



CITY COUNCIL SPECIL CALL /WORK SESSION

Awet Eyasu – Vice-Mayor

YT Bell

Laura Hopkins

Jamie Carroll

Ahmed Hassan

Debra Johnson

Robin Gomez – City Manager

AGENDA

Tuesday, June 30, 2020 6:30PM

A. CALL TO ORDER SPECIAL CALL/

B. ROLL CALL

C. NEW BUSINESS

- C1) Millage Rate 2020- Presentation & Public Hearing to take comment on the proposed 2020 millage rate
- C2) Request Cares Act Funding from DeKalb County

D. ADJOURN SPECIAL CALL

E. WORK SESSION - RESIDENT COMMENT POLICY

Any member of the public may address questions or comments to the Council referencing only agenda items after the Mayor and council have had the opportunity to discuss the agenda item. Each Attendee will be allowed 3 minutes for comments at the discretion of the Presiding Officer. Attendees will be asked to conclude their comments in a reasonable time period if they exceed the 3 minute limit.

F. PRESENTATION/ ADMINISTRATIVE BUSINESS

G. OLD BUSINESS

H. NEW BUSINESS

- H1) Clarkston Work Force Development Initiative
- H2) Refer to Legal Committee to create Citizens Review Committee
- H3) Resolution to Declare racism as a Public Health crisis
- H4) Resolution by the City of Clarkston Condemning Racism and Affirming the Compassion and Empathy Displayed by the Clarkston Police Department.
- H5) Resolution to Establish the Reproductive Justice Commission
- H6) Update on Special Election Qualifying Period
- H7) Tax Anticipation Note
- H8) Discussion – Direct City Manager to Research Possible City Use of Well Water

I. ADJOURNMENT

CITY OF CLARKSTON

ITEM NO: C1

CLARKSTON CITY COUNCIL SPECIAL CALL

HEARING TYPE:
Special Call Meeting

BUSINESS AGENDA / MINUTES

ACTION TYPE:
Public Hearing

MEETING DATE: June 30, 2020

SUBJECT: Adopt 2020 Millage Rate

DEPARTMENT: Administration

PUBLIC HEARING: YES NO

ATTACHEMENT: YES NO
Pages:

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

PURPOSE:

To Adopt the 2020 Advertised Millage Rate.

NEED/ IMPACT:

The Clarkston City Council has advertised a proposed 2020 Millage rate of 15.89, the same rate that was adopted in 2019.

The calculated rollback millage rate for 2020 (rate for the city to receive the same tax amounts as last year) is 15.078 mils. The rollback millage rate for 2020 is lower than the 2019 adopted millage rate of 15.89 mils due to the increase in the net digest valuation.

DeKalb County has requested that our final adopted millage rate be concluded before July 8, 2020. The Council voted to set a proposed advertised millage rate at their June 2, 2020 Council Meeting. This is the millage rate that will be advertised for public information. The proposed millage is not necessarily the same rate the Council would eventually adopt. The final adopted millage rate may be the same as the proposed (advertised) rate or lower than the proposed rate. The final millage rate adopted by the City Council may not be greater than the proposed (advertised) millage rate.

The Council will hold three public hearings: two of the Public Hearings will be held on Tuesday, June 30 at 10AM and 6:30PM. The final public hearing will be held in conjunction with the July 7th Council Meeting.

RECOMMENDATION:

Staff recommends The City Council adopt a Millage Rate of 15.890 mils for fiscal year 2020.

PUBLIC HEARING TO ADOPT THE 2020 MILLAGE RATE



City of Clarkston
June 30, 2020

AGENDA

- Millage rate presentation and discussion
- Public Hearing
- Adopt resolution setting the final millage rate

Regular Meeting – July 7, 2020



Process



- The Council must hold three public hearings
 - ▣ June 30th – 10:00 am Public Hearing
 - ▣ June 30th - 6:30 pm Public Hearing
 - ▣ July 7nd – 7:00 pm Regular Meeting

- The purpose of the meetings is to take public comment on the millage rate for consideration in setting the final adopted rate

- After the conclusion of the final Public Hearing, the Council will vote to adopt the final millage rate for 2020

FIRST...

A FEW DEFINITIONS



Appraised Value



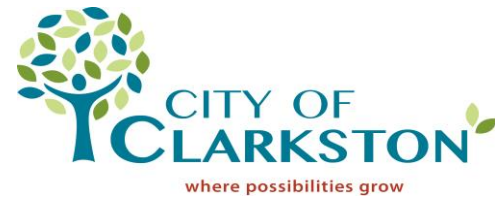
The total estimated value of your property (land and building), as determined by the DeKalb County Tax Assessor's Office

Assessed Value



- Typically 40% of the Appraised total value
- You may have exemptions that will lower this amount even more, e.g.... Homestead and Over age 65

Tax Digest



- The value of all the property in an area
- Like your individual property, this figure is generally given at 40% of the total appraised value

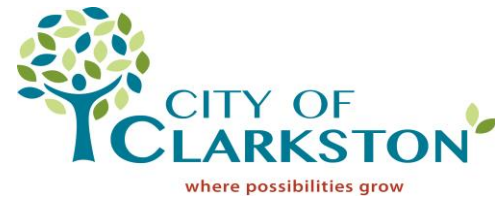
What is a “mil”?

A property tax levy of \$1.00 per \$1,000 of taxable property value

So, if the rate is *10 mils*, then you would owe 10 dollars for every \$1,000 of the *assessed* value for your house.



Rollback Rate



The rollback rate is the millage rate that would raise the same amount of revenue as last year if applied to the current tax digest.

NOW FOR THE NUMBERS...



Calculating the Millage Rate

Property taxes are calculated based on the difference between planned expenditures and forecasted revenues from all other sources

$$\text{Tax Rate} = \frac{\text{Amount Required}}{\text{Net Tax Digest}}$$

Calculating the Millage Rate



Budgeted Expenditures	\$6,768,858
Estimated Revenues	\$6,768,858
Amount Needed to Balance	<u>\$3,837,794</u> ←
(Real & Personal Property, Motor Vehicles)	
Gross Digest	\$223,471,419
Exemptions	- \$3,573,517
Net Digest	<u>\$219,897,902</u> ←
(amount after exemptions)	

Calculating the Millage Rate



$$\text{Millage Rate} = \frac{\text{Amount Required}}{\text{Net Tax Digest}}$$

$$\text{Revenue/Digest} = \frac{\$3,837,794}{\$219,897,902}$$

$$\text{Millage Rate} = 0.017453 \text{ (17.453)}$$

Calculating the Millage Rate



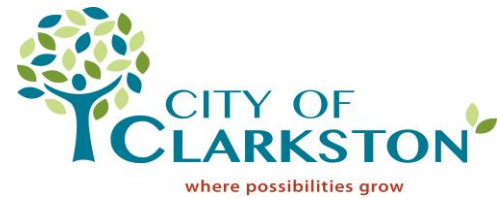
$$\text{Revenue/Digest} = \frac{\$3,494,178}{\$219,897,902}$$

$$\text{Mathematical Millage Rate} = 0.01589 \text{ (15.89)}$$

$$\text{Recommended Millage Rate} = (15.89)$$

- Reductions in Budgets

Calculating the Millage Rate



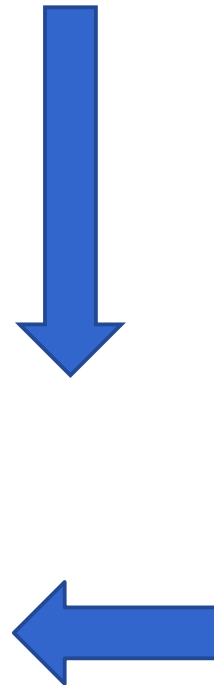
Current Millage Rate	15.89
Proposed Millage Rate	15.89
Difference	<hr/> 0 mils

$$1 \text{ Mil} = 219,897.92$$

10 Year Gross Digest History

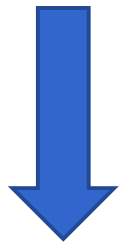


2010	\$92,764,259
2011	\$77,799,972
2012	\$70,278,203
2013	\$64,729,727
2014	\$70,738,477
2015	\$108,965,588
2016	\$147,124,307
2017	\$165,727,732
2018	\$166,859,487
2019	\$209,015,765
2020	\$219,897,923



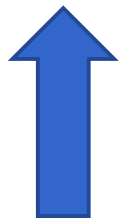
What's the Headline?

Clarkston lost 30% of its Gross Digest
between 2010 and 2013



Clarkston completed two annexations
in 2015 and 2016

Clarkston Gross Digest has increased
by 49.5% between 2016 and 2020



➤ Increase due to Increased residential/commercial values

□ Residential Values up 2.84%

▣ 2019 = 57,429,780

▣ 2020 = 59,058,560

□ Commercial Values up 3.67%

▣ 2019 = 126,876,591

▣ 2020 = 131,535,220

Millage Rate History



<u>Fiscal Year</u>	<u>Millage Rate</u>
2010	11.313
2011	14.00
2012	17.95
2013	17.95
2014	21.11
2015	17.11
2016	15.89
2017	15.89
2018	15.89
2019	15.89
2020	15.89 Proposed

SO.....

What does this mean for
the taxpayer?



How are my taxes computed?



Appraised Value	75,000
Assessed Value	30,000
Taxable Value	30,000
Divided by 1,000	30
X Millage Rate	15.89
City Property Tax	\$476.70

How are my taxes computed?

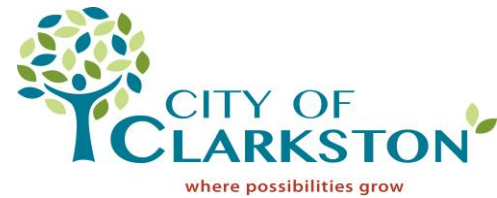


Appraised Value	100,000
Assessed Value	40,000
Taxable Value	40,000
Divided by 1,000	40
X Millage Rate	15.89
City Property Taxes	\$635.56

How are my taxes computed?

Appraised Value	150,000
Assessed Value	60,000
Taxable Value	60,000
Divided by 1,000	60
X Millage Rate	15.89
City Property Taxes	\$953.40

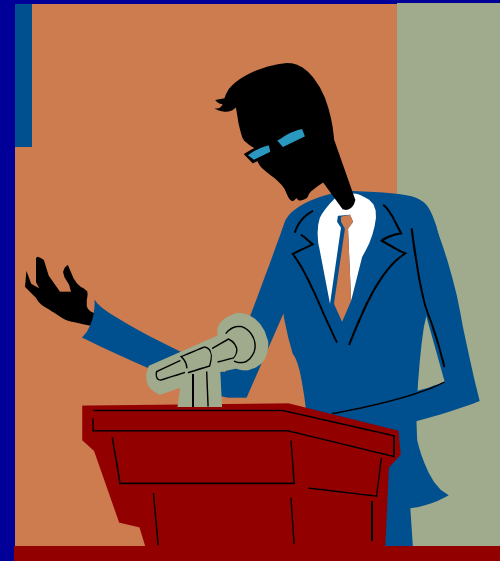
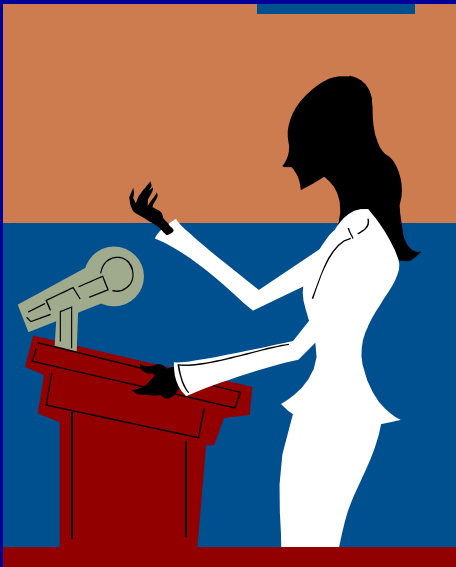
How are my taxes computed?



Appraised Value	200,000
Assessed Value	80,000
Taxable Value	80,000
Divided by 1,000	80
X Millage Rate	15.89
City Property Taxes	\$1,271.20

PUBLIC HEARING

QUESTIONS - COMMENTS



PT-32.1 - Computation of MILLAGE RATE ROLLBACK AND PERCENTAGE INCREASE IN PROPERTY TAXES - 2020				
COUNTY: DEKALB		TAXING JURISDICTION: CLARKSTON		
ENTER VALUES AND MILLAGE RATES FOR THE APPLICABLE TAX YEARS IN YELLOW HIGHLIGHTED BOXES BELOW				
DESCRIPTION	2019 DIGEST	REASSESSMENT OF EXISTING REAL PROP	OTHER CHANGES TO TAXABLE DIGEST	2020 DIGEST
REAL	194,325,180	11,240,780	625,232	206,191,192
PERSONAL	18,309,571		(1,733,224)	16,576,347
MOTOR VEHICLES	791,010		(87,130)	703,880
MOBILE HOMES	0		0	0
TIMBER -100%	0		0	0
HEAVY DUTY EQUIP	0		0	0
GROSS DIGEST	213,425,761	11,240,780	(1,195,122)	223,471,419
EXEMPTIONS	4,320,465		(746,948)	3,573,517
NET DIGEST	209,105,296	11,240,780	(448,174)	219,897,902
	(PYD)	(RVA)	(NAG)	(CYD)
2019 MILLAGE RATE:		15.890	2020 MILLAGE RATE:	
			15.890	
CALCULATION OF ROLLBACK RATE				
DESCRIPTION	ABBREVIATION	AMOUNT	FORMULA	
2019 Net Digest	PYD	209,105,296		
Net Value Added-Reassessment of Existing Real Property	RVA	11,240,780		
Other Net Changes to Taxable Digest	NAG	(448,174)		
2020 Net Digest	CYD	219,897,902		
2019 Millage Rate	PYM	15.890	PYM	
Millage Equivalent of Reassessed Value Added	ME	0.812	(RVA/CYD) * PYM	
Rollback Millage Rate for 2020	RR - ROLLBACK RATE	15.078	PYM - ME	
CALCULATION OF PERCENTAGE INCREASE IN PROPERTY TAXES				
If the 2020 Proposed Millage Rate for this Taxing Jurisdiction exceeds Rollback Millage Rate computed above, this section will automatically calculate the amount of increase in property taxes that is part of the notice required in O.C.G.A. § 48-5-32.1(c) (2)			Rollback Millage Rate	15.078
			2020 Millage Rate	15.890
			Percentage Tax Increase	5.39%
CERTIFICATIONS				
I hereby certify that the amount indicated above is an accurate accounting of the total net assessed value added by the reassessment of existing real property for the tax year for which this rollback millage rate is being computed.				
-----		-----		
Chairman, Board of Tax Assessors		Date		
I hereby certify that the values shown above are an accurate representation of the digest values and exemption amounts for the applicable tax years.				
-----		-----		
Tax Collector or Tax Commissioner		Date		
I hereby certify that the above is a true and correct computation of the rollback millage rate in accordance with O.C.G.A. § 48-5-32.1 for the taxing jurisdiction for tax year 2020 and that the final millage rate set by the authority of this taxing jurisdiction for tax year 2020 is _____				
CHECK THE APPROPRIATE PARAGRAPH BELOW THAT APPLIES TO THIS TAXING JURISDICTION				
	If the final millage rate set by the authority of the taxing jurisdiction for tax year 2020 exceeds the rollback rate, I certify that the required advertisements, notices, and public hearings have been conducted in accordance with O.C.G.A. §§ 48-5-32 and 48-5-32.1 as evidenced by the attached copies of the published "five year history and current digest" advertisement and the "Notice of Intent to Increase Taxes" showing the times and places when and where the required public hearings were held, and a copy of the press release provided to the local media.			
	If the final millage rate set by the authority of the taxing jurisdiction for tax year 2020 does not exceed the rollback rate, I certify that the required "five year history and current digest" advertisement has been published in accordance with O.C.G.A. § 48-5-32 as evidenced by the attached copy of such advertised report.			
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Responsible Party		Title		Date

FINAL

PRELIM
05/26/2020

Change

Revenue Categories

	2019 40% Value	2020 40% Value	% 2019 vs. 2018	% of Tax Digest
RESIDENTIAL				
R1-Improvements	41,195,784	42,515,315	3.20%	
R3-Lots	16,190,228	16,499,477	1.91%	
R4-Small Tracts	39,960	39,960	0.00%	
R5-Large Tracts	-	-		
RB-Boats	3,808	3,808	0.00%	
Residential	57,429,780	59,058,560	2.84%	26.4%
COMMERCIAL				
C1-Improvements	88,184,111	93,101,403	5.58%	
C3-Lots	7,721,840	7,781,264	0.77%	
C4-Small Tracts	18,820,171	18,490,169	-1.75%	
C5-Large Tracts	6,295,312	6,580,300	4.53%	
CF-Furn/Fixt/Eqpt	2,366,622	2,746,289	16.04%	
CI-Inventory	3,488,535	2,668,085	-23.52%	
CP-Freeport Inventory	-	167,710		
Commercial	126,876,591	131,535,220	3.67%	58.9%
INDUSTRIAL				
I1-Improvements	9,344,212	14,456,640	54.71%	
I3-Lots	2,445,094	2,725,636	11.47%	
I4-Small Tracts	4,001,028	4,001,028	0.00%	
IF-Furn/Fixt/Eqpt	2,875,561	2,670,587		
II-Inventory	117,071	104,777		
IP-Freeport Inventory	2,307,038	2,142,086		
Industrial	21,090,004	26,100,754	23.76%	11.7%
UTILITY	7,138,526	6,073,005	-14.93%	2.7%
MOTOR VEHICLE	791,010	703,880		0.3%
Gross Digest	213,325,911	223,471,419	4.76%	100.0%
Exemptions:				
M1-City Homestead	4,320,465	3,573,517		
Total Exemptions	4,320,465	3,573,517		
Net Digest	209,005,446	219,897,902		
Net Adjusted Digest	209,005,446	219,897,902	5.21%	
APPEALS				
Net Adjusted Digest at Billing	209,005,446	219,897,902		

311190 - Other Real Property Tax	311110 - Public Utility Prop Tax	311390 - Personal Property Tax	311310 - Motor Vehicle Tax	Total Revenue
\$ 675,568				\$ 675,568
\$ 262,177				\$ 262,177
\$ 635				\$ 635
		\$ 61		\$ 61
\$ 938,380	\$ -	\$ 61	\$ -	\$ 938,441
\$ 1,479,381				\$ 1,479,381
\$ 123,644				\$ 123,644
\$ 293,809				\$ 293,809
\$ 104,561				\$ 104,561
		\$ 43,639		\$ 43,639
		\$ 42,396		\$ 42,396
		\$ 2,665		\$ 2,665
\$ 2,001,395	\$ -	\$ 88,699	\$ -	\$ 2,090,095
\$ 229,716				\$ 229,716
\$ 43,310				\$ 43,310
\$ 63,576				\$ 63,576
		\$ 42,436		\$ 42,436
		\$ 1,665		\$ 1,665
		\$ 34,038		\$ 34,038
\$ 336,603	\$ -	\$ 78,138	\$ -	\$ 414,741
	\$ 96,500			\$ 96,500
			\$ 11,185	\$ 11,185
\$ 3,276,378	\$ 96,500	\$ 166,898	\$ 11,185	\$ 3,550,961
\$ (56,783)				\$ (56,783)
\$ 3,219,595	\$ 96,500	\$ 166,898	\$ 11,185	\$ 3,494,178
\$ 3,450,221	\$ 113,431	\$ 177,311	\$ 96,831	\$ 3,837,794

2020 PRELIM DIGEST
2020 BUDGET

ESTIMATED PROPERTY TAX REVENUES

15.89		
15.89 mils for 2018	\$ 3,321,097	
15.89 mils for 2019		\$ 3,494,178
\$\$\$ revenue per mil	\$ 209,005	\$ 219,898
Final Budgeted Revenue	\$ -	\$ 3,837,794
Final Actual Revenue	2,878,101	
Projected Budget Shortfall	\$ -	\$ (343,616)
Final Millage Rate	15.89	15.89



Michael Thurmon
Chief Executive Officer
DeKalb County, Georgia

Steve Bradshaw
DeKalb County Commission Presiding Officer

DeKalb Commissioners,

As you are aware, the United States Congress passed the CARES Act in April of this year. Part of the legislation was the Coronavirus Relief Fund (CRF), which was set aside for state and local governments to use for reimbursable expenses related to the coronavirus. The State of Georgia was allocated \$4,117,018,751 for these purposes; however the legislation allows the Governor of Georgia to share up to 45% or \$1,852,658,437.95 of those funds with local governments. As a feature of the legislation, any local government in excess of 500,000 in population would be awarded directly \$174.49 per person, which is 45% of the state's per capita rate of \$387.76. There are five direct recipients in Georgia, to include the City of Atlanta, Cobb County, DeKalb County, Fulton County, and Gwinnett County. It is important to note that except for the City of Atlanta, each of these governments are comprised of both incorporated and unincorporated residents. However, the Treasury department is silent on how to divide these funds to best serve the citizens of the state.

The Governor is considering a proposal that would allocate \$174.49 per resident to all the local governments outside of the four direct recipient counties, which would be split by unincorporated and incorporated residents. However, since the per capita rate for the incorporated residents of your county were included in the amount you have previously received from Treasury, the twelve cities outside of Atlanta in DeKalb County will be excluded from receiving CRF funds under his proposal.

The Coronavirus Relief Fund (CRF) monies released to DeKalb County by the US Treasury were issued at a \$174.49 per person rate for a total of \$125,339,831.29, which includes the 287,608 citizens that live in one of DeKalb's municipalities outside of Atlanta. Given the fact that these municipalities make up 45% of the population of DeKalb County, we believe there should be a per capita sharing of CRF funds with these cities. The City of Clarkston urges you and the county commission to support its incorporated

residents by sharing the funding it received on a per capita basis with the cities of DeKalb, much like the Treasury did with you and the other direct recipient governments.

Thank you so much for your consideration, and we look forward to serving the citizens of DeKalb County together.

Sincerely

CLARKSTON CITY COUNCIL

Awet Eyasu, Vice-Mayor

City of Clarkston

	City	2018 Pop	Per Cap	Dist Amt	30% Allocated to Phase 1
1	Avondale Estates	3147	\$ 174.49	\$ 549,120.03	\$ 164,736.01
2	Brookhaven	54029	\$ 174.49	\$ 9,427,520.21	\$ 2,828,256.06
3	Chamblee	29659	\$ 174.49	\$ 5,175,198.91	\$ 1,552,559.67
4	Clarkston	12731	\$ 174.49	\$ 2,221,432.19	\$ 666,429.66
5	Decatur	25658	\$ 174.49	\$ 4,477,064.42	\$ 1,343,119.33
6	Doraville	10249	\$ 174.49	\$ 1,788,348.01	\$ 536,504.40
7	Dunwoody	49538	\$ 174.49	\$ 8,643,885.62	\$ 2,593,165.69
8	Lithonia	2347	\$ 174.49	\$ 409,528.03	\$ 122,858.41
9	Pine Lake	759	\$ 174.49	\$ 132,437.91	\$ 39,731.37
10	Stonecrest	54424	\$ 174.49	\$ 9,496,443.76	\$ 2,848,933.13
11	Stone Mountain	6308	\$ 174.49	\$ 1,100,682.92	\$ 330,204.88
12	Tucker	36148	\$ 174.49	\$ 6,307,464.52	\$ 1,892,239.36
		284997		\$ 49,729,126.53	\$ 14,918,737.96

CITY OF CLARKSTON

CLARKSTON CITY COUNCIL MEETING

ITEM NO: H1

HEARING TYPE:
Work session

BUSINESS AGENDA / MINUTES

ACTION TYPE:
Discussion

MEETING DATE: June 30, 2020

SUBJECT: Clarkston Work Force Development Initiative

DEPARTMENT: City Administration

PUBLIC HEARING: YES NO

ATTACHMENT: YES NO
Pages:

INFORMATION CONTACT: Awet Eyasu, Debra Johnson
PHONE NUMBER: 404-296-6489

PURPOSE:

This agenda item is to discuss Clarkston Work Force Development Initiative.

RESOLUTION FOR WORKFORCE DEVELOPMENT

Whereas, covid 19 has resulted in loss of jobs of millions of Americans.

Whereas, covid 19 has also significantly impacted most jobs related to tourism, hospitality, travel, food processing and restaurant businesses which employ many residents of Clarkston.

Whereas, there has already been a move for automation of many jobs.

Whereas, some of the jobs may not recover soon or may be automated.

Now be it resolved that the Clarkston City Council will create a fund that can be used to train eligible residents on highly paying jobs.

Now be it further resolved that the City will actively seek non profit partners and use intergovernmental agreements to collaborate with Dekalb County.

CITY OF CLARKSTON

CLARKSTON CITY COUNCIL MEETING

ITEM NO: H2

HEARING TYPE:
Work session

BUSINESS AGENDA / MINUTES

ACTION TYPE:
Discussion

MEETING DATE: June 30, 2020

SUBJECT: Refer to Legal Committee to create Citizens Review Committee

DEPARTMENT: City Administration

PUBLIC HEARING: YES NO

ATTACHMENT: YES NO
Pages:

INFORMATION CONTACT: Awet Eyasu, Debra Johnson
PHONE NUMBER: 404-296-6489

PURPOSE:

This agenda item is to discuss referring to the Legal Committee creating a Citizens Review Committee.

CITY OF CLARKSTON

CLARKSTON CITY COUNCIL MEETING

ITEM NO: H3

HEARING TYPE:
Work session

BUSINESS AGENDA / MINUTES

ACTION TYPE:
Discussion

MEETING DATE: June 30, 2020

SUBJECT: Resolution to Declare racism as a Public Health crisis

DEPARTMENT: City Administration

PUBLIC HEARING: YES NO

ATTACHMENT: YES NO
Pages:

INFORMATION CONTACT: YT Bell, Awet Eyasu,
PHONE NUMBER: 404-296-6489

PURPOSE:

This agenda item is to discuss a Resolution to Declare racism as a Public Health crisis

RESOLUTION NO. _____

**A RESOLUTION BY THE CLARKSTON CITY COUNCIL
DECLARING THAT RACISM IS A PUBLIC HEALTH CRISIS.**

WHEREAS, race is a social construction with no biological basis, and

WHEREAS, racism is a social system with various dimensions; systematic racism is an institution and a system of structural opportunity and assigning value based on the social interpretation of how one looks that unfairly disadvantages some individuals and communities, unfairly advantages other individuals and communities, and saps the strength of the whole society through the waste of human resources; and

WHEREAS, racism causes consistent and persistent racial discrimination in housing (ex. Redlining), education (resources offered based on tax base), employment, criminal justice, and scholarly research demonstrates that racism is a social determinant of health; and

WHEREAS, the social determinant of health, defined as the social and material factors that influence health, including employment, housing, education, health care, public safety, and food access— are known to impact life-long health outcomes beginning even before birth; and

WHEREAS, health equity is defined as all residents having the opportunity to attain their highest level of health; and

WHEREAS, inequities are created when barriers prevent individuals and communities from accessing these conditions and reaching their full potential; and

WHEREAS, the American Public Health Association finds racism to be a barrier to health equity and has named racism a driving force of how these social determinants of health are distributed; and

WHEREAS, the American Academy of Pediatrics has declared that racism is a barrier to wellness that has a profound impact on the health status of children, adolescents, emerging adults, and their families and that the continued negative impact of racism on health and well-being through implicit and explicit biases, institutional structures, and interpersonal relationships is clear; and

WHEREAS, the United States Office of Disease Prevention recognizes that racial discrimination negatively impacts health outcomes; and

WHEREAS, the American College of Physicians has found that Black people in particular are at risk of being subjected to discrimination and violence against them because of their race,

endangering them and even costing them their lives; and

WHEREAS, the Center for Disease Control and Prevention's current data suggests that the effect and impact of COVID-19 has disproportionately impacted specific racial and ethnic minority group, including Black, Hispanic, and other minority groups; and

WHEREAS, the American Psychological Association, the American Medical Association and the American Academy of Family Physicians have declared hate crimes a public health concern; and

WHEREAS, the U.S. National Institutes of Health reports that multiple studies suggest that experiences of racism or discrimination raise the risk of emotional and physical health problems, including depression, cardiovascular disease, hypertension, and even death; and

WHEREAS, the negative repercussions of historical racism, including but not limited to racist federal housing policies and discriminatory lending practices of the 20th century known as "redlining," continue to negatively impact:

1. access to nutritious food in Black neighborhoods, which contributes to higher rates of Type II Diabetes, hypertension, heart disease, and obesity;
2. economic security for Black residents, who are more likely to live in neighborhoods with less access to traditional banking institutions and high numbers of payday lenders;
3. educational achievement for Black residents, who are more likely to live in areas with underperforming school systems;
4. rates of environmentally based health problems for Black residents such as lead poisoning and asthma due to living in neighborhoods with older buildings and greater proximity to pollution-causing industries, resulting in rates of chronic diseases, including asthma, which are significantly higher in communities of color throughout Indianapolis;
5. rates of infant and maternal mortality for Black mothers and children, due to living in geographical areas with less access to healthcare, and resulting in mortality rates more than twice that for White infants; and

WHEREAS, local municipalities and community stakeholders such as research universities should work together to address and dismantle these systems that have a negative impact of the quality of life for residents, specifically Black people; and

WHEREAS, due to this being a public health crisis, it is the Clarkston City Council's responsibility as an elected body representing the people of Clarkston to address racism by bringing awareness, educating, and reshaping agendas with a racial equity framework and encourages everyone to actively engage in racial justice work; and

WHEREAS, data from the Department of Public Health indicates that Black individuals are contracting, hospitalized, and dying at a higher rate by the novel infectious diseases known as COVID-19; and

WHEREAS, Black residents of the city of Clarkston have tested positive for COVID-19 at a rate nearly of 19% of the cases compared to the 4.8% of White residents with less than 5 reported COVID-19 related deaths with a 30021 zip;

WHEREAS, Black residents of DeKalb County have tested positive for COVID-19 at a rate nearly of 35% of the cases compared to the 17% of White residents; and

WHEREAS, Black residents consist of approximately 54.8% of the City of Clarkston's population but account for 19% of COVID-19-related cases

WHEREAS, racism operates on systemic, institutional, and interpersonal levels, all of which operate throughout time and across generations; and

WHEREAS, on _____ of this year, the Clarkston City Council unanimously adopted a resolution declaring racism unjust, reiterating our support for equal rights for all and affirming the City's commitment to ending disparities based on race, place, or identity.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF CLARKSTON, GA:

SECTION 1. That we declare racism to be a public health crisis in the City of Clarkston that affects all members of our community and deserves action from all levels of government and civil society.

SECTION 2. That this Council commits to honest and open discussions of race and the impact of the decisions we make upon racial inequities in our community, that these discussions will be integrated into our daily work together, and that we will address issues of race and racial disparities in a full and forthright manner.

SECTION 3. That we call upon all city and county elected officials and departments to continue, with urgency, the review of policies and procedures for the purposes of eradicating implicit and explicit racial bias and develop instead policies and procedures that build racial equity; and

SECTION 4. That City Council and the city departments should immediately access all available tools to eliminate disparities based on race, place, or identity across key indicators of success, including health, education, criminal justice, the environment, employment and the economy.

SECTION 5. The City Council hereby allocates Two Thousand Dollars (\$2,000) from the General Fund for the purpose of working with an appropriate external agency or university to complete a detailed evaluation assessment to assess anti-blackness, implicit biases and racism among city officials, staff, and the general public. This data will be used to compile a report and begin

treatment through implicit biases and anti-racist trainings within one calendar year; and

SECTION 6. The Council and city staff will make the data and report referenced in Section 5 publicly available via the City's website, with the intention of incorporating racial equity into the analysis of governmental action and strengthening the City's commitment to analyze and address racial disparities.

SECTION 7. This resolution shall be in full force and effect upon adoption in compliance with Clarkston's ordinances.

SO RESOLVED, this _____ day of _____, 2020.

CITY COUNCIL, CITY OF CLARKSTON, GEORGIA

Awet Eyasu, Vice Mayor

Attest:

Tracy Ashby, City Clerk

CITY OF CLARKSTON

CLARKSTON CITY COUNCIL MEETING

ITEM NO: H4

HEARING TYPE:
Work session

BUSINESS AGENDA / MINUTES

ACTION TYPE:
Discussion

MEETING DATE: June 30, 2020

SUBJECT: Resolution by the City of Clarkston Condemning Racism and Affirming the Compassion and Empathy Displayed by the Clarkston Police Department.

DEPARTMENT: City Administration

PUBLIC HEARING: YES NO

ATTACHMENT: YES NO
Pages:

INFORMATION CONTACT: YT Bell, Debra Johnson,
Awet Eyasu,
PHONE NUMBER: 404-296-6489

PURPOSE:

This agenda item is to discuss a Resolution by the City of Clarkston Condemning Racism and Affirming the Compassion and Empathy Displayed by the Clarkston Police Department.

RESOLUTION NO. _____

**A RESOLUTION BY THE CITY OF CLARKSTON CONDEMNING RACISM AND
AFFIRMING THE COMPASION AND EMPATHY DISPLAYED BY THE
CLARKSTON POLICE DEPARTMENT.**

WHEREAS, the City of Clarkston, its Vice Mayor, City Council, Chief of Police, entire Clarkston Police Department and employees city-wide are deeply saddened and disturbed by the tragic death of George Floyd and other similar events that have occurred across the country; and

WHEREAS, Clarkston is a Welcoming City and racism and hate have no place in our city; and

WHEREAS, the City of Clarkston is committed to working actively against all forms of racism, safeguarding our community against the damages that racism causes and ensuring that the constitutional rights of every person who lives, works, and visits our great city are protected; and

WHEREAS, your Clarkston Police Department values the lives of all people and its officers take their oath and their responsibilities as police officers and as human beings very seriously; and

WHEREAS, your Clarkston Police Department has established and strives to maintain a culture of collaboration, partnership and service; and

WHEREAS, your Clarkston Police Department is one of the most diverse departments in the state, employing officers that mirror the diversity of our great community; and

WHEREAS, your Clarkston Police Department will continue to be your public servants, who are moral, trustworthy, empathetic, and train to serve everyone who lives in or passes through the community with compassion and empathy; and

WHEREAS, your Clarkston Police Department has been and will continue to be honest and transparent with internal and external stakeholders and will continue to build on the culture of trust with those they serve; and

WHEREAS, your Clarkston Police Department officers are trained to de-escalate situations and to use dialogue and respect in all situations.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Clarkston, Georgia that the City of Clarkston stands steadfast with the Clarkston community against racism and reaffirms its commitment to fighting for racial justice and human and civil rights for all.

BE IT FURTHER RESOLVED that your Clarkston Police Department stands with the Clarkston community against racism and the use of excessive force and asks the community to stand with them as well.

SO RESOLVED, this ____ day of _____, 2020.

CITY COUNCIL, CITY OF CLARKSTON, GEORGIA

Awet Eyasu, Vice Mayor

Attest:

Tracy Ashby, City Clerk

CITY OF CLARKSTON

CLARKSTON CITY COUNCIL MEETING

ITEM NO: H5

HEARING TYPE:
Work session

BUSINESS AGENDA / MINUTES

ACTION TYPE:
Discussion

MEETING DATE: June 30, 2020

SUBJECT: Resolution to Establish the Reproductive Justice Commission

DEPARTMENT: City Administration

PUBLIC HEARING: YES NO

ATTACHMENT: YES NO
Pages:

INFORMATION CONTACT: YT Bell, Awet Eyasu,
PHONE NUMBER: 404-296-6489

PURPOSE:

This agenda item is to discuss a Resolution to Establish the Reproductive Justice Commission.

RESOLUTION TO CREATE A CITY OF CLARKSTON REPRODUCTIVE JUSTICE COMMISSION

WHEREAS, access to comprehensive sexual and reproductive health care, including abortion, is a basic human right that should be steadfastly afforded to all; and

WHEREAS, the Georgia General Assembly adopted House Bill 481 in 2019, which would ban abortion as early as six weeks into a pregnancy; and

WHEREAS, such bans exacerbate existing barriers to reproductive health care that disproportionately impact Black women, people of color, low-income, immigrants, refugees, and LGBTQIA communities; and

WHEREAS, the COVID-19 pandemic has further exposed the health inequities in our communities and the important role that city leaders, in partnership with local organizations and community members, have in addressing them.

WHEREAS, Clarkston's historically marginalized communities, immigrants, and refugee residents can provide city council a vital point of view to the needs and concerns of Clarkston residents as they pertain to reproductive healthcare access and sexual health promotion; and

WHEREAS, establishment of a Reproductive Justice Commission would proactively work to increase awareness around, resourcing for, and access to reproductive care both in times of crisis and stability, and

WHEREAS, such a Commission would also conduct policy research and make recommendations as to how to best improve public health outcomes related to reproductive and sexual health such as maternal health, family planning, and sex education, in Clarkston and unincorporated DeKalb; and

WHEREAS, the City of Clarkston seeks to model a community engagement and input process that ensures all stakeholders, and especially those most impacted, have a voice in this process; and

WHEREAS, the Clarkston City Council therefore desires to establish a Reproductive Justice Commission to deliver on these broad goals; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CLARKSTON, GEORGIA, the Clarkston Reproductive Justice Commission consisting of 7-10 individuals is hereby established to do the following:

1. The Reproductive Justice Commission will advise the Mayor, City Council, and City Manager about reproductive and sexual health issues of interest to the community.
2. Plans to work with the Mayor-City Councilmembers on policy recommendations and community engagement
3. Host quarterly community forums where the commission reports out on their work and collects input from community members and local organizations.
4. Release an annual report on key findings, recommendations, and achievements.

RESOLUTION TO CREATE A CITY OF CLARKSTON REPRODUCTIVE JUSTICE COMMISSION

5. Provide indications of the ways in which reproductive justice impacts economic mobility, viability, and quality of life of a household in Clarkston.

BE IT FURTHER RESOLVED, that members of the Commission shall be appointed by the Mayor and Clarkston City Council.

BE IT FURTHER RESOLVED, that the Commission shall include stakeholders from the City of Clarkston, public and reproductive health fields, service providers, community organizations, and community members.

BE IT FURTHER RESOLVED, that at least two members of the Commission shall be of immigrant and refugee communities

BE IT FURTHER RESOLVED, that 2-3 members of the Commission shall represent local service providers and community organizations with established relationships in the community and who are committed to reproductive justice

BE IT FURTHER RESOLVED, that the Commission will work with the Clarkston Health care task force to develop collective and collaborative efforts.

BE IT FINALLY RESOLVED, that Clarkston residents wishing to be considered for appointment to the Clarkston Reproductive Justice Commission shall first complete an application which will be developed in partnership with AMPLIFY GA will be made available on the City's official website via Google Doc/Application.

CITY OF CLARKSTON

ITEM NO: H6

CLARKSTON CITY COUNCIL MEETING

HEARING TYPE:
Work Session

BUSINESS AGENDA / MINUTES

ACTION TYPE:
Update

MEETING DATE: June 30, 2020

SUBJECT: Update on Special Election Qualifying Period

DEPARTMENT: City Administration

PUBLIC HEARING: YES NO

ATTACHMENT: YES NO
Pages:

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

PURPOSE:

To provide an update on the Qualifying Period for the special election to fill the unexpired term of the office of Mayor.

NEED/ IMPACT:

The City Council called for a special election at the May 5, 2020 meeting to fill the vacancy of the Mayors seat. The qualifying period for the special election for Mayor was scheduled to be held Monday, September 14 to Wednesday, September 16, 2020. DeKalb County Elections Office has provided updates to their election processes and they intend to mail out absentee ballot beginning September 15, 2020. To meet this deadline, the Clarkton Elections Superintendent has set that the updated Qualifying period will occur for three (3) consecutive days beginning Monday, August 10 and concluding Wednesday, August 12, from 9:00 am to 4:30 pm daily at the Clarkston City Hall Annex facility located at 1055 Rowland Ave.

Notifications/advertising for the election and August Qualifying period will begin will begin July 9, 2020.

CITY OF CLARKSTON

ITEM NO: H7

CLARKSTON CITY COUNCIL MEETING

HEARING TYPE:
Work Session

BUSINESS AGENDA / MINUTES

ACTION TYPE:
Resolution

MEETING DATE: June 30, 2020

SUBJECT: Adopt Resolution Authorizing, Among Other Things, the Issuance and Sale of a Tax Anticipation Note in the Principal Amount of \$600,000

DEPARTMENT: Administration

PUBLIC HEARING: YES NO

ATTACHMENT: YES NO
Pages: 12

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

PURPOSE: To consider adopting the attached Resolution Authorizing, Among Other Things, the Issuance and Sale of a Tax Anticipation Note in the Principal Amount of \$600,000

NEED/ IMPACT: The City of Clarkston will receive approximately 60% of our total anticipated revenue for fiscal year 2020 between the months of September and December. The majority of this revenue comes from property taxes, insurance premium payments and municipal court fines. The bulk of this revenue; property taxes and insurance premium payments, is received during the months of September, October and November.

The City anticipates receiving the final 2020 tax digest in the next couple of weeks. While we will not receive property taxes until later this year, we have to generate additional available cash flow to cover our payrolls and other budgeted expenditures over the summer months. The use and subsequent reduction in surplus available cash on hand will result in a temporary cash flow problem during the months from June through September if not addressed. (2020 tax proceeds will be remitted from Dekalb County beginning the end of September through November). We have prepared a detailed schedule of monthly cash flow projections for the remainder of 2020 and expect our deficit balance in operating cash to be approximately \$199,500 at the end of July 2020 and topping out with a deficit balance of \$600,000 by the end of September 2020.

Given that tax proceeds are not received until the 4th quarter of the fiscal year within which they are budgeted, this fiscal reality is not unusual. Many Georgia counties and municipalities take advantage of a State Law that authorizes the issuance of a Tax Anticipation Note (TAN), which will allow borrowing funds sufficient to cover the temporary cash flow deficit. Funds borrowed must be repaid in full prior to December 31st of each year.

Staff has received a quote from BB&T/Truist Bank for the issuance of a Tax Anticipation Note in the amount of \$600,000 with an interest rate of 2.19% and an anticipated closing date of July 10, 2020. This

is a short term loan with full payment due of principal and interest on December 31, 2020. The interest rate charged on the principal balance will be 2.19% annually amortized over 174 days. Accordingly, the interest payments to BB&T will be approximately \$6,351. Additionally, issuance of a TAN requires preparation of the TAN resolution and other associated legal documents by a bond attorney. The fee for the bond attorney will be \$5,000.

RECOMMENDATIONS: Staff recommends the City Council adopt the attached Tax Anticipation Note Resolution and associated documents.

RESOLUTION
AUTHORIZING, AMONG OTHER THINGS,
THE ISSUANCE AND SALE OF A TAX ANTICIPATION NOTE
IN THE AMOUNT OF \$600,000

WHEREAS, the City of Clarkston, Georgia (the “Issuer”) is a municipal corporation of the State of Georgia, duly created and existing under and by virtue of the Constitution and laws of the State of Georgia; and

WHEREAS, the City Council of the City of Clarkston, Georgia (the “Governing Body”) has determined that it is in the best interest of the Issuer to borrow money to pay current expenses for calendar year 2020 in anticipation of the receipt of taxes levied or to be levied for the General Fund; and

WHEREAS, the Issuer is authorized by Article IX, Section V, Paragraph V of the Constitution of the State of Georgia and Section 36-80-2 of the Official Code of Georgia Annotated to borrow money to pay current expenses during any calendar year and to evidence such borrowing by issuing tax anticipation notes in anticipation of the receipt of taxes levied or to be levied for the General Fund for expenses payable in such calendar year; and

WHEREAS, the Issuer proposes to issue a Tax Anticipation Note in the principal amount of \$600,000 (the “Note”) to pay the current expenses of the Issuer;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Issuer and it is hereby resolved by authority of the same, as follows:

Section 1. Findings. The Governing Body hereby finds and determines as follows: (a) the principal amount of the Note and any other outstanding temporary loans do not exceed 75% of the total gross income from taxes collected by the Issuer in calendar year 2019 for the General Fund; (b) the principal amount of the Note, together with other contracts, notes, warrants or obligations of the Issuer for current expenses payable from the General Fund, do not exceed the total anticipated tax revenues of the Issuer for the General Fund for calendar year 2020; (c) no temporary loan or other contract, note, warrant or other obligation for current expenses incurred in calendar year 2019 or any prior calendar year remains unpaid as of the date hereof; and (d) a need exists for the Issuer to borrow \$600,000 to pay current expenses of the Issuer in calendar year 2020 prior to the receipt of sufficient revenues from taxes levied or to be levied for the General Fund for 2020.

Section 2. Authorization of Note; Terms and Execution. There is hereby authorized to be issued a tax anticipation note of the Issuer in the principal amount of \$600,000 which shall be designated “City of Clarkston, Georgia Tax Anticipation Note, 2020” (the “Note”). The Note shall be dated as of the date of delivery thereof to the purchaser, shall bear interest at the rate of interest set forth therein as provided in the form of the Note attached hereto as Exhibit A and shall be issued in registered form. Both principal and interest shall be payable in lawful money of the United States of America by wire transfer to the person who is the registered owner on December 15, 2020 without the presentation or surrender of the Note, except

that upon written request of the Issuer made concurrently with or reasonably promptly after payment in full of the Note, the registered owner thereof shall surrender the Note for cancellation, reasonably promptly after any such request, to the Issuer, and shall be payable as to principal and interest. The Note shall mature and together with accrued interest shall be payable on December 31, 2020. The Note may be prepaid in whole prior to maturity, without premium, in an amount equal to par plus accrued interest. The Note shall be executed by the Vice Mayor, and shall be attested to by the City Clerk, and the seal shall be impressed thereon. In case any officer whose signature shall be affixed to the Note or who shall have sealed the Note shall cease to be such officer before the Note so signed and sealed shall have been actually delivered, the Note, nevertheless, shall be a valid Note obligation of the Issuer and may be delivered as such notwithstanding the fact that such officer or officers may have ceased to be such officer or officers of the Issuer when the Note shall be actually delivered.

Section 3. Approval of Form of Note. The Note as initially issued shall be issued in substantially the form attached hereto as Exhibit A subject to such minor changes, insertions or omissions as may be approved by the Vice Mayor, and the execution and delivery of the Note shall be conclusive evidence of such approval.

Section 4. Tax Revenues Used to Repay Note. The Issuer agrees to use for payment of the Note and the interest thereon a sufficient portion of the revenues received by the Issuer from taxes levied or to be levied for calendar year 2020 for the General Fund and other funds available for such purpose. The indebtedness evidenced by the Note is a general obligation of the Issuer, and the full faith and credit of the Issuer have been and hereby are irrevocably pledged to secure the payment of the principal of and interest on this Note.

Section 5. Authentication of Note. The Note as originally issued and each Note issued in connection with a registration of transfer shall have endorsed thereon a certificate of authentication substantially in the form set forth in the Note. The Note shall not be deemed to be validly issued hereunder unless it contains such certificate of authentication.

Section 6. Registered Owner. The person in whose name the Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of either principal or interest shall be made only to or upon the order of the registered owner thereof or his duly authorized attorney. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

Section 7. Tax Covenants and Representations. The Note is being issued by the Issuer for the governmental purpose of providing funds for the current expenses of the Issuer for the year 2020, in compliance with the conditions necessary for the interest income on the Note to be excludable from gross income for federal income taxation pursuant to the provisions of Section 103(a) of the Internal Revenue Code of 1986, as amended (the "Code"). It is the intention of the Issuer that the interest on the Note be and remain excludable from gross income for federal income tax purposes, and, to that end, the Issuer hereby covenants with the holder of the Note, as follows:

(a) It will not take any action, or fail to take any action, if any such action or failure to take action would adversely affect the tax-exempt status of the interest on the Note under Section 103 of the Code.

(b) It will not directly or indirectly use or permit the use of any proceeds of the Note or any other funds of the Issuer or take or omit to take any action in a way that would cause the Note to be (i) a “private activity bond” within the meaning of Section 141 of the Code, (ii) an obligation which is “federally guaranteed” within the meaning of Section 149 of the Code or (iii) a “hedge bond” within the meaning of Section 149 of the Code.

(c) It will not directly or indirectly use or permit the use of any proceeds of the Note or any other funds of the Issuer or take or omit to take any action that would cause the Note to be an “arbitrage bond” within the meaning of Section 148 of the Code.

(d) It will cause to be completed and filed with the Internal Revenue Service the information required by Section 149(e) of the Code (Treasury Form 8038-G) simultaneously with the issuance of the Note.

Section 8. General Authority. From and after the date of adoption of this Resolution, any member of the Governing Body and the officers of the Issuer are hereby authorized to do such acts and things, and to execute and deliver all such certificates or agreements as may be necessary or desirable in connection with the issuance of the Note. All actions of the Governing Body, officers or agents of the Issuer taken in connection therewith prior to the date hereof are hereby ratified and confirmed. If the City Clerk shall not be able to execute the documents herein authorized, the Assistant City Clerk is hereby authorized to execute the documents on behalf of the City.

Section 9. Sale of Note. The sale of the Note to Truist Bank, a North Carolina banking corporation, at a purchase price of par, is hereby approved.

Section 10. Tax Levy for Payment of Note. For the purpose of providing funds for the payment of the principal of and interest on the Note, there shall be and hereby is assessed and levied and there shall hereafter be collected a direct tax upon all real and personal property now or hereafter subject to taxation within the Issuer, the net proceeds of which will be in a sufficient amount to produce such sums as are required to pay the principal and interest thereon. Said sums are irrevocably pledged and appropriated to the payment of the principal and interest, when due on the Note, and the provisions to meet the requirements of this Resolution shall hereafter be made in due time and manner so that the Note, including both principal and interest, shall be fully paid at maturity.

Section 11. Bank Qualification. The Issuer hereby designates the Note as a “qualified tax-exempt obligation” within the meaning of Section 265(b)(3) of the Code.

Section 12. Contract. The provisions, terms, and conditions of this Resolution will constitute a contract by and between the Issuer and the holder of the Note. After the issuance of the Note, this Resolution shall not be repealed or amended in any respect which will adversely affect the rights and interest of the holder of the Note.

Section 13. Effective Date. This Resolution shall be in full force and effect immediately upon its adoption, and any and all resolutions or parts of resolutions in conflict with this Resolution shall be, and they are, to the extent of such conflict, hereby repealed.

Adopted by the Governing Body of the Issuer on July 7, 2020.

CITY OF CLARKSTON, GEORGIA

(SEAL)

By: _____
Vice Mayor

Attest:

City Clerk

UNITED STATES OF AMERICA

STATE OF GEORGIA

CITY OF CLARKSTON, GEORGIA
TAX ANTICIPATION NOTE,
2020

<u>Maturity Date</u>	<u>Principal Amount</u>	<u>Date of Issue</u>
December 31, 2020	\$600,000	July 10, 2020

KNOW ALL MEN BY THESE PRESENTS: CITY OF CLARKSTON, GEORGIA, a municipal corporation of the State of Georgia (the “Issuer”), for value received, hereby promises to pay to Truist Bank or its successors or assigns (the “Bank”), (a) the sum of \$600,000 and (b) interest on such sum at the Stated Rate (as defined below), calculated on the basis of a 360-day year comprised of twelve 30-day months, in immediately available funds, on the Maturity Date set forth above.

Both principal hereof and interest are payable in lawful money of the United States of America. The Issuer also promises to pay any and all amounts owed by the Issuer as arbitrage rebate pursuant to Section 148 of the Internal Revenue Code of 1986, as amended and any amounts expended by any owner of this Note in connection with the collection of amounts owed hereunder, including, but not limited to attorney fees.

This Note is authorized by a resolution (the “Resolution”) duly adopted by the Vice Mayor and City Council of the City of Clarkston, Georgia (the “Governing Body”) of the Issuer on July 7, 2020 (the “Note Resolution”), in accordance with Article IX, Section V, Paragraph V of the Constitution of the State of Georgia and Section 36-80-2 of the Official Code of Georgia Annotated, for the purpose of making a temporary loan to pay current expenses of the Issuer in calendar year 2020.

Upon the occurrence of a Determination of Taxability, then, from and after the Date of Taxability, the interest rate used to calculate interest on the Note shall be the Taxable Rate, as defined below. After a Determination of Taxability and upon demand of the owner or any prior owner of the Note, the Issuer shall pay to such owner or prior owner such additional amount as shall be necessary to provide, together with interest received at the Stated Rate, an equivalent amount as if interest on the Note shall have been payable at the Taxable Rate from the Date of Taxability.

Upon the occurrence of a Determination of Non-Bank Qualified Status, then, from and after the Date of Non-Bank Qualified Status, the interest rate used to calculate interest on the Note shall be the Non-Bank Qualified Rate, as defined below. After a Determination of Non-Bank Qualified Status and upon demand of the owner or any prior owner of the Note, the Issuer shall pay to such owner or prior owner such additional amount as shall be necessary to provide,

together with interest received at the Stated Rate, an equivalent amount as if interest on the Note shall have been payable at the Non-Bank Qualified Rate from the Date of Non-Bank Qualified Status.

Upon a Determination of Taxability or a Determination of Non-Bank Qualified Status, the Issuer shall also pay to such owner or to any prior owner upon demand of such owner or prior owner any taxes, interest, penalties or other charges assessed against or payable by such owner or prior owner and attributable to such Determination of Taxability or such Determination of Non-Bank Qualified Status and all reasonable administrative, out-of-pocket and other expenses incurred by such owner or prior owner that are attributable to such event, including, without limitation, the costs incurred by such owner or prior owner to amend any of its tax returns, notwithstanding the repayment of the entire principal amount of the Note or any transfer or assignment of the Note.

The following terms shall have the following meanings in this Note unless the context otherwise requires:

“Date of Non-Bank Qualified Status” shall mean the earliest date as of which the Note was not a “qualified tax-exempt obligation” within the meaning of Section 265(b)(3) of the Code (or any successor provision) pursuant to a Determination of Non-Bank Qualified Status.

“Date of Taxability” shall mean the earliest date as of which interest on the Note shall have been determined to be includable in the gross income of any owner or prior owner of the Note as a result of a Determination of Taxability.

“Determination of Non-Bank Qualified Status” shall mean any determination by the Internal Revenue Service, any federal administrative agency, any court or by the owner based upon a written opinion of nationally recognized bond counsel that the Note is not a “qualified tax-exempt obligation” within the meaning of Section 265(b)(3) of the Code (or any successor provision).

“Determination of Taxability” shall mean and shall be deemed to have occurred on the first to occur of the following:

(a) on that date when the Issuer files any statement, supplemental statement or other tax schedule, return or document which discloses that an Event of Taxability shall have in fact occurred;

(b) on the date when the Issuer shall be advised in writing by the Commissioner or any District Director of Internal Revenue (or any other government official or agent exercising the same or a substantially similar function from time to time) that, based upon filings of the Issuer, or upon any review or audit of the Issuer or upon any other ground whatsoever, an Event of Taxability shall have occurred; and

(c) on that date when the Issuer shall receive notice from any owner or prior owner that the Internal Revenue Service (or any other government official or agency exercising the same or a substantially similar function from time to time) has assessed as

includable in the gross income of such owner or any prior owner the interest on the Note paid to such owner or prior owner due to the occurrence of an Event of Taxability;

provided, however, that no Determination of Taxability shall occur under clauses (b) or (c) above in the definition of Determination of Taxability unless the Issuer has been afforded the opportunity, at its expense, to contest any such assessment; and provided further that no Determination of Taxability shall occur until such contest, if made, has been finally determined; and provided further that upon demand from the owner or any prior owner, the Issuer shall immediately reimburse such owner or prior owner for any payments such owner (or any prior owner) shall be obligated to make as a result of the Determination of Taxability during any such contest.

“Event of Taxability” shall mean a change in law or fact or the interpretation thereof, or the occurrence or existence of any fact, event or circumstance (including, without limitation, the taking of any action by the Issuer, or the failure to take any action by the Issuer, or the making by the Issuer of any misrepresentation herein or in any certificate required to be given in connection with the issuance, sale or delivery of the Note) which has the effect of causing interest paid or payable on the Note to become includable, in whole or in part, in the gross income of the owner or any prior owner for federal income tax purposes.

“Non-Bank Qualified Rate” shall mean a rate of interest per annum equal to 2.24%.

“Stated Rate” shall mean a rate of interest per annum equal to 2.19%.

“Taxable Rate” shall mean a rate of interest per annum equal to 2.79%.

This Note is issued in anticipation of the receipt of taxes levied or to be levied for the General Fund in calendar year 2020. The principal amount of this Note together with all other temporary loans, notes, warrants or similar obligations does not exceed 75% of the total revenues from taxes collected for the General Fund by the Issuer in calendar year 2019 and does not exceed, together with other contracts, notes, warrants and obligations of the Issuer for calendar year 2020 payable from the General Fund, the total anticipated revenues from taxes of the Issuer for the General Fund for calendar year 2020. No temporary loan or other contract, note, warrant or other obligation for current expenses incurred in calendar year 2019 or any prior calendar year remains unpaid.

This Note may be prepaid in whole prior to maturity, without premium, in an amount equal to par plus accrued interest.

The indebtedness evidenced by this Note is a general obligation of the Issuer, and the full faith, credit and taxing power of the Issuer have been pledged to secure the payment of the principal of and interest on this Note.

The Issuer hereby waives demand, protest, notice of demand, protest and nonpayment and any other notice, required by law relative hereto.

The Issuer represents and warrants to the Bank that:

(a) The Issuer is a municipal corporation duly created and existing under the laws of the State of Georgia with the power and authority to execute this Note.

(b) The proceeds of the loan evidenced by this Note will be used for the operations of the Issuer.

(c) The execution and delivery of, and the performance of the obligations and agreements of the Issuer set forth or referred to in this Note have been duly authorized by all necessary proceedings.

(d) There is no action, suit or proceeding pending or, to the best knowledge of the Issuer, threatened against or affecting the Issuer before any court, governmental department, commission, board or other federal, state, Issuer, municipal or other instrumentality, agency or authority which might adversely affect the power or authority of the Issuer or the ability of the Issuer to perform its obligations set forth or referred to in this Note.

(e) All authorizations, consents, approvals and findings of governmental bodies or agencies required of the Issuer in connection with the (i) execution and delivery of this Note, (ii) adoption of the Note Resolution and (iii) consummation of the transactions contemplated by this Note and the Note Resolution have been obtained and are in full force and effect. The Note Resolution has not been modified or rescinded and is in full force and effect.

(f) The execution and delivery of, and the performance of the obligations and agreements set forth or referred to in this Note, will not conflict with or constitute a violation or a default under any constitutional provision, statute, indenture, mortgage, lease, resolution, or other agreement or instrument, to which the Issuer is a party or by which it is bound, or any order, rule or regulation of any court or governmental agency or body having jurisdiction over the Issuer or its activities or properties.

(g) The adoption of the Note Resolution occurred at a meeting held after due and reasonable public notice given in accordance with the Issuer's procedures and the provisions of law, which was open to the public and at which a quorum was present and acting throughout, and said actions appear of public record in the minute books of the Issuer.

It is hereby certified, recited and declared that all acts, conditions and things required by the Constitution and laws of the State of Georgia to be done precedent to or as a condition to the issuance of this Note have been properly done, have happened and have been performed in the manner required by the Constitution and laws of the State of Georgia; that the tax levies in anticipation of which this Note is issued are or will be valid and legal levies; that the Issuer will use a sufficient amount of the proceeds of such tax levies and other available funds for the payment of this Note and the interest hereon; and that this Note, together with all other

indebtedness of the Issuer, is within every debt or other limit provided by the Constitution and laws of the State of Georgia.

All capitalized terms used but not defined herein shall have the meanings assigned to them in the Note Resolution.

IN WITNESS WHEREOF, the Issuer acting by and through its Governing Body, has caused this Note to be executed in its name by the manual signature of the Vice Mayor, and attested by the manual signature of the City Clerk and the seal of the Issuer to be impressed or imprinted hereon, all as of the date of original issue as shown above.

CITY OF CLARKSTON, GEORGIA

(SEAL)

By: _____
Vice Mayor

Attest:

City Clerk

CERTIFICATE OF AUTHENTICATION

This is the Note described in the within mentioned authorizing resolution of the Vice Mayor and City Council of the City of Clarkston, Georgia adopted on July 7, 2020, and is hereby authenticated.

CITY OF CLARKSTON, GEORGIA

By: _____
Vice Mayor

Date of Authentication: July 10, 2020

* * * * *

CITY CLERK'S CERTIFICATE

The undersigned does hereby certify that the foregoing pages of typewritten matter constitute a true and correct copy of a resolution pertaining to the City of Clarkston, Georgia Tax Anticipation Note, 2020 in the principal amount of \$600,000, which resolution was duly adopted at a meeting of the governing body (the "Governing Body") of the City of Clarkston, Georgia which was duly called and assembled on July 7, 2020, which was open to the public, and at which a quorum was present and acting throughout and that the original of said resolution appears of record in the minute book of the Governing Body which is in my custody and control, and that said resolution has not been amended, repealed, revoked or rescinded as of the date hereof.

Given under my hand and the seal of the Governing Body, this _____ day of July, 2020.

(SEAL)

City Clerk

CITY OF CLARKSTON

ITEM NO: H8

CLARKSTON CITY COUNCIL MEETING

HEARING TYPE:
Work session

BUSINESS AGENDA / MINUTES

ACTION TYPE:
Discussion

MEETING DATE: JUNE 30, 2020

SUBJECT: Discussion-Direct City Manager to Research Possible City Use of Well Water

DEPARTMENT: City Administration

PUBLIC HEARING: YES NO

ATTACHMENT: YES NO
Pages:

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

PURPOSE:

To discuss the City's potential usage of well water to supplement existing potable water and direct the City Manager to research its usage possibility.

NEED/IMPACT

At their June 11 meeting, the Transportation and Environment Committee discussed the possibility of the City obtaining and utilizing existing well(s) located within City of Clarkston limits as a potential source of potable water to supplement the current water source (DeKalb County Watershed). Water could be used as a drinking and/or irrigation source.

The research at a minimum would include the following:

- (1) Locate/Identify wells, particularly to determine ownership – if on private property, eventually City would need an agreement with property owner
- (2) Determine feasibility of accessing water source
- (3) Federal and State regulatory processes – Safe Drinking Water Act, etc
- (4) Costs – research, regulatory (permitting), operations

Drinking Water

The [Safe Drinking Water Act \(SDWA\)](#) is the main federal law that ensures the quality of Americans' drinking water. Under SDWA, EPA sets standards for drinking water quality and oversees the states, localities, and water suppliers who implement those standards.

Read more here [About the Safe Drinking Water Act](#).

Laws and Regulations

- [Current Drinking Water Regulations](#): contaminants EPA regulates in drinking water, such as arsenic, lead, and microbials.
- [Drinking Water Regulations under Development](#): current regulatory status of certain contaminants and public water system operations.
- [Regulation Development](#): how EPA decides which contaminants to regulate, how drinking water standards are set, and when to revise existing regulations.

Compliance

- [Safe Drinking Water Act Compliance Assistance](#)
- [Safe Drinking Water Act Compliance Monitoring](#): information about inspections, evaluations and investigations.

Enforcement

- [Water Enforcement: Safe Drinking Water Act](#)

Policy and Guidance

- [Water Enforcement Policy, Guidance and Publications: Safe Drinking Water Act](#)

Ground Water

Many communities obtain their drinking water from aquifers. Unfortunately, the ground water can become contaminated by human activity. These chemicals can enter the soil and rock, polluting the aquifer and eventually the well.

Laws and Regulations

- [Ground Water Rule](#): provides for increased protection against microbial pathogens in public water systems that use ground water sources.
- [Underground Injection Control Program](#): responsible for regulating the construction, operation, permitting and closure of injection wells that place fluids underground for storage or disposal.
- [Source Water Protection](#): ensuring the quality of drinking water by protecting it from the source to the tap.