect. Employee's performance shall be reviewed annually by the Mayor and City Council, commencing in 2019, not later than November 1<sup>st</sup> of each year that this Agreement is in effect. The City shall provide the Employee with at least ten (10) days verbal or written notice prior to conducting the annual performance review. Any performance review shall be conducted in accordance with the criteria developed jointly between the City and the Employee.

6.

#### INDEMNITY

City agrees to defend, indemnify and hold harmless Employee against and from any and all claims, liabilities, penalties, costs, and expenses that may be asserted against or suffered by Employee as a result of his performance under this Agreement, except that City shall not indemnify Employee for claims, liabilities, penalties, costs, and expenses that may be asserted against or suffered by Employee as a result of Employee's gross negligence, or willful, wanton or intentional misconduct.

TERMINATION

A) Without Cause

Either party hereto may terminate this Agreement without cause by giving no less than sixty (60) days written notice of termination without cause. In the event that the Employee terminates this Agreement without cause, his compensation and benefits shall cease as of the effective date of termination.

In the event that Employee terminates this Agreement without cause prior to December 31, 2020, Employee shall pay the City liquidated damages in the amount of Ten Thousand Dollars (\$10,000.00). The parties agree that this amount represents a reasonable estimate of the cost to the City associated with the trouble and expense of replacing its City Manager.

In the event that the City terminates this Agreement without cause at any time within 180 days of the Effective Date, Employee shall not be paid any severance pay. In the event that the City terminates this Agreement without cause at any time after the 180<sup>th</sup> day of employment, the Employee shall be paid severance pay equal to six (6) month's base salary.

In the event that the City terminates this Agreement without cause, the City shall not oppose any unemployment compensation claim that the Employee may be eligible for with the appropriate agency.

If either party terminates this Agreement without cause, the City and the Employee agree to execute a release and waiver in which each party releases any and all

claims, demands, damages or actions that it may have against the other party arising out of the Employee's employment with the City and the termination of his employment.

B) For Cause

The parties understand and agree that the Employee is an at will employee. Notwithstanding the foregoing, for purposes of this Agreement, "for cause" shall be defined as: (i) indictment for a felony or a crime of moral turpitude; and/or (ii) a determination by the City Council that Employee has violated the City's Code of Ethics; and/or (iii) dishonesty, gross or repeated negligence, incompetency, insubordination, or any conduct that is detrimental to the public perception of the City.

The City may terminate this Agreement at any time for cause. A for cause termination shall become effective immediately upon written notice to the Employee. In the event that this Agreement is terminated by the City for cause, the Employee's compensation and benefits shall cease as of the effective date of termination.

(C) Reference letter

Upon the expiration or termination of this Agreement for any reason, the City shall provide to the Employee or to prospective employers of the Employee a letter containing Employee's dates of employment, position held, and any other information mutually agreed to by the Employee and the City.

8.

RELOCATION EXPENSES

The City shall reimburse Employee an amount not to exceed Ten Thousand Dollars (\$10,000.00) for relocation expenses. Relocation expenses eligible for reimbursement under this Agreement include travel costs, moving of household goods

and temporary housing. Proper receipts must be presented to the City for reimbursement to be paid.

9.

#### MISCELLANEOUS

A) Assignment

Neither this Agreement nor any duties or obligations under this Agreement shall be assignable by Employee without the prior written consent of City.

B) Successors and Assigns

Subject to the provision regarding assignment, this Agreement shall be binding on the heirs, executors, administrators, legal representatives, successors, and assigns of the respective parties.

C) Attorney's Fees

If any action at law or in equity is brought to enforce or interpret the provisions of this Agreement, the prevailing party shall be entitled to reasonable attorneys' fees in addition to any other relief that may be available. The parties shall each be responsible for their own attorney's fees related to the drafting and review of this Agreement.

D) Governing Law

The validity of this Agreement and of any of its terms or provisions, as well as the rights and duties of the parties to this Agreement, shall be governed by the laws of the State of Georgia.

E) Amendment

This Agreement may be amended by the mutual agreement of the contracting parties in a writing to be attached to and incorporated into this Agreement.



F) Legal Construction

In case any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, this invalidity, illegality, or unenforceability shall not affect any other provision of this Agreement and this Agreement shall be construed as if the invalid, illegal, or unenforceable provision had never been contained in it.

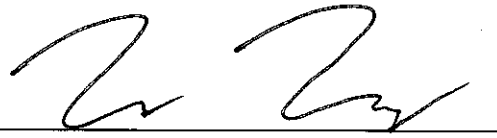
10.

ENTIRE AGREEMENT

This Agreement supersedes any and all prior negotiations or agreements between the parties and represents the entire agreement between the parties with respect to Employee's employment with the City. The parties hereby acknowledge and agree that there have been no offers or inducements which have led to the execution of this Agreement other than as stated herein. The Employee represents and warrants that he has fully read this Agreement, understands same, and enters into it freely.

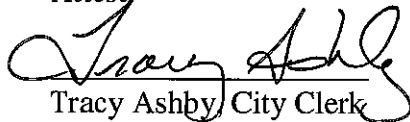
SO AGREED:

**CITY OF CLARKSTON, GEORGIA**



Ted Terry, Mayor

Attest:



Tracy Ashby, City Clerk

(SEAL)

Approved as to Form:

AGQ 11-30-18  
Stephen G. Quinn, City Attorney

**EMPLOYEE**

Re 7. J. Gomez  
ROBIN I. GOMEZ

CITY OF CLARKSTON  
CLARKSTON CITY COUNCIL MEETING

ITEM NO: H11

HEARING TYPE:  
Council Meeting

BUSINESS AGENDA / MINUTES  
MEETING DATE: JANUARY 12, 2021

ACTION TYPE:  
Adopt Resolution

**SUBJECT:** Approve a Resolution on the Administration of Business Licensing Regarding Special Licensing for Pawnbrokers

DEPARTMENT: City Administration

PUBLIC HEARING:  YES  NO

ATTACHMENT:  YES  NO  
Pages: 2

INFORMATION CONTACT: ROBIN GOMEZ  
STEPHEN QUINN  
PHONE NUMBER: 404-296-6489

**PURPOSE:**

Approve a resolution regarding the administration of Article 1 of Chapter 11 of the City of Clarkston Code of Ordinances concerning business licensing, in conjunction with Article VII of that same chapter regarding licensing for pawnbrokers.

**NEED/IMPACT:**

The City of Clarkston has two levels of regulation for pawnbrokers, both set out in Chapter 11 of the City Code. Article I, Licensing and Registration of Businesses, applies to all businesses, including pawnbrokers. Article VII applies only to pawnbrokers.

The attached Resolution is proposed to clarify for City Staff how to administer Article I and Article VII in concert. Any business looking to provide pawnbroker services must first apply and obtain the City's business registration/occupational tax certificate pursuant to Article I, prior to applying and obtaining a pawnbroker license pursuant to Article 7. No pawnbroker may operate without these two requirements in the order listed.

Additionally, the attached Resolution would also waive the annual regulatory fee for the "title pawn" subset of pawnbrokers that require proof of title in connection with their pawn transactions since these businesses do not require extensive monitoring by the Police Department.

The process set out in the Resolution is fair to pawnbroker applicants and will aid City Staff in effectively administering the City Council's previously adopted regulations.

**RECOMMENDATION:**

Council to adopt proposed Resolution.

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION BY THE CLARKSTON CITY COUNCIL REGARDING ADMINISTRATION OF ARTICLE I OF CHAPTER 13 OF THE CITY CODE, CONCERNING BUSINESS LICENSING, IN CONJUNCTION WITH TITLE VII OF THAT SAME CHAPTER, REGARDING SPECIAL LICENSING FOR PAWNBROKERS.**

WHEREAS, Chapter 13 of the City Code regulates all businesses wishing to operate within the city, including Article I which sets out the licensing requirements for all businesses within the city; and

WHEREAS, Article VII of Chapter 13 is an additional layer of regulation specific to pawnbrokers desiring to operate within the City and requires a special pawnbroker license in addition to the underlying primary business license required by Article I; and

WHEREAS, Article VII requires a \$3,500 annual regulatory fee to be paid by pawnbrokers which is in significant part designed to cover the expense of the Police Department monitoring for stolen property; and

WHEREAS, it has come to the attention of the City Council that certain pawnbrokers known as “title pawn” businesses require proof of title in connection with their pawn transactions and therefore the risk of stolen property being bought or sold through a “title pawn” business is very low; and

WHEREAS, the City Council hereby affirms its existing regulations regarding business licensing generally and pawnbrokers specifically; and

WHEREAS, the City Council intends this Resolution to guide the administration of Articles I and VII of Chapter 13 in concert with one another.

NOW THEREFORE BE IT RESOLVED as follows:

- 1) No pawnbroker may operate without both a primary business license obtained pursuant to Article I and a pawnbroker license obtained pursuant to Article VII.
- 2) A primary business license for the applicable year must be first obtained for a given location before the city clerk may accept an application for a

pawnbroker license for that year for such location. However, if the applicant held a valid license to operate as a pawnbroker at the same location during the prior year then the city clerk shall treat the primary business license prerequisite as satisfied for purposes of accepting an application for a pawnbroker license.

- 3) The city clerk shall defer collection of any administrative fee associated with a primary business license application for a pawnbroker use until such time as the city clerk accepts an application for a pawnbroker license for that location.
- 4) If an application for a pawnbroker license is limited to proposed operation of a “title pawn” business that requires proof of title in connection with its pawn transactions then the city shall waive the annual regulatory fee otherwise required by Article VII.
- 5) This Resolution shall apply to all applications for 2021 pawnbroker licenses and primary business licenses for a pawnbroker business.

SO RESOLVED, this \_\_\_\_ day of January, 2021.

ATTEST:

**CITY COUNCIL,  
CITY OF CLARKSTON, GEORGIA**

By \_\_\_\_\_  
Tracy Ashby, City Clerk  
(SEAL)

\_\_\_\_\_  
Mayor Beverly Burks

Approved as to Form:

\_\_\_\_\_  
Stephen G. Quinn, City Attorney