

City Council of Peachtree City
Agenda
August 1, 2013
7:00 p.m.

- I. Call to Order**
- II. Pledge of Allegiance**
- III. Announcements, Awards, Special Recognition**
Proclamation – 31 Days of Geocaching in Peachtree City
- IV. Public Comment**
- V. Agenda Changes**
- VI. Minutes**
July 18, 2013, Regular Meeting Minutes
- VII. Consent Agenda**
 - 1. Consider Alcohol License – NEW – Los Mariachis, 2282 SR 54 West**
 - 2. Consider GEMA Grant for Community Emergency Response Team (CERT)**
 - 3. Consider Acceptance of Seized Vehicle for Police Fleet**
 - 4. Consider Acceptance of Donation of Generac GP 5500 Generator**
 - 5. Consider Surplus of Fire Department Accessories**
- VIII. Old Agenda Items**
 - 07-13-02 Public Hearing – Consider Variance from Rear Building Setback,**
123 Crown Court
Applicant desires to replace existing deck, which extends 10 feet into rear building setback and construct roof over structure
 - 07-13-03 Public Hearing – Consider Variance from Parking Ordinance,**
991 Peachtree Parkway North
Applicant is redeveloping site and desires additional parking
 - 07-13-04 Consider Rezoning – GC to LUC, Wisdom Pointe Retail Center,**
Wisdom Road/SR 74
Applicant has withdrawn rezoning request; however, agenda item was continued to this meeting
- IX. New Agenda Items**
- X. Council/Staff Topics**
Hot Topics Update
- XI. Executive Session**

This agenda is subject to change at any time up to 24-hours prior to the scheduled meeting

City Council of Peachtree City
Meeting Minutes
July 18, 2013
7:00 p.m.

The Mayor and City Council of the City of Peachtree City met in regular session on Thursday, July 18, 2013. Mayor Haddix called the meeting to order at 7:00 p.m. Other Council Members in attendance: George Dienhart, Vanessa Fleisch, Eric Imker, and Kim Learnard.

Announcements, Awards, Special Recognition

There were none.

Agenda Changes

Imker moved to consider 07-13-06 Consider Cancellation of August 1 City Council Meeting to right after 07-13-01 Public Hearing – FY 2013-2014 Operating Budget & PIP, adding that if the motion passed it could affect the agenda items that followed. Learnard seconded. Motion carried unanimously.

Minutes

June 17, 2013, Workshop Minutes

June 20, 2013, Regular Meeting Minutes

Fleisch moved to approve the June 17, 2013, workshop minutes and June 20, 2013, regular meeting minutes as written. Learnard seconded. Motion carried unanimously.

Monthly Reports

Haddix noted there was an additional document on the dais – the quarterly Fire Department report. There were no comments on the Monthly Reports.

Consent Agenda

- 1. Consider Request from Highland Subdivision HOA**
- 2. Consider Budget Amendment – FY 2013 Budget**
- 3. Consider Surplus of Public Works Vehicles & Sale of F150 to Airport Authority**

Haddix noted there were additional documents on the dais – the staff memos for Consent Agenda items 2 and 3.

Fleisch moved to approve Consent Agenda items 1 – 3. Learnard seconded. Motion carried unanimously.

Old Agenda Items

04-13-11 Discuss/Consider Countywide Special Purpose Local Option Sales Tax (SPLOST)

Haddix noted there was an additional document on the dais – the staff memo. City Manager Jim Pennington said the proposed SPLOST was moving forward at an expeditious speed, adding the County Commission was expected to send out a call to the cities that night. Changes had been made to the proposed distribution since Council had last discussed the subject at the June 17 workshop. The County had looked at what was actually needed for its stormwater projects, and the distribution formula had changed drastically. The City's share would increase by \$1,689,256 or 13% if the SPLOST passed. The total amount the City could expect from the SPLOST would be \$14,554,860 million.

Pennington continued that he had met with the managers of Fayetteville and Tyrone, and they had looked at the formula and projects to ensure the distribution was favorable to all parties. Fayetteville and Tyrone had worked closely with the City during the Local Option Sales Tax

(LOST) negotiations, and the City wanted to ensure they would be treated equitably in the distribution. All three city managers agreed to make the same recommendation to their Councils – to support the distribution.

Learnard clarified the County's share would go down 17.8%, according to the chart included with the staff memo. Pennington said yes, noting that the third page of the memo was the City's proposed list of projects, which included bridge and tunnel projects along with street and cart path paving. There was also an updated list of the priority ranking for streets and cart paths on the dais, which was needed for the future whether the SPLOST was approved by the voters in November or not.

Haddix clarified that Pennington was asking for approval of the distribution formula. Pennington said yes.

Imker clarified that Council needed actually to vote on the distribution so the County would receive formal notification. City Attorney Ted Meeker confirmed this, adding that an intergovernmental agreement would be circulated prior to the election. Imker said that, with the additional funds the proposed distribution would give the City, he saw no reason not to forward Council's approval to the County. Learnard agreed.

Haddix said he had no argument with the City getting more money if the SPLOST passed.

Imker moved to approve the Core Infrastructure Analysis distribution of funds as provided in the meeting packet. Dienhart seconded. Motion carried unanimously.

New Agenda Items

07-13-01 Public Hearing – FY 2013-2014 Operating Budget & PIP

Financial Services Director Paul Salvatore gave a quick overview of the proposed 2013-2014 operating budget and Public Improvement Program (PIP).

Salvatore said the three biggest concerns this fiscal year included the Tax Digest values, which seemed to have stabilized as there had been no further decline, but had also shown no significant growth (just under 2%, and there were appeals still being processed); the depletion/discontinuation of prior SPLOST funds for transportation infrastructure; and the percentage the Local Option Sales Tax (LOST) being reduced due to population shifts. The expense challenges included the continuing demand for upkeep and maintenance of City facilities and other infrastructure (public areas, parks, etc.) and the continuing need for technology upgrades, both hardware and software.

The highlights of the proposed budget included:

- A decrease in total millage rate of 1.25% - no change in Maintenance & Operation (M&O) rate, bond rate decline of approximately 0.1 mill due to bonded debt reduction (Airport Authority bond payoff); and
- 2% Cost of Living Allowance (COLA) proposed for employees – would be first COLA since October 2008; and
- Funding included for comprehensive pay/classification study (any cost to implement to be determined – no funding included); and
- One new position proposed in Fire Department (pending outcome of current Public Safety Departments study) - Logistics Specialist (civilian); and
- \$2.5 million Facilities Bond for continued infrastructure needs for City buildings; and

- Technology upgrades:
 - Final phase of hardware implementation
 - Software upgrades for Police Department, Human Resources, ERP (enterprise resource planning), and better stronger web presence City-wide and interface with citizens.

Salvatore looked at the five-year financial model, noting an increase in the millage rate could be needed in 2015 if the SPLOST was not approved and if Council did not want to ask the voters for a General Obligation (GO) bond. If both the SPLOST and the GO bond referendums failed, they would have to work the maintenance funding for roads and cart paths into the General Fund budget.

Salvatore pointed out that 2014 was planned to be the last year to use Cash Reserves by design. Moving forward the budget should be balanced, and the additional funding over the 20% target for Cash Reserves would be used as a Millage Rate Stabilization Fund. Salvatore said there would be a resolution for that fund along with the annual budget resolution.

Salvatore went over the PIP, which outlined the capital expenditures. He noted that approximately \$640,000 worth of the projects would be added to the SPLOST list, if it passed, or to the GO bond. A resolution of reimbursement would be needed for the City to reimburse itself if any funds were spent on the projects. Other items on the list would be part of the project list for the new Facilities Bond.

Mayor Haddix opened the public hearing. No one spoke for or against the proposed budget. The public hearing closed.

No action was required. The vote on the budget was scheduled on August 15.

07-13-06 Consider Cancellation of August 1 City Council Meeting

Imker pointed out that the City Manager's recommended budget was not changing based on the County Tax Digest, and only one public hearing was needed for the budget and the millage rate. Cancelling the August 1 City Council meeting was an opportunity to save staff time.

Haddix noted three of the items (07-13-02 Public Hearing – Consider Variance from Rear Building Setback, 123 Crown Court; 07-13-03 Public Hearing – Consider Variance from Parking Ordinance, 991 Peachtree Parkway North; and 07-13-04 Consider Rezoning – GC to LUC, Wisdom Pointe Retail Center, Wisdom Road/SR 74) on the July 18 agenda included requests for continuation to the August 1 meeting, which fell within the 45-day time period required by City ordinances for Council to hear variance requests. The August 15 meeting would not meet the time requirement. The public hearings would have to be re-advertised. He added that the applicant for the Crown Court variance had changed her travel plans so she could attend the August 1 meeting. Haddix said cancelling the meeting would not really save any staff time, and it could be problematic.

Dienhart said Council had been hired by the voters to do a job. It was nice to have a day off, but they should do the job they were hired to do. Haddix agreed, saying he could not justify causing the citizen a problem and causing extra work for staff. It could be a very short Council meeting.

Imker said a two-week delay would be inconsequential for the variance and rezoning requests, and the effort to re-advertise was just making a phone call to make it happen. He did not see the extra effort required, and it would save a lot of staff time.

Fleisch suggested holding one meeting on August 8 rather than August 15, asking if the legal notices would still need to run again and who would pay the cost. Pennington said the City would pay for the notices to run again. Fleisch asked if holding one meeting on August 8 would have any issues.

Imker asked if holding one meeting on August 8 would be a problem as far as the advertising for budget approval and setting the millage rate. Salvatore said the ad for the millage rate had to run for two weeks prior to the scheduled hearing. It would run on Wednesday, July 24. Salvatore said the millage rate adoption had a September 1 deadline, and he would have to check the calendar to see if August 8 would be enough time. Staff had planned to have the approval of the budget and the millage rate on the August 15 agenda, but they did not have to be done at the same time. Fleisch said she wanted to do what was necessary to ensure everything was done correctly for the budget and the millage rate.

Dienhart noted that Imker had said one reason to cancel the August 1 meeting was to save staff time, asking what the other reasons were. Imker said another meeting was not needed to work on the budget, and the hearing had just been completed. People seemed to be happy; the less government, the better. Dienhart agreed, but reiterated that Council had been hired to be at Council meetings two days a month, saying they owed it to the citizens to be there.

Haddix said a citizen had already rescheduled her vacation so she could be at the August 1 meeting. He did not want to cause the citizen any difficulty by changing the date again. He was at City Hall often, and one more time in a month was not a big deal.

Public Information Officer/City Clerk Betsy Tyler clarified that all three public hearings had to be re-advertised because of the move to August 1, and that had been done to meet the time deadline. Two of the items had to be continued due to staff error, and the other had to be continued because the Planning Commission had not had a quorum for its July 8 meeting, which meant the required recommendation to Council was not available for July 18. Haddix asked how an August 8 Council meeting would impact the Planning Commission calendar. Tyler said the next Planning Commission meeting was scheduled for July 22. Their normal meeting date was the second Monday of each month. Haddix said there was the potential that the Planning Commission would not be make a decision on July 22, possibly continuing the agenda item to August 12. He could not support cancelling the meeting or rescheduling for August 8.

Imker said none of the three agenda items were that critical that they had to be done immediately on August 1, with all due respect to the applicant who changed her plans. Imker said that was the wrong approach, noting Council had been delayed over a year on similar things. Imker said two weeks would not hurt anyone.

Dienhart said it was a sad statement that Council could not be available two days a month to the people that elected them. Fleisch added that she had not realized everything that been discussed, saying there probably was not much on the agenda other than the three public hearings. She had not realized the City would incur the cost of the re-advertising.

Imker moved to cancel the August 1 Council meeting. Learnard seconded. Motion failed 2 (Imker, Learnard)-3 (Haddix, Dienhart, Fleisch).

07-13-02 Public Hearing – Consider Variance from Rear Building Setback, 123 Crown Court
Staff requested a continuance to August 1.

Learnard moved to continue the variance for 123 Crown Court to August 1. Fleisch seconded.
Motion carried unanimously.

**07-13-03 Public Hearing – Consider Variance from Parking Ordinance,
991 Peachtree Parkway North**

Staff requested continuance until August 1.

Learnard moved to continue agenda item 7-13-03 until August 1. Fleisch seconded. Motion carried unanimously.

**07-13-04 Consider Rezoning – GC to LUC, Wisdom Pointe Retail Center,
Wisdom Road/SR 74**

Staff requested continuance until August 1.

Learnard moved to continue agenda item 07-13-04 until August 1. Fleisch seconded. Motion carried unanimously.

07-13-05 Discussion of Placement of Bike Rental Stations at Locations in the City

Dienhart said he wanted to gauge how Council felt about having staff look at the possibility of bike rental stations at several locations in the City. He said most cities did not have the infrastructure in place the City had, and he felt it was a low-cost way to enhance the quality of life. His intention was to direct staff to look into it if Council saw any value in it.

Haddix said it had been looked at by the first Council he served on, and it was not found to be plausible. If this Council felt things had changed, then it should be reexamined. He just wanted to let everyone know.

Dienhart said things might be different now, adding the industry had grown to allow people to swipe a card, grab a bike, and go. Haddix said, at that time, the City would have spent more than was brought in, and it would still interfere with private enterprise. A compromise approach might be for the City to contact the companies that rented bikes locally to see if they were interested. Dienhart said the bike stations could go in any central location, such as City Hall and the Library. If the private sector was already doing it, that was fine, too. It was just an idea to possibly enhance the lifestyle in the City. If not, that would be fine too.

Fleisch said she always tried to be respectful of staff time, asking if Dienhart envisioned the rentals being a private enterprise or City-run. She noted that Citibank sponsored the bike rental program in New York City. Dienhart said he did not envision the City being in the bike rental business, adding he did not think the City could get a sponsorship like there was in New York City. He had considered a local company possibly putting the kiosks out and running the business. Staff might come up with a better idea.

Fleisch asked who the typical customers would be. Dienhart said he did not know; the research had not been done. Fleisch noted that Dolce and the Holiday Inn had their own bikes for visitors to use. The Trek store rented bikes. Dienhart said the Trek store was in Kedron, which was not a central location. He did not want to politicize this, but wanted staff to look at it. Fleisch said she

had also spoken with someone at Bicycles Unlimited, which was in a central location, and they had stopped renting bikes four years ago because it was not profitable.

Haddix said he only expected staff to send a letter describing the program and asking a company if they were interested, and that would be the extent of staff contact. He was not thrilled with the idea, and Learnard and Imker agreed. Haddix added it was always good to think outside the box.

Council/Staff Topics

Pennington asked Council for a consensus on the July 4 fireworks and parade. It had taken a long time to put both events together, and the biggest question was when the fireworks would be held. He continued that the City was contractually committed to having the fireworks during Labor Day weekend, and there was a penalty clause in the agreement with the vendor if another date was selected. It took considerable man hours to prepare. Staff consensus was that Friday, August 30, would be appropriate. A lot of people would be leaving for the three-day weekend, and might wait until Saturday morning to leave. Monday night, September 2, would be a school night. Staff asked Council to help make a decision.

Dienhart and Learnard asked why Friday was considered rather than Saturday. Police Chief H.C. "Skip" Clark said there was no right date. If the fireworks were on Friday night, people might postpone their plans and start their weekend on Saturday. Any of the days had pros and cons.

Pennington added that they would not capture the same audience as they would have on July 4. It was a long weekend, and people tended to travel on long weekends.

Haddix asked if anyone in the audience had any comment.

Terry Ernst said he would prefer either Friday or Monday, adding there was a race at the Atlanta Motor Speedway on Monday night. Friday would be better for the Police and Fire Departments and would not take away from their long weekend. Pennington said those were some of the points staff had looked at. In addition, the Atlanta Cup soccer tournament would be held at the Baseball/Soccer Complex (BSC) that weekend. He noted that the following weekends were also full of activities, including the Cancer Wellness Walk on September 7, Shakerag Arts & Crafts Festival on September 22, the Dragonboat Races & International Festival on September 28, Alzheimer's Walk on October 5, and the Great Georgia Airshow October 11 – 13.

Dienhart said he was concerned that people would be working on Friday, and they would not come to watch the parade. Pennington said the parade was not being rescheduled. Dienhart pointed out that people had spent time and money on their floats and for candy. Pennington said that would set a precedent for a Labor Day parade. Dienhart said they could make sure people understood it was a rescheduled Fourth of July parade.

Pennington said the parade took 720 man hours to hold. Forty-four police officers would be needed on-site, in addition to the officers on regular duty in the City at the same time. He noted one long-term City employee had never had July 4 off in 27 years with the City.

Learnard said Tyler had done a good job on the stories about the cancellation of the events, all of which had been geared toward re-scheduling the fireworks only. It was sad the parade had been washed out, but it had been washed out.

Haddix said people enjoyed fireworks any time of the year, but the Fourth of July parade was just that. The thrill factor of July 4th was gone. However, whatever suited the public was fine with him.

Dienhart asked how many people had registered for the parade. Community Services Director Jon Rorie said there had been 147 entries, 15 from Fayette County, and the rest from the City.

Ernst said people spent a lot of money on the parade and putting their floats together in July, and he did not think most people could put it together again this soon.

Dienhart said that expense was his concern and asked the impact would be the parades in future years and whether people might not participate. Pennington said as much money as could be was being refunded. Certain issues could not be controlled. The rain affected everything the City did, and this was the heaviest year of rain in 38 years. There had been a drought the last five to seven years. Things changed, and they had to be prepared when these things happened.

Haddix asked for a consensus on the day for the fireworks. Learnard said Friday could work with the right publicity campaign, noting the many conflicts during the weekend. The consensus was Friday night. Learnard said cancelling the events had to be a very hard decision to make. Pennington said staff had a good set-up, and they had done a fantastic job. It had been a hard decision.

Imker confirmed that \$28,000 for the fireworks was a use or lose deal. Pennington said the cost was just shy of \$28,000, and there was a penalty of \$3,750 for rescheduling. The money had to be paid, rain or shine.

Pennington said there had been discussions and ads in several venues regarding the Great Georgia Airshow (GGAS). The staff Special Events Team (SET) met on July 8, but there was nothing to report as no application packet had been submitted for the GGAS. There had been some discussion of a night show, but no one had any experience with that. The City was getting requests for free support from the Fire and Police Departments, which was Council's decision, but Pennington said he would not recommend it.

Pennington reported that installation of the City's new phone system had begun. The computer upgrade was continuing.

Haddix said he was getting complaints about the appearance of the Post Office. Pennington said he had also gotten complaints. The City had no control over the Post Office, but staff planned to see the postmaster and ask politely for some improvement. Haddix asked that a report be published in the UPDATES.

Learnard asked for an update on the Library roof replacement. Rorie said it was very close to being finished. The weather had been a factor in the delay of completion.

Fleisch asked Tyler to provide some information on the Best of the Road contest for geocaching. Tyler confirmed the City was in the running for Rand McNally's Best of Road for Geocaching. There were over 300 caches in the City, including at Lake McIntosh. People could vote once per day every day through September 3 at bestofroad.com.

Learnard asked Pennington about a rumor that the Board of Commissioners had voted to halt the dredging of Lake Peachtree. Pennington said he had also heard the rumor, but had not been able to get confirmation.

Haddix said there had been a request from the Lake Peachtree Homeowners Association (HOA) to postpone the dredging. Learnard said the request was to lower the lake level to allow for repairs of docks by homeowners. The dredging was supposed to take place every eight years per the City's intergovernmental agreement with the County. Haddix said he was copied on the letter to the Fayette County Water System that requested the lowering of the lake and a hold on the dredging, adding it was obvious they should be done in tandem; however, he had gotten no word on any follow-up on the request. Pennington said he would contact County Administrator Steve Rapson.

Meeker said there was no need for an executive session.

There being no further business to discuss, Dienhart moved to adjourn the meeting. Learnard seconded. Motion carried unanimously. The meeting adjourned at 8:00 p.m.

Pamela Dufresne, Deputy City Clerk

Don Haddix, Mayor

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council

VIA: City Manager

FROM: Deputy City Clerk

DATE: July 16, 2013

SUBJECT: Alcohol License – NEW – Los Mariachis III
August 1, 2013, Regular Meeting

Recommendation:

Staff recommends Council consider the attached application for a new alcohol license.

Discussion:

Los Mariachis III, 2771 2882 West Highway 54 (formerly Borgo Italia), has submitted a request for a new alcohol license. Mr. Jose Garcia Garcia has requested he be appointed as the Licensee and License Representative. He will attend the meeting on Thursday, August 1, to answer any questions you may have. Mr. Garcia also owns the Los Mariachis in Fayetteville.

Budgetary Impact:

The budgetary impact of the alcoholic beverage license will be positive. The applicant will be required to pay the annual fee for the sale of beer, wine, and distilled spirits, which is \$5,000, and, if they choose to serve on Sunday, they will pay an additional \$500 annually.

Attachments



Business Name: LOS MARIACHIS III, LLC		Business Location: 2882 W. Highway 54, Peachtree City,		GEORGIA 30269	
Nature of Business: FULL SERVICE RESTAURANT		Mailing Address: SAMES AS BUSINESS LOCATION		Business Phone Number:	
Name of Licensee: JOSE GARCIA GARCIA		Home Address: 1512 HWY 54 WEST LOT 27 A FALLETEVILLE, GA		Home Phone Number: 770-885-7513	
Name of License Representative: JOSE GARCIA GARCIA		Home Address:		Home Phone Number:	
Please indicate type of licenses applying for:					
Retail Consumption Dealer		Retail Package Dealer		Wholesale Dealer	
X	Malt Beverage		Malt Beverage		Malt Beverage
X	Wine		Wine		Wine
X	Distilled Spirits		Distilled Spirits		Distilled Spirits
Please complete information below (use separate sheet if necessary):					
NAME Individual Owner's Name, Partners' Names, Corporation Name and the name of the name of a Contact Person regarding License Changes, Taxes, etc.		ADDRESS Please provide Home Addresses for the individuals listed:		PHONE NUMBERS Please provide Home and Business Phone Numbers for individuals listed:	
LOS MARIACHIS III, LLC					
JOSE GARCIA GARCIA		1512 HWY 54 WEST LOT 27 A FALLETEVILLE GA		770-885-7513	
Is any person who owns an interest in the license an employee of the City of Peachtree City? YES / NO					
If YES, Please Provide Name of Employee: _____					



CITY HALL
151 WILLOWBEND ROAD
PEACHTREE CITY, GA 30269
PHONE: 770-487-7657
FAX: 770-631-2505
WWW.PEACHTREE-CITY.ORG

State of Georgia

City of Peachtree City

I, H.C. "Skip" Clark II, Chief of Police for the City of Peachtree City, do hereby certify that:

Jose Garcia Garcia
1512 HWY 54 West Lot 27A
Fayetteville, GA 30214

has been investigated and found not to have been convicted of, nor to have entered a plea of nolo contendere, to any felony or misdemeanor relating to the sale or use of alcoholic beverages or illegal narcotics or drugs within five (5) years prior to the date of the application for this license.



H.C. "Skip" Clark II
Chief of Police

7/11/13

Date

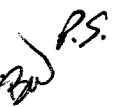


Witness

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council Members

VIA: Jim Pennington, City Manager 
Paul Salvatore, Financial Services Director 
Beverly Waldrip, Assistant Financial Director 
Angela Egan, Purchasing Agent 

FROM: H.C. "Skip" Clark II, Chief of Police 

DATE: July 25, 2013

SUBJECT: 2010 Citizen Corp Community Emergency Response Team Grant (CERT)
(Consent Agenda August 1, 2013)

Recommendation:

The Police Department is requesting to accept a supplemental grant from the Georgia Emergency Management Agency in the amount of \$10,993.00.

Discussion:

These funds are a result of additional monies afforded to the Peachtree City CERT Program on behalf of the Georgia Emergency Management Agency. The monies come from unexpended funds from other state programs and will be considered under the 2010 grant already approved by the City.

Under the guidelines for this grant, these funds are for items such as medical supplies, promotional materials, training material, and include general machinery/equipment maintenance and purchases. As a condition of the grant, the City must furnish expenditure documentation for the money spent. The Police Department has received previous grants that require this documentation and has been very diligent in this reporting requirement. In fact, the Peachtree City's accounting program was given accolades at a recent Citizen Corp Conference. The Peachtree City C.E.R.T. program was established in 2005. As of the date of this request, we have trained over 800 adult and young adults in disaster preparedness. If this grant is approved and received, we should be able to provide training to over 1000 citizens by the August of 2014.

Budget Impact:

This grant will impact the Police Grants Fund by increasing both revenue and expenditures in the Grant Fund by the \$10,993. There are no matching funds required on behalf of the City.

HCC/slp

GEORGIA EMERGENCY MANAGEMENT AGENCY
GEORGIA OFFICE OF HOMELAND SECURITY

NATHAN DEAL
GOVERNOR



CHARLEY ENGLISH
DIRECTOR

July 23, 2013

RE: FIPS #113-59724-99
GAN #2010-SS-T0-0034
Budget Worksheet #2930
City of Peachtree City Police Department

Honorable Don Haddix
Mayor
City of Peachtree City
151 Willowbend Road
Peachtree City, Georgia 30269

Dear Mayor Haddix:

On behalf of Governor Nathan Deal, it is our pleasure to award your agency with a Fiscal Year 2010 Homeland Security Grant Program/State Homeland Security Grant Program from the Department of Homeland Security (DHS). Enclosed is the Grantee-Subgrantee Agreement for funding awarded to you agency by the Georgia Emergency Management Agency (GEMA). This agreement governs the use of funding provided by DHS to help your agency to build and enhance capabilities to prevent, protect against, respond to, and recover from terrorist attacks, major disasters and other emergencies in accordance with the goals and objectives of the State Strategic Plan.

The amount of this agreement is \$10,993.00. You may not exceed in either quantity nor total dollar amount the items expressly approved for you to purchase, as shown on the accompanying detailed budget worksheet(s).

Attached to the Grantee-Subgrantee Agreement are Exhibits A - I. Please review and return signed originals of the Grantee-Subgrantee Agreement, Exhibit C, F, and Exhibit G to the attention of your grants manager **within 14 days of receipt of this letter**. A copy of the fully executed agreement will be returned to you for your files.

If you require further information as to the grantee package, please contact Michael Parker, Grants Manager, at 404-635-7063. Thank you for your work on behalf of the citizens of Georgia.

Sincerely,

A handwritten signature in black ink, reading "Micah Hamrick".

Micah W. Hamrick
Director
Homeland Security Division

mh/mp
Enclosures
cc: Captain Stan Pye
City of Peachtree City Police Department



**FISCAL YEAR 2010 HOMELAND SECURITY GRANT PROGRAM
GRANTEE-SUBGRANTEE AGREEMENT
STATE HOMELAND SECURITY PROGRAM**

The United States Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA), Grant Programs Directorate (GPD), approved the application and awarded grant funding from the Fiscal Year 2010 Homeland Security Grant Program to the Georgia Emergency Management Agency (GEMA) on behalf of the State of Georgia, in accordance with the Department of Homeland Security Appropriations Act, 2010 (Public Law 111-083). GEMA will maintain overall responsibility and accountability to the federal government for the duration of the program. GEMA, as Grantee, **has awarded the amount of \$10,993.00 to City of Peachtree City Police Department**, as Subgrantee, in accordance with the **Fiscal Year 2010 Homeland Security Grant Program (HSGP), State Homeland Security Program**.

Under this Agreement, GEMA will execute the interests and responsibilities of the Grantee. The individual designated to represent the State is **Charley English, Authorized Grantee Official**. The State has designated **Micah Hamrick as the Program Manager** of this program. The Subgrantee's Authorized Official has authority to legally bind the Subgrantee and will execute the interests and responsibilities of the Subgrantee. The Subgrantee's Authorized Official is the person whose name appears on page **ten (10)** of this agreement and whose signature appears on page **ten (10)** of this agreement.

Purpose: The Subgrantee agrees to use allocated funds only as approved, to comply with the terms, conditions and guidelines as stated within this agreement, and to request reimbursement only for expenditures made in accordance with the Approved Detailed Budget Worksheet (Exhibit D). Any change to the budget worksheet must be requested in writing by the Subgrantee and must be approved by the Program Manager prior to the execution of that change. After all approved items on the approved budget worksheet have been reimbursed to the Subgrantee, this Subgrantee Agreement shall terminate, and any remaining funds will be thereby forfeited by the Subgrantee and such funds shall be deobligated and reallocated by GEMA. If a detailed Budget Worksheet has not been approved or attached to this agreement, a Budget Worksheet for all funding awarded in this subgrant must be approved by the Program Manager and this agreement must be amended to add the approved Budget Worksheet as Exhibit D before any expenditures may be made by or on behalf of the Subgrantee.

Effective Date: From August 01, 2010 to July 31, 2013

The Subgrantee agrees that all purchases and expenditures authorized under this program must be completed by the effective end date.

Exhibits: Exhibits are attached or attainable via the internet and made a part of this agreement:

- Exhibit A United States Department of Homeland Security (DHS), Preparedness Directorate, Office of Grants and Training (G&T), Office of Grant Operations (OGO) Financial Management Guide (Financial Guide), available on the DHS Web site at:
http://www.dhs.gov/xlibrary/assets/Grants_FinancialManagementGuide.pdf
- Exhibit B United States Department of Homeland Security (DHS) Fiscal Year 2010 Homeland Security Grant Program Guidance and Application Kit (DHS Guide), located on the Federal Emergency Management Agency web site at
http://www.fema.gov/pdf/government/grant/2010/fy10_hsgp_kit.pdf.
- Exhibit C NIMS Compliance Form

Exhibit D	Approved Detailed Budget Worksheet(s)
Exhibit E	Payment Request Form
Exhibit F	Standard Assurances – Standard Form 424B (Non-Construction) or Standard Form 424 D (Construction), as applicable
Exhibit G	Certification Regarding Lobbying; Debarment, Suspension, and Other Responsibility Matters; and Drug-Free Workplace Requirements. OJP Form 4061/6
Exhibit H	Financial Status Report (FSR) Reporting Form
Exhibit I	Acknowledgment Form of Receipt of Goods or Services Paid for by the State on Behalf of Subgrantee

Reimbursement and Reporting Requirements

1. **Payment Request Forms:** Payments to the Subgrantees will be made only upon presentation of the approved Payment Request Form (Exhibit E). Reimbursements from invoices and applicable canceled checks (or other justifying documentation) will only be made for eligible equipment, materials, expenses and costs upon approval of the Program Manager. Omission of pertinent documentation will constitute justification for non-payment of any amounts submitted on the Payment Request Forms.
2. **State Purchases on behalf of Subgrantee:** GEMA may, with the Written Consent of the Subgrantee, retain and expend grant funding on behalf of the Subgrantee. Before the State will make purchases on behalf of locals the Subgrantee must provide justification, receive approval from GEMA and provide GEMA with the Written Consent for GEMA to expend these funds. If GEMA does agree to retain and expend grant funding on behalf of the Subgrantee, the Subgrantee is required to submit documentation to verify receipt and acceptance of the goods or services on the Acknowledgment Form (Exhibit I) and provide any other documentation or information requested by GEMA. If the Acknowledgement Form is not returned to GEMA in a timely manner, the Subgrantee will be held accountable for payment to the vendor. The Subgrantee will also be accountable for submitting Financial Status Reports (FSR) on a timely basis according to the guidelines in following paragraph.
3. **Financial Status Report (FSR):** The disposition of grant funds, including all obligations and expenditures, must be reported to GEMA on a quarterly basis through the FSR, which is due within 30 days of the end of each calendar quarter (i.e. for the quarter ending March 31, FSR is due no later than April 30). A copy of this form is attached as Exhibit H to this agreement.
4. **Biannual Strategy Implementation Reports (BSIR):** The Subgrantee shall complete and submit any other reports as requested by GEMA and cooperate and assist GEMA in complying with the DHS tracking and reporting requirements. Specifically, without limitation, Subgrantee shall submit information at GEMA's request and direction to assist GEMA in submitting Biannual Strategy Implementation Reports, Categorical Assistance Program Reports and any other necessary reports.
5. **Grant Closeout Report:** Within 60 days after the ending effective date of the subgrant, the Subgrantee shall submit a final FSR and final program report detailing all accomplishments throughout the project. After both of these reports have been reviewed and approved by GEMA, a Closeout Report will be generated indicating the project as being closed and listing any remaining funds that will be deobligated.

Audits, Financial Regulations and Guides

1. **Audits and Monitoring:** The Subgrantee agrees that federal or state officials and auditors or their duly authorized representatives may conduct programmatic, financial and administrative monitoring, audits and examinations. The Subgrantee further agrees that such officials, auditors or representatives shall have access to any books, documents, papers and records of any recipients of this funding and of any persons or entities which perform any activity which is reimbursed to any extent with federal or state funds distributed under the authority of the Department of Homeland Security Appropriations Act, 2010, and this Agreement.

If your entity receives \$500,000 or more in federal assistance (from all federal sources, not just this grant), during your fiscal year, you are responsible for having an audit conducted as prescribed by the Single Audit Act and sending a copy to the Georgia Department of Audits and Accounts. Mail reports to: Departments of Audits and Accounts, Nonprofit and Local Governments Audits, 270 Washington Street, SW Room I-156, Atlanta, Georgia 30334-8400.

2. **Laws, Regulations and Program Guidance:** The Subgrantee shall comply with the most recent version of the Administrative Requirements, Cost Principles, and audit Requirements. A non-exclusive list of regulations commonly applicable to DHS grants are listed below. Referenced CFR sections may be accessed online at www.gpoaccess.gov/ecfr/.

A. Administrative Requirements

- 1) 44 CFR Part 13, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments;
- 2) 2 CFR Part 215 Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations (OMB Circular A-110)

B. Cost Principles

- 1) 2 CFR Part 225, Cost Principles for State, Local and Indian Tribal Governments (OMB Circular A-87)
- 2) 2 CFR Part 220, Cost Principles for Educational Institutions (OMB Circular A-21)
- 3) 2 CFR Part 230, Cost Principles for Non-Profit Organizations (OMB Circular A-122)
- 4) Federal Acquisition Regulations (FAR), Part 31.2 Contract Cost Principles and Procedures, Contracts with Commercial Organizations

C. Audit Requirements

OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations

3. **OMB Circular A-133:** The Subgrantee agrees to comply with the organizational audit requirements of OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations, as further described in the current edition of the Financial Guide (Exhibit A). If the Subgrantee is required under OMB Circular A-133 to conduct a single audit, the Subgrantee shall provide GEMA with written documentation showing that it has complied with the single audit requirements. Such documentation shall be returned to GEMA with this signed Agreement. Subgrantee shall immediately notify GEMA in writing directed to the Grants Manager at any future time that it is required to conduct a single audit and provide documentation within a reasonable time period showing compliance with the single audit requirement.
4. **OGO Financial Management Guide:** The Subgrantee agrees to comply with the financial and administrative requirements set forth in the current edition of the United States Department of

Homeland Security, Preparedness Directorate, Office of Grants and Training, Office of Grant Operations, Financial Management Guide (Exhibit A).

5. **Accounting System:** The Subgrantee agrees to maintain an accounting system integrated with adequate internal fiscal and management controls to capture and report grant data with accuracy, providing full accountability for revenues, expenditures, assets, and liabilities. This system shall provide reasonable assurance that the subgrantee is managing federal and state financial assistance programs in compliance with the current edition of the Financial Guide (Exhibit A) and all applicable laws and regulations.
6. **Retention and Maintenance of Records:** Subgrantee shall comply with the OMB administrative requirements circulars and the current edition of the Financial Guide (Exhibit A) in retaining and maintaining records pertinent to the subgrant award. All such records shall be retained by the subgrantee for at least three years from the date of the final expenditure report by GEMA to DHS to close out the State of Georgia's 2010 HSGP grant. Refer to the Financial Guide (Exhibit A) for exceptions which would require a longer record retention period.
7. **Withholding and Repayment of Funds:** In addition to any other remedies provided by law or the terms of this agreement, if the Subgrantee fails to comply with any of the terms or conditions of this Agreement, including all exhibits hereto, or with any applicable federal or state law or regulation, GEMA may withhold or require repayment of grant funds in connection with which the violation occurred. In addition, GEMA may withhold or require repayment of all or any portion of the financial award which has been or is to be made available to the Subgrantee for other projects under this program, or under this or other agreements.
8. **Payment of Funds to GEMA:** In addition to any other remedies available, the parties agree that GEMA will be entitled to payment from the Subgrantee for any funds paid by the state or for which the state is responsible to pay on behalf of the Subgrantee for which GEMA is unable to receive payment from or will be required to repay the grant funds due to the Subgrantee's failure to cooperate in providing the required documentation showing receipt of the goods or services or other failure on the part of the Subgrantee, including without limitation timely completing and returning to GEMA the Acknowledgment Form attached as Exhibit I.

National Initiatives

1. Subgrantee agrees to comply with all applicable terms and conditions of the Fiscal Year 2010 Homeland Security Grant Program Guidance (Exhibit B), including without limitation meeting the minimum National Incident Management System (NIMS) Fiscal Year 2010 compliance requirements in the NIMS Compliance section of the DHS Guide and the NIMS Integration Center (NIC). State, territory, tribal and local governments are considered to be in full NIMS compliance if they have adopted and/or implemented the current compliance activities, as determined by the National Incident Management System Capability Assessment Support Tool (NIMSCAST) to be reported by September 30, 2010 or other accepted means. Additional information on achieving compliance is available through the FEMA NIC at <http://www.fema.gov/emergency/nims/>. In order to assure compliance with NIMS requirements, all terms and conditions of this agreement are predicated and conditional upon the Subgrantee's assurance by completing and signing the NIMS Compliance Form (Exhibit C) and returning the completed and signed form to GEMA along with the signed original Grantee-Subgrantee Agreement. For the next grant period, NIMSCAST will be the required means to report NIMS compliance.
2. Subgrantee agrees to comply with all terms and conditions of the Fiscal Year 2010 Homeland Security Grant Program Guidance (Exhibit B), including without limitation meeting the National Incident

Management System (NIMS) compliance requirements in the NIMS Compliance section of the DHS Guide and the requirements of the NIMS Integration Center (NIC). For FY 2010 HSGP preparedness grant award eligibility, all Subgrantees must have met the requirement to show compliance by submitting the required compliance assessment via the NIMSCAST by September 30, 2009 and/or the Corrective Action Plan by October 31, 2009. Additional information on achieving compliance is available through the FEMA NIC at <http://www.fema.gov/nims/>. In addition, in order to assure compliance with NIMS requirements, all terms and conditions of this agreement are predicated and conditional upon the Subgrantee's assurance by completing and signing the NIMS Compliance Form (Exhibit C) and returning the completed and signed form to GEMA along with the signed original Grantee-Subgrantee Agreement.

3. Subgrantee agrees to institutionalize the use of the Incident Command System (ICS) as required by Georgia law and the NIMS minimum compliance requirements.
4. Subgrantee agrees that any exercises conducted with grant funds will be managed and executed in compliance with the Homeland Security Exercise and Evaluation Program (HSEEP). All exercises will be planned, conducted, and evaluated with implementation of improvement in accordance with the guidance in the HSEEP manuals, volumes I through IV, available at <http://hseep.dhs.gov>.
 - (a) Any exercises implemented with grant funds must be threat- and performance-based and should evaluate performance of critical tasks required to respond to the exercise scenario.
 - (b) All funded exercises must be included in the Multiyear Exercise Plan calendar, added to the National Exercise Schedule through the National Exercise Schedule (NEXS) Application, located at <https://www.hseep.dhs.gov/> and must be preapproved by the GEMA Terrorism Emergency Response and Preparedness (TERP) Exercise Program Director.
 - (c) Subgrantee must report to the GEMA TERP Exercise Program Director prior to conducting scheduled exercises and provide the Program Manager with an After Action Report (AAR) and Improvement Plan for each exercise conducted within 45 days following completion of the exercise in accordance with the DHS Guide (Exhibit B).
 - (d) Exercises conducted using HSGP funding must be NIMS compliant, as defined by the current NIMS compliance matrices. Further information is available on the NIMS Integration Center Web site at www.fema.gov/emergency/nims/.

Special Conditions

The Subgrantee agrees to the following conditions:

1. The Subgrantee agrees to use all grant funding awarded from the FY 2010 Homeland Security Grant Program (HSGP) for costs related to preparedness activities associated with implementing the 2006 State Strategic Plan for Terrorism and All-Hazards Preparedness, including goals and objectives, and any respective Urban Area Security Strategies.
2. The Subgrantee agrees that all allocations and use of funds under this grant will be in accordance with the Fiscal Year 2010 Homeland Security Grant Program (HSGP) Guidance and Application Kit (Exhibit B), and to comply with all DHS/FEMA requirements and cooperate with GEMA to comply with federal and state requirements related to the grant funding.

3. The Subgrantee understands and agrees that any allocations and use of grant funding must support and may only be used to fund the Investments identified in the Investment Justifications which were submitted as part of the State of Georgia's FY 2010 HSGP application.
4. The Subgrantee agrees to sign and comply with the terms and conditions of GEMA's Statewide Mutual Aid and Assistance Agreement and to render mutual aid for a suspected or real attack or in the case of weapons of mass destruction or other event as determined needed by GEMA. Subgrantee shall and sign any other Mutual Aid Agreements GEMA or DHS/FEMA shall deem necessary in order to assure the Subgrantee will fulfill its obligations to render mutual aid.
5. Any Subgrantee receiving funding for purposes of explosive ordnance disposal (EOD), agrees to comply with the following:
 - (a) Each EOD and EOD K-9 team shall report responses via the Georgia Bureau of Investigation (GBI) Response Reporting automated program. This condition shall take effect as soon as the program, currently under development, is available for use.
 - (b) Each local EOD and EOD K-9 team shall contact the GBI by telephone immediately whenever responding outside of its jurisdiction.
 - (c) Each EOD and EOD K-9 team shall participate in the Georgia Explosives Response and Reporting Network (GERRN) as requested and to the extent requested by GEMA, Georgia Bureau of Investigation (GBI) and/or other agency(ies) designated by GEMA. Once activated, use of the GERRN may supersede conditions (a) and (b).
6. Subgrantee will continuously maintain up-to-date data for its current resources in the Resource Database which can be accessed on the Web at <https://rdb.gema.ga.gov>.
7. The Subgrantee agrees that federal funds under this award will be used to supplement, but not supplant, state or local funds for the same purposes.
8. The Subgrantee agrees to cooperate with any assessments, national evaluation efforts, or information or data collection requests, including, but not limited to, the provision of any information required for the assessment or evaluation of any activities within this agreement.
9. Federal funds provided under this grant program are for 100% reimbursement of all eligible expenditures. Subgrantee will follow procurement standards as stated in the current edition of the Financial Guide (Exhibit A).
10. Subgrantee understands and agrees that compensation for individual consultant services is to be reasonable and consistent with the amount paid for similar services in the marketplace. Time and effort reports for consultant services are required, and competitive bidding is encouraged, as explained in the current edition of the Financial Guide (Exhibit A).
11. Subgrantee understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of the enactment, repeal, modification of adoption of any law, regulation or policy, at any level of government, without the express prior written approval of GEMA and DHS/FEMA GPD.
12. No elected or appointed official or employee of the Subgrantee shall be admitted to any share or part of any benefit, directly or indirectly, from this agreement or from the grant award. This provision shall not be construed to extend to any contract made with a corporation for its general benefit.

13. If the Subgrantee violates any of the conditions of this agreement, including any exhibits hereto, or of applicable federal and state law or regulation, in addition to any other recourse available, GEMA shall notify the Subgrantee that additional funds for the grant in connection with which the violation occurred will be withheld until such violation has been corrected to the satisfaction of GEMA. In addition, GEMA may also withhold or require repayment of all or any portion of the financial award which has been or is to be made available to the Subgrantee or retained and expended or obligated on behalf of Subgrantee for other projects under this program, this or other agreements, and applicable federal and state regulations until adequate corrective action is taken.
14. The Subgrantee agrees that all publications created with funding under this grant shall prominently contain the following statement: "This document was prepared under a grant from the Federal Emergency Management Agency's Grant Programs Directorate (FEMA/GPD) within the U.S. Department of Homeland Security. Points of view or opinions expressed in this document are those of the authors and do not necessarily represent the official position or policies of FEMA/GPD or the U.S. Department of Homeland Security."
15. Subgrantee acknowledges that FEMA Applicants are advised that FEMA reserves a royalty-free, non-exclusive, and irrevocable license to reproduce, publish, or otherwise use, and authorize others to use, for Federal government purposes:
 - (a) The copyright in any work developed under an award or sub-award; and
 - (b) Any rights of copyright to which an award recipient or sub-recipient purchases ownership with Federal support. Award recipients must agree to consult with FEMA through GEMA regarding the allocation of any patent rights that arise from, or are purchased with, this funding.
16. The Subgrantee agrees that, when practicable, any equipment purchased with grant funding shall be prominently marked as follows: "Purchased with funds provided by the U.S. Department of Homeland Security."
17.
 - (a) Subgrantee shall comply with all applicable federal, state, and local environmental and historic preservation (EHP) requirements and shall provide any information requested by FEMA and/or GEMA to ensure compliance with applicable laws, including: National Environmental Policy Act, National Historic Preservation Act, Endangered Species Act, and Executive Orders on Floodplains (11988), Wetlands (11990) and Environmental Justice (12898). Failure of the Subgrantee to meet federal, state, and local EHP requirements and obtain applicable permits may jeopardize federal funding. Subgrantee shall not undertake any project having the potential to impact EHP resources without the prior approval of FEMA, through GEMA, including but not limited to communications towers, physical security enhancements, new construction, and modifications to buildings that are 50 years old or greater and shall coordinate with FEMA, through GEMA, regarding any activities using grant funding that require specific documentation of compliance with federal laws and/or regulations.
 - (b) Among other requirements, Subgrantee must complete and return to GEMA with the signed Subgrantee Agreement the Environmental and Historic Preservation Screening Memo (EHPSM), attached as Exhibit K to this agreement. Subgrantee must comply with all conditions placed on the project as the result of the EHP review.
 - (c) The subgrantee shall provide any information requested by GEMA or by FEMA to ensure compliance with applicable federal EHP requirements. Any change to the approved project scope of work will require re-evaluation for compliance with these EHP requirements. If ground disturbing activities may occur during project implementation, the Subgrantee must ensure monitoring of ground disturbance, and, if any potential archeological resources are discovered, the

recipient will immediately cease construction in that area and notify FEMA through GEMA and the Georgia Department of Natural Resources, Georgia State Historic Preservation Division.

- (d) Subgrantee shall not undertake any project to which the National Environmental Policy Act (NEPA) requirements are applicable without obtaining written approval by FEMA, through GEMA, prior to use of any HSGP funds for construction or renovation, including without limitation, security equipment. Subgrantee shall coordinate with GEMA regarding any activities using grant funding that require specific documentation of NEPA compliance. Any construction activities that have been initiated prior to the full environmental and historic preservation review will result in a non-compliance finding and will not be eligible for HSGP funding.

For more information on FEMA's EHP requirements, Subgrantee should refer to FEMA's Information Bulletin #345, Grant Program Directorate Programmatic Environmental Assessment, on the Web at <http://www.fema.gov/pdf/government/grant/bulletins/info345.pdf>, and Information Bulletin #329, available at, Environmental Planning and Historic Preservation Requirements for Grants, available at <http://www.fema.gov/pdf/government/grant/bulletins/info329.pdf>. Additional information and resources can also be found at <http://www.fema.gov/plan/ehp/ehp-applicant-help.shtm>.

- 18. Subgrantee agrees to cooperate with GEMA in assuring that any training funded through HSGP funding is reported through the training Information Reporting System ("Web-Forms"), as more fully explained in the FY 2010 Homeland Security Grant Program (HSGP) Program Guidance and Application Kit. (Exhibit B).
- 19. Subgrantee agrees that funds from the FY 2010 HSGP utilized to establish or enhance state and local fusion centers will be used in compliance with the requirements and restrictions in the DHS Guide (Exhibit B) and with the Grant Programs Directorate Information Bulletin No. 281 dated March 5, 2008, and Information Bulletin No. 288 dated April 25, 2008. Specifically without limitation, the Subgrantee receiving funding to be used for costs related to fusion centers agree to comply with the following:
 - (a) Use such funds to:
 - (i) Support the development of a statewide fusion process that corresponds with the Global Justice/Homeland Security Advisory Council (HSAC) Fusion Center Guidelines and the National Strategy for Information Sharing, and achievement of a baseline level of capability as defined by Global's *Baseline Capabilities for State and Major Urban Area Fusion Centers*, a supplement to the Fusion Center Guidelines, located on the Web at <http://www.it.ojp.gov/documents/baselinecapabilitiesa.pdf>.
 - (ii) Support achievement of baseline levels of capability as defined in the fusion capability planning tool.
 - (iii) Achievement of baseline levels of capability as defined in the fusion capability planning tool.
 - (b) Provide GEMA with certification stating that Subgrantee will assume responsibility for supporting the costs of the hired analysts following the three-year federal funding period.
 - (c) Provide GEMA with certificates of completion of training for each intelligence analyst hired with grant funding to enable information/intelligence sharing capabilities in accordance with Global's *Minimum Criminal Intelligence Training Standards for Law Enforcement and Other Criminal Justice Agencies in the United States*, as required under the DHS Guide (Exhibit B) and Information Bulletin 288.

20. All Subgrantees leveraging FY 2010 HSGP funds in support of information sharing and intelligence fusion and analysis centers are encouraged to leverage available federal information sharing systems, including Law Enforcement Online (LEO) and the Homeland Security Information Network (HSIN).
21. In accordance with the Department of Homeland Security Appropriations Act, 2010 (Public Law 111-083), grant funds must comply with the following two requirements:
 - (a) None of the funds made available shall be used in contravention of the Federal buildings performance and reporting requirements of Executive Order 13123, part 3 of title V of the National Energy Conservation Policy Act (42 USC 8251 et. Seq.), or subtitle A of title I of the Energy Policy Act of 2005 (including the amendments made thereby).
 - (b) None of the funds made available shall be used in contravention of Section 303 of the Energy Policy Act of 1992 (42 USC 13212).
22. In addition to other noncompliance remedies, GEMA/HS or DHS-FEMA may unilaterally terminate this grant award, without penalty, if the Subgrantee, any employee or any person or entity otherwise imputed to the Subgrantee is determined to have violated or failed to report allegations of a violation of certain provisions of the Trafficking Victims Protection Act of 2000, as amended, engaged in severe forms of trafficking in persons, procured a commercial sex act, or use forced labor.
23. When implementing DHS/FEMA GPD-funded activities, the Subgrantee understands and agrees that it must comply with all federal civil rights laws, to include Title VI of the Civil Rights Act, as amended.
24. If using subcontractors or contractors, Subgrantee shall use small, minority, women-owned or disadvantaged business concerns and contractors or subcontractors to the extent practicable.
25. The Subgrantee understands that beginning on July 1, 2007, any public contracts and subcontracts that are funded by the HSGP must comply with the requirements of O.C.G.A. §13-10-90, et seq., and Georgia Department of Labor Rules 300-10-1, et seq., to verify the contractor's or subcontractor's new employees' work eligibility through a federal work authorization program.

Changes to Agreement: There shall be no changes to this Agreement unless mutually agreed upon by all parties to the Agreement.

Termination

This agreement may be terminated for any or all of the following reasons:

1. Cause/Default: This agreement may be terminated for cause, in whole or in part, at any time by the State for failure of the Subgrantee to perform any of the provisions or to comply with any terms and conditions herein. If the State exercises its right to terminate this agreement under the provisions of this paragraph, the termination shall be accomplished in writing and specify the reason and termination date. The Subgrantee will be required to submit the final invoice not later than 30 days after the effective date of written notice of termination. Upon termination of this agreement, the State shall not incur any new obligations after the effective date of the termination and shall cancel as many outstanding obligations as possible. The above remedies are in addition to any other remedies provided by law or the terms of this agreement.
2. Convenience: This agreement may be cancelled or terminated by either of the parties without cause; however, the party seeking to terminate or cancel this agreement must give written notice of its intention to do so to the other party at least 30 days prior to the effective date of cancellation or termination.

3. Non-Availability of Funding: Notwithstanding any other provision of this agreement, in the event that either of the sources of funding for reimbursement under this agreement (appropriations from the General Assembly of the State of Georgia or the Congress of the United States of America) no longer exist or in the event the sum of all obligations of GEMA incurred under this and all other agreements entered into for this program exceeds the balance of such funding, then this agreement shall immediately terminate without further obligation of GEMA as of that moment. The certification by the Director of GEMA of the occurrence of either of the events stated above shall be conclusive.

AGREED by all parties:

By:

Gary Kelley
Authorized Grantee

07/24/2013
Signature Date

By: _____

Subgrantee's Authorized Official

Signature Date

Printed or Typed Name of
Subgrantee's Authorized Official

Exhibit C

NIMS Compliance Form for Nongovernmental Organizations

This NIMS Compliance Form **MUST** be completed by **each** agency requesting or benefiting from funding.

Nongovernmental organization subgrantees are required to meet certain National Incident Management System (NIMS) compliance requirements. For additional guidance on NIMS training, please refer to http://www.fema.gov/emergency/nims/nims_training.shtm. All emergency preparedness, response, and/or security personnel in the nonprofit organization participating in the development, implementation, and/or operation of resources and/or activities awarded through this grant are compelled to complete training programs consistent with the NIMS National Standard Curriculum Development Guide. Minimum training includes IS-700 NIMS: An Introduction. The Subgrantee agrees to comply with the NIMS compliance requirements and to evidence compliance by completing and returning to GEMA the NIMS Compliance Form for Nongovernmental Organizations attached to this Agreement as Exhibit "C." NRP: An Introduction (IS-800.A), Introduction to Incident Command System (ICS-100), and Basic Incident Command System (ICS-200) are also recommended.

Please check the box next to each action that your organization has completed. For those actions not completed in the "Required" section, please provide a one-page summary of the plan to complete these actions. Additional NIMS guidance can be found at: www.fema.gov/nims.

REQUIRED:

☐ Implementation plan exists at agency level that identifies personnel to complete the below listed NIMS training requirements.

☐ Complete IS-700 NIMS: An Introduction

RECOMMENDED:

☐ Implementation plan exists at agency level that identifies personnel to complete the below listed NIMS training requirements.

☐ Complete IS-800 NRP: An Introduction

☐ Complete ICS 100

☐ Complete ICS 200 Training

☐ Complete ICS 300 Training

Authorized Signature:

Date:

Organization:

Exhibit D

GEORGIA EMERGENCY MANAGEMENT AGENCY
FY 2010 DHS HSGP, Citizen Corps Program (SHADED AREAS ARE FOR GEMA USE ONLY)

State on behalf of local? (Mark One) Yes No X	FIPS NO. 113-59724-99	SHEET # 2930	DATE SUBMITTED or REVISED	For SHSP and UASI program awards only: Law Enforcement Terrorism Prevention award? (Mark one) Yes No X
Federal ID No. 58-1079955	SUBGRANTEE (Agency/ Department) Peachtree City Police Department	COUNTY Fayette	GEMA AREA 7	GAN NO. 2010-SS-T0-0034
Address: 350 S. Highway 74		Send Contract To (Name/Title): Mayor Don Haddix		Program Contact (Name/Title): Stan Pye
City, State, ZIP Code Peachtree City, GA 30269		Contract Recipient Phone and Email: 770-487-8866		Program Contact Phone and Email: 770-487-8866 ext 1303 spye@peachtree-city.org

Category - Indicate below, must be one of the following: 1. Personal Protective Equipment (PPE), 2. EOD, 3. Citizens Corps Programs, 4. Information Technology (IT), 5. Cyber Security (CS), 6. Interoperable Communications (Inter. Op), 7. Detection Equipment (DET), 8. Decon (DECON), 9. Medical (MED), 10. Power (POW), 11. CBRNE Reference Materials (REF), 12. CBRNE Response Vehicles (VEH), 13. Terrorism Prevention (TP), 14. Physical Security (PS), 15. Inspection and Screening (IS), 16. Agricultural (Ag), 17. Watercraft (WC), 18. Aviation (AIR), 19. CBRNE Logistical Support

Investment Justification = 5 Specify on this line the Investment Justification associated with the project to be funded. One per application.
Choose one: 1. Support Georgia's Fusion Center, 2. Metropolitan Medical Response System (MMRS), 3. Strengthen Infrastructure Protection (CI/KR), 4. Improvised Explosive Device Planning and Response, 5. Planning, Training and Exercises, 6. Interoperable Communications, 7. Search and Rescue, 8. CBRNE Detect, Respond, and Decon, 9. Law Enforcement Special Operations, 10. Agro-Security Program, 11 Critical Infrastructure Assessment and Defense Program, 12. Medical Surge, 13. Support Statewide Emergency Operations

Strategic Goal No. = For each requested item, list below the number of the specific State Strategic Plan Goal, Objective and Steps the requested item will further, for example 4.1.1-5.

Discipline = EMA Specify discipline on this line: Fire, Law Enforcement (LE), EMS, EMA, 911, Other **NOTE: Only ONE discipline per application**

COST ESTIMATE

ITEM NO	CATEGORY	ITEM	STATE GOAL, OBJECTIVE, STEP	QUANTITY	COST EACH	TOTAL COST
001	LS	30 Adult/Teen CERT backpacks		30	\$64.00	\$ 1,920.00
002	PPE	Hard Hats with Ratchet Band		100	\$9.00	\$ 900.00
003	EX	Portable Light Towers		2	\$1,849.00	\$ 3,698.00
004	EX	Moulage supplies		1	\$500.00	\$ 500.00
005	PPE	Protective Reflective Vests		90	\$14.00	\$ 1,260.00
006	EX	Light Tower carrying cases		2	\$200.00	\$ 400.00
007	TRG	Write In the Rain Note Pads		80	\$4.00	\$ 320.00
008	EX	Rayovac Flashlights		100	\$19.95	\$ 1,995.00
009						\$ -
010						\$ -
TOTAL					\$	10,993.00

Stan Pye	0 TITLE: Captain
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Exhibit E

Exhibit F

ASSURANCES - CONSTRUCTION PROGRAMS

OMB Approval No. 4040-0009
Expiration Date 04/30/2008

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0042), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Awarding Agency. Further, certain Federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project.
4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progressive reports and such other information as may be required by the assistance awarding agency or State.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards of merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
10. Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681 1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

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Standard Form 424D (Rev. 7-97)
Prescribed by OMB Circular A-102

11. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
12. Will comply with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333) regarding labor standards for federally-assisted construction subagreements.
14. Will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
19. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

* SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL Completed on submission to Grants.gov	* TITLE
* APPLICANT ORGANIZATION	* DATE SUBMITTED Completed on submission to Grants.gov

ASSURANCES - NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally-assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

* SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL Completed on submission to Grants.gov	* TITLE
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Exhibit G



U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS
OFFICE OF THE COMPTROLLER

CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying" and 28 CFR Part 67, "Government-wide Debarment and Suspension (Nonprocurement) and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Justice determines to award the covered transaction, grant, or cooperative agreement.

1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR Part 69, the applicant certifies that:

- (a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;
- (b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;
- (c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all sub-recipients shall certify and disclose accordingly.

2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS (DIRECT RECIPIENT)

As required by Executive Order 12549, Debarment and Suspension, and implemented at 28 CFR Part 67, for prospective participants in primary covered transactions, as defined at 28 CFR Part 67, Section 67.510—

A. The applicant certifies that it and its principals:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;
- (b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a

public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

3. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67 Sections 67.615 and 67.620—

A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- (b) Establishing an on-going drug-free awareness program to inform employees about—
 - (1) The dangers of drug abuse in the workplace;
 - (2) The grantee's policy of maintaining a drug-free workplace;
 - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will—

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 633 Indiana Avenue, N.W., Washington, D.C. 20531. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted—

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

Check ☐ if there are workplaces on file that are not identified here.

Section 67, 630 of the regulations provides that a grantee that is a State may elect to make one certification in each Federal fiscal year. A copy of which should be included with each application for Department of Justice funding. States and State agencies may elect to use OJP Form 4061/7.

Check ☐ if the State has elected to complete OJP Form 4061/7.

DRUG-FREE WORKPLACE (GRANTEES WHO ARE INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67; Sections 67.615 and 67.620—

A. As a condition of the grant, I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant; and

B. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, I will report the conviction, in writing, within 10 calendar days of the conviction, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 633 Indiana Avenue, N.W., Washington, D.C. 20531.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

1. Grantee Name and Address:

2. Application Number and/or Project Name

3. Grantee IRS/Vendor Number

4. Typed Name and Title of Authorized Representative

5. Signature

6. Date

Exhibit H

QUARTERLY FINANCIAL STATUS REPORT (FSR) *

FISCAL YEAR / PART	FIPS NO.	BW #	DATE SUBMITTED	REPORTING PERIOD (EXAMPLE 4/1/05-6/30/05)
	APPLICANT (Agency/ Department)	COUNTY	AREA	GAN NO.
ADDRESS		CONTACT NAME		CONTACT Phone / ALTERNATE NO.

Categories: Indicate below month the year of the last time the information was updated.

COST ESTIMATE

[illegible]

NOTE: OBLIGATIONS ARE MADE AT THE TIME THAT THE ORDER WAS PLACED. EXPENDITURES ARE MADE WHEN THE INVOICES ARE PAID.

Exhibit I



GEMA Order Receipt Acknowledgement

Remit to: GEMA- Georgia Emergency Management Agency
PO Box 18055, Atlanta, GA 30316

SAMPLE

The subgrantee **MUST** properly receipt and maintain documentation (i.e. packing slips, purchase orders) for all equipment, supplies, services, etc for all items listed on the approved Budget Worksheet. Receipts or invoices with order and delivery dates are required for all equipment items. For all items received directly from the vendor and purchased by the state on behalf of your local jurisdiction, this Order Receipt Acknowledgement Form must be completed and submitted to GEMA immediately upon receipt. If this form is not submitted to our office, funds associated with the purchased equipment will be deobligated from your grant and must be reimbursed to the state.

Order Received Confirmation Signature

Date

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor Haddix and Members of Council

VIA: James Pennington, City Manager
Paul Salvatore, Financial Services Director R.S.
Angela Egan, Purchasing Agent

FROM: H.C. "Skip" Clark II, Chief of Police

DATE: July 25, 2013

SUBJECT: Request to accept seized vehicle for fleet
Council Meeting: August 1, 2013
Consent Agenda

Recommendation:

Staff recommends Council accept one (1) abandoned/seized 2007 Toyota Camry, Vehicle Identification Number 4T1BK46K77U050430 for use in undercover operations.

Discussion.

Pursuant to O.C.G.A. 17-5-54, the City is in possession of a 2007 Toyota Camry, black in color, Vehicle Identification Number 4T1BK46K77U050430. The vehicle was obtained on October 11, 2011, resulting from a felony Identification Fraud criminal investigation, in which the prosecution concluded on August 14, 2012. Due diligence was followed in trying to obtain any known interest holders that pertained to the vehicle. Following these unsuccessful attempts, the vehicle was declared abandoned by the Superior Court of Fayette County on May 08, 2013.

This vehicle will serve to replace the 1993 Honda Civic that was recently decommissioned due to mechanical and safety concerns. The Toyota Camry has been inspected and approved by Public Works as a viable replacement for the Honda.

Budget Impact.

Sufficient funds have been budgeted to accommodate any potential repairs and maintenance on this additional vehicle.

CITY OF PEACHTREE CITY
INTEROFFICE MEMORANDUM

TO: Mayor Haddix and Members of Council

VIA: James Pennington, City Manager
Paul Salvatore, Financial Services Director P.S.
Angela Egan, Purchasing Agent

FROM: H. C. "Skip" Clark II, Chief of Police HCC

DATE: July 25, 2013

SUBJECT: Request to accept donation of Generac GP 5500 generator
Council Meeting: August 1, 2013
Consent Agenda

Recommendation:

Staff recommends that City Council accept the donation of a Generac GP 5500 generator.

Discussion:

Brian Hill, a Reserve Officer with the Police Department, would like to donate a Generac GP5500 generator to the city. Currently the department has no generators that can be used for special purpose events. The department plans on using this generator for alternative power and lighting support for special operations, emergency operations, crime scenes, and road safety check points.

Budget Impact:

The annual costs associated with maintaining the generator are approximately \$30 per year.

HCC/mnb

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor Haddix and Members of Council

VIA: James Pennington, City Manager
Paul Salvatore, Financial Services Director P.S.
Beverly Waldrip, Assistant Financial Services Director
Joseph O'Connor, Acting Fire Chief

FROM: Angela Egan, Purchasing Agent

DATE: July 26, 2013

SUBJECT: Request to Surplus Fire Accessories
Council Meeting: August 1, 2013

Recommendation:

Staff recommends Council declare surplus various fire items and approve Firehouse Subs for final disposition.

Discussion:

Recently, the owner of Firehouse Subs opening August 9, 2013, in Peachtree City, contacted the Fire Department. They asked for the Department's help and support. Specifically, they asked for some retired gear, helmets, axes, pike poles, fire hose, fire hydrant, old fire pictures or anything to make their location more personal to Peachtree City. The following items are no longer in use by the Fire Department, are broken or useless, and have negligible or no value:

- 1- Closet Plaster Hook
- 1- Chrome/Brass Play-pipe with Stack Tips – bent handle
- 2- Forestry Nozzles – worn out
- 2- Fire Helmets w/Shields – worn out or broken – Shield #'s 8222 & 8335
- 2- Fire Turnout Coats with butt plates – old – S/N-0309001512 & S/N-0309001516
with butt plates Johnson & Patterson
- 1- 3" Leader Line – with broken Female Coupling – Inventory # 11303
- 1- Scott SCBA Bottle – damaged – P/N 804772-01
- 1- SCBA Mask – broken face piece

The most economical method of disposal for the City of the above broken and useless items is to "dispose" of them by allowing Firehouse Subs to display them.

Budget Impact:

There is no budget impact.

POSITION PAPER

Proposed Variance: 123 Crown Court
Lot 12, Cardiff Park subdivision

Planning and Zoning Administrator
July 25, 2013

David



Situation:

Ms. Joanne Matlaga owns the property located at 123 Crown Court within the Cardiff Park subdivision. The subject tract is 0.21 acres in size and is zoned LUR-7 Limited Use Residential. The property is located within a cluster subdivision and abuts a city-owned greenbelt and transmission line easement along the rear property line.

The Certificate of Occupancy for the home was issued on February 22, 2005. Following the issuance of the Certificate of Occupancy for this and other homes within the subdivision, Staff found that decks had been constructed off of the main living areas of several homes within the neighborhood, and many of the decks encroached into the rear building setback. The decks had not been identified on the foundation survey nor were they shown on the building plans.

It should be noted that, at that time, the city did not require these types of structures to be identified on the foundation surveys or building plans during the plan review process. That issue has since been corrected.

To resolve this situation, the LUR-7 zoning ordinance was amended on October 2, 2003, to include the following language:

- (1) Minimum rear building setbacks:
Lots 1 – 5 and 24 – 38: 20 feet.
Lots 6 – 23: 20 feet.
- (2) **Wooden decks and raised patios shall be permitted within the rear building setback on Lots 6 – 23 only provided that said wooden deck or raised patio is no closer than ten feet (10') to the rear property line of said lots.**
- (3) **Roofed structures (enclosed patios, screened porches, sunrooms, etc.) shall not be permitted within the rear building setback on any lot unless the property owner obtains a variance.**
- (4) Decks and other outside structures must be identified on future site plans submitted to the Building Department prior to issuance of a Building Permit.

Proposed Variance: 123 Crown Court

July 25, 2013

Page 2

- (5) The Applicant must provide a copy of the amended zoning ordinance to existing and prospective property owners.

The existing deck encroaches 10' into the rear building setback, which is permitted by the amended zoning conditions. The Applicant desires to replace the existing deck with a similar structure.

The Applicant also desires to construct a roof over the new deck. The roof structure would extend 10' into the rear building setback.

In accordance with the provisions of the LUR-7 zoning ordinance, the Applicant has submitted a request for a variance to permit this encroachment (Attachment "A").

Adjoining zoning and land use classifications:

The Cardiff Park subdivision is zoned LUR-7 Limited Use Residential and is designated as SFC Single-family Cluster on the Land Use Map. The subject tract abuts a city-owned greenbelt and an Oglethorpe Transmission Line easement to the south along the rear property line. These areas are zoned OS-P Open Space Public and are designated as OS Open Space on the Land Use Map.

Discussion

The property known to us as the Cardiff Park subdivision was rezoned from GC General Commercial to LUR-7 on October 9, 1998, specifically to permit the development of a 28-lot single-family detached residential subdivision. The subdivision is fully developed and includes private streets and an amenity area owned and maintained by the Homeowner's Association. The perimeter of the subdivision is enclosed by a brick privacy wall and/ or a wrought iron fence and brick columns.

The lots within the subdivision range in depth from 110' to 164'. The subdivision was developed with courtyard-style homes, with garages close to the road and a small courtyard area separating the garage from the homes. To develop and maintain a consistent streetscape, most of the homes were constructed at or near the rear building setback.

Walk-out patios or decks were constructed off of the main living areas of the homes. Most of the decks encroached into the rear building setback. When this encroachment was discovered, the builder was notified that variances would be required on the affected lots to correct this situation. The builder appeared before City Council on August 15, 2002, seeking variances for several lots. It was noted that variances would also be necessary to accommodate decks on additional lots within the subdivision.

Proposed Variance: 123 Crown Court

July 25, 2013

Page 3

Rather than reviewing variance requests on these lots, Council suggested that the Applicant work with City Staff to amend the rear building setback requirements, which would allow the existing decks to remain and the construction of decks on new homes to continue within the overall subdivision.

The LUR-7 zoning ordinance was amended on October 2, 2003.

Facts:

1. Cardiff Park is zoned LUR-7 Limited Use Residential. The subdivision is fully developed.
2. The existing home and all site improvements are in compliance with the conditions of the LUR-7 zoning ordinance.
3. The existing deck extends 10' into the rear building setback, which is permitted by the LUR-7 zoning ordinance.
4. The Applicant desires to replace the existing deck. The footprint of the new deck would not change.
5. The Applicant also desires to construct a roofed structure over the new deck, which would extend 10' into the 20' rear building setback. A variance is required to permit this encroachment.
6. The rear property line of the subject tract abuts a city-owned greenbelt and an Oglethorpe Transmission Line easement.
7. The Applicant has provided letters of support from the Cardiff Park subdivision Homeowner's Association as well as the adjoining property owners expressing their support for the proposed variance.

Review criteria:

Based on the review criteria established within Section 1207 of the city's Zoning Ordinance, City Council shall not grant the request unless all of the following findings can be made:

- (a) **There are special circumstances applicable to the property, including location, shape, size, surroundings, or topography so that the strict application of this ordinance denies the property of privileges enjoyed by other property in the vicinity and under identical zoning district classification;**

Staff findings:

The special circumstances supporting the variance include the size of the subject tract (0.21 acres); the fact that the rear of the home was constructed on the rear building setback line; the existing topography of the property, which necessitated the construction of a deck off of the main living area of the home

Proposed Variance: 123 Crown Court

July 25, 2013

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as opposed to a walk-out patio; and the fact the rear property line abuts a city-owned greenbelt.

- (b) **The strict or literal interpretation and application of this ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the Zoning Ordinance, or would deprive the Applicant of privileges granted to others in similar circumstances;**

Staff findings

The strict or literal interpretation and application of this ordinance would prevent the Applicant from improving their property as proposed. The existing deck encroaches 10' into the rear building setback. The LUR-7 zoning ordinance permits this encroachment. The Applicant desires to construct a roof over the deck, which would not extend any further into the rear building setback than the existing deck. In order to do so, a variance is required.

- (c) **There are exceptional or extraordinary circumstances or conditions applicable to the property involved or the intended development of the property which preclude the applicant from complying with this ordinance and that do not apply generally to other property in the same zoning district and which prevent the applicant from complying with existing regulations;**

Staff findings

The exceptional or extraordinary circumstances or conditions related to this property include the size and topography of the subject lot and the fact the existing deck already encroaches into the rear building setback. The proposed roofed structure would not extend any further into the rear building setback than the existing deck.

- (d) **The granting of such variance will not constitute the granting of special privileges inconsistent with the limitations on other property in the same zoning district; and**

Staff findings

Granting the variance would not have a significant impact on the essential character of the homes within the neighborhood. The property owners on either side of the subject tract, as well as the Cardiff Park Homeowner's Association, have provided documentation supporting the variance as proposed

- (e) **The granting of such variance will not be materially detrimental to the public health, safety, or general welfare nor injurious to property or improvements in the zone or neighborhood in which the property is located.**

Proposed Variance: 123 Crown Court

July 25, 2013

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Staff findings

Granting the variance will not be detrimental to the public health, safety or general welfare nor will it be injurious to property or improvements within the subdivision. The LUR-7 zoning district was established specifically for the development of a 28-lot single-family detached residential subdivision. The internal streets and amenity area are owned and maintained by an active Homeowner's Association. The Homeowner's Association has indicated their support of the proposed variance.

- (f) The granting of such variance will not create inconsistencies with any objective of the Comprehensive Plan.**

Staff findings:

Granting the variance would support the findings of the Comprehensive Plan, which encourages the protection of the character of existing neighborhoods as well as redevelopment and reinvestment within these neighborhoods. The Applicant is proposing to enhance their property, as well as the overall subdivision, with these improvements.

Summary of Findings:

1. The subject tract is located within the Cardiff Park subdivision and is zoned LUR-7 Limited Use Residential.
2. The subject tract is 0.21 acres in size.
3. The existing deck encroaches 10' into the rear building setback. The LUR-7 zoning ordinance permits this encroachment.
4. The proposed roof structure would not extend any further into the rear building setback.
5. The variance is necessary to meet the conditions identified within the UR-7 zoning ordinance.
6. The improvements as proposed would not impact the adjoining property owners. The rear property line abuts a city-owned greenbelt.
7. The Applicant has provided letters of support from the adjoining property owners as well as the Cardiff Park Homeowner's Association.

Options:

In accordance with Section 1202 of the Zoning Ordinance, variances shall only be granted upon showing that:

- a) Relief, if granted, would be in harmony with, or could be made to be in harmony with, the general purpose and intent of the zoning ordinance; or

Proposed Variance: 123 Crown Court

July 25, 2013

Page 6

- b) The application of the particular provision of the zoning ordinance to a particular piece of property, due to extraordinary and exceptional conditions pertaining to that property because of its size, shape, or topography, would create an unnecessary hardship for the owner while causing no detriment to the public.

Recommendation:

Based on the analysis and findings presented herein, and without the benefit of considering additional evidence that may be presented at the Public Hearing, Staff recommends that City Council grant a variance for the property located at 123 Crown Court within the Cardiff Park subdivision to permit the construction of a roof structure over the newly constructed deck that would extend no more than 10' into the required rear building subject to the following understandings and conditions:

1. *The variance shall be granted specifically for a roofed structure over the newly constructed deck, which shall extend no more than a 10' into the rear building setback. There shall be no other encroachments permitted without first securing additional variances.*
2. *Following completion of construction and prior to issuance of the Certificate of Occupancy, the Applicant shall provide a revised Foundation Survey to the Building Official identifying the location of the new construction. The purpose of this survey will be to ensure the new construction does not encroach any further into the rear building setback than permitted by this variance.*



Please use blue or black ink to fill out this form.

VARIANCE APPLICATION

153 Willowbend Rd, Peachtree City, GA 30269

P: 770-487-5731

F: 770-631-2552

WWW.PEACHTREE-CITY.ORG

Admin. Variance Fee: \$25.00
Variance Fee: \$250.00

Receipt #

Date Filed 06/25/13

Case # V-2013-09

Office Use Only

VARIANCE LOCATION	Street Address <u>123 Crown Court</u> <u>Peachtree City, Ga 30269</u>	PROPERTY OWNER	Name <u>Joanne Matlaga</u>
	Zoning District: ☒ Residential ☐ Multi-Family ☐ Commercial\Industrial\Office Variance Type: ☐ Administrative ☐ Special Exception ☒ Variance (check one below) Variance from which ordinance: ☐ Sign ☐ Fence ☐ Land Development ☒ Zoning		Phone <u>(404) 316-1601</u>
APPLICANT	Name <u>Joanne Matlaga</u>	PROPERTY INFO	Email <u>joanne.matlaga@gmail.com</u>
	Address <u>123 Crown Court</u> City, State, Zip <u>Peachtree City, Ga 30269</u> Phone # <u>(404) 316-1601</u> Email <u>joanne.matlaga@gmail.com</u>		Subdivision: <u>Cardiff Park</u> Phase: _____ Lot # <u>12</u>
SUPPORTING DOCUMENTS Please submit the following evidentiary items in support of this application and the requested variances. (Please check off the items that are attached to this application) ☒ Site plan (with property lines and proposed work) ☐ A detailed report justifying the requested variance ☒ Letters of support from adjacent property owners ☒ Digital Photographs \ Renderings (CD or Email) <u>Drawings</u> ☒ Other Items Demonstrating Need (topo. Survey, etc)			

ADMINISTRATIVE VARIANCE	1.) Is a current survey included with the application?	☐ Yes ☐ No	Briefly describe why this variance is being requested: (A separate detailed report is still required to be attached to this application)
	2.) Does the application pertain to a zoning setback?	☐ Yes ☐ No	
	3.) Is the violation an existing setback violation?	☐ Yes ☐ No	
	4.) How long has the violation existed?	_____ Years	
	5.) What is the required setback?	_____ Feet	
	6.) How much of a variance is being requested?	_____ Feet	
	7.) Were you the owner of the property when the violation occurred? (If not, who was?)	☐ Yes ☐ No	

SPECIAL EXCEPTION	1.) Is a current survey included with the application?	☐ Yes ☐ No	Briefly describe why this variance is being requested: (A separate detailed report is still required to be attached to this application)
	2.) Has property been rezoned or deed restrictions?	☐ Yes ☐ No	
	3.) Is the violation an existing setback violation?	☐ Yes ☐ No	
	4.) Application for a bldg setback, fence, or parking?	(Circle One)	
	5.) What is the required setback, height, or spaces?	_____	
	6.) How much of a variance is being requested?	_____	

VARIANCE	Please review the ordinances and instructions on the back of this page.		Briefly describe why this variance is being requested: (A separate detailed report is still required to be attached to this application)
	1.) Is a current survey included with the application?	☒ Yes ☐ No	
	2.) How much of a variance is being requested?	<u>11'</u> Feet	
	3.) Were you the owner of the property when the violation occurred? (If not, who was?)	☐ Yes ☒ No	

I hereby certify that I am the owner of the property on which a variance is being requested and that all information provided as a part of this application is true and correct.

Signature of Owner/Agent: Joanne Matlaga

Date 6/25/2013

OFFICE ONLY

ADMINISTRATIVE VARIANCE	Signature: _____	☐ Approved ☐ Denied
Date of Acceptance: _____	Date of Hearing: _____	☐ Approved with Conditions

SPECIAL EXCEPTIONS & VARIANCE FROM ORDINANCES	This application, along with the required fee and all necessary supplemental documents, has been properly submitted and is hereby accepted for consideration by the City Council at a public hearing in the City Council Chambers at 7:00 PM on the date shown below:		
	Signature: <u>David E. Bart</u>	Date of Acceptance: <u>06-25-13</u>	Date of Public Hearing: <u>07-18-13</u>

Dear Mr. Raffe

6/25/2013

Please find attached my application and necessary documentation for a city variance. I purchased my home 6 months ago, at 123 Crown Court in Cardiff Park subdivision.

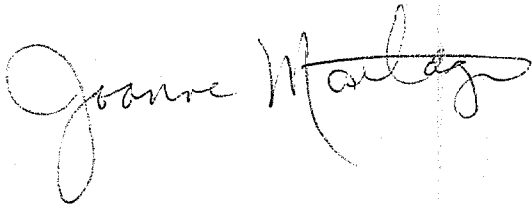
It is a beautiful neighborhood. The existing deck, located off the back of the house, is the original deck when the house was built. It not only is in need of replacing but also lacks the quality that is consistent with this neighborhood. I would like to replace the existing deck with a new one of better quality and a covered roof.

My side of the street backs up on the cart path and I noticed many of the homes on this side have roofs over their decks. This would definitely conform with the neighborhood. My request has the approval of my neighbors as well as the HOA. Also, it does not encroach any further out than what the existing deck already does.

I respectfully ask your approval for this variance. It will definitely make a marked improvement to the neighborhood and the city.

Thank you.

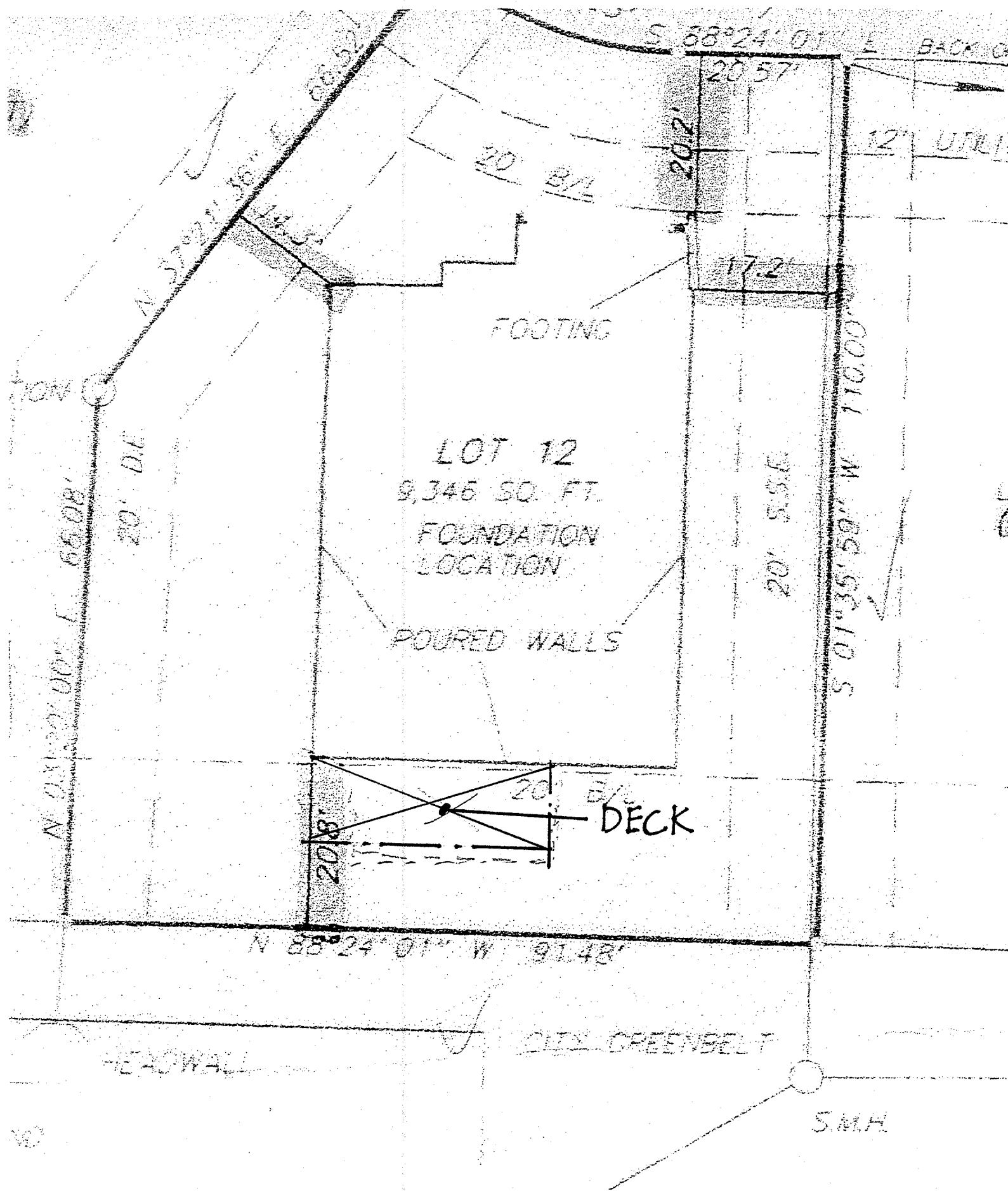
Respectfully,

A handwritten signature in cursive script, reading "Joanne Matlaga". The signature is written in dark ink and is positioned above the printed name.

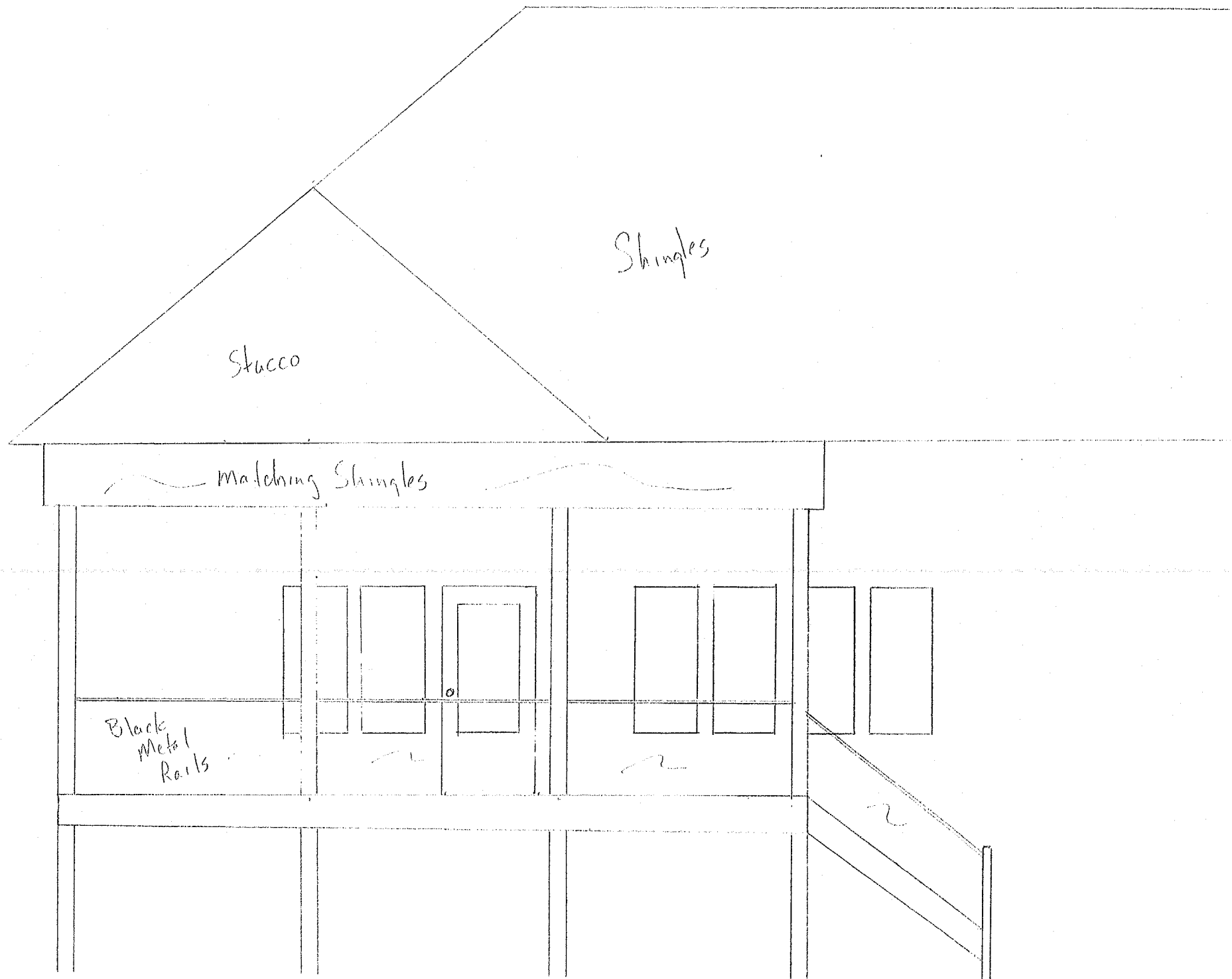
Joanne Matlaga

123 Crown Court

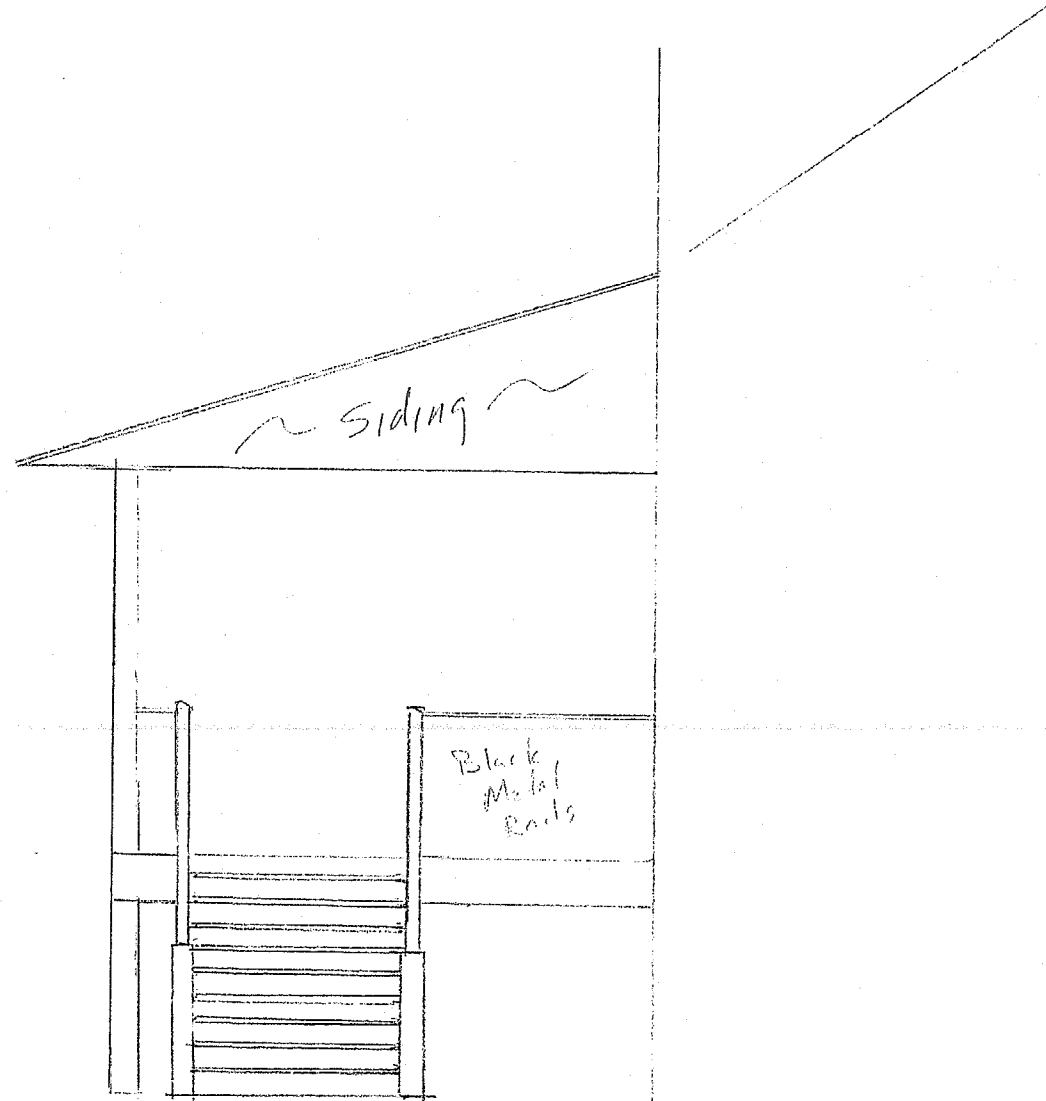
Peachtree City, GA 30269



123 Crown Ct.



123 Green C



JERNIGAN ENTERPRISES, LLC

Rusty Jernigan / State Licensed and Insured
88 Wellington Manor Drive
Sharpsburg, GA 30277
Cell: 404.272.2420

PROPOSAL

6/5/2013

For: Joanne Matlaga

We propose to furnish all material and perform all labor necessary to complete the following:

- 1) Remove and replace decking with kiln dried cypress decking and installed with stainless steel screws.
- 2) Remove and replace handrails with black metal rails with wood cap on top.
- 3) Install 1 additional stair stringer to increase steps to a 5' finished width. Retop steps with kiln dried cypress treads(top of step) and riser boards. (front of step)
- 4) Install 1 x 12 pvc skirt board around outside of deck.
- 5) Remove pergula structure and construct 11'x 25' shed roof w/30yr shingles.
- 6) Install vinyl beaded ceiling material to ceiling of roof structure. Flat ceiling style.
- 7) Install vinyl soffit and aluminum fascia to match what is on existing house.
- 8) Install 6" gutter w/1-3"x4" downspout to front of roof structure.
- 9) Install 2 celing fans to ceiling. Homeowner to supply 2 fans.
- 10) Install cement siding to sides of roof structure.
- 11) Paint siding on structure and backwall of house.

LABOR
MATERIALS
DUMPSTER FEE

Payment to be made as follows: 50% at acceptance, 50 % at completion

COMMENTS:

The above price, specifications and conditions are satisfactory and are hereby accepted. You, being the contractor, are authorized to do the work as specified. Payment will be made as outlined above.

Contractor Signature _____

Homeowner Signature _____

To Whom It May Concern,

6/25/2013

I understand my next door neighbor, Joanne Matlaga at 123 Crown Court, has applied for a variance in order to replace her deck and add a roof over it.

We are in favor of this modification and feel it will be an enhancement to the neighborhood. The homeowner association has already approved this request. I understand the deck will be the same dimensions as the existing one and the modification of a roof cover will be a welcome improvement.

Lynn & Shirley Fairley

Lynn and Shirley Fairley

121 Crown Court

Peachtree City, GA 30269

To Whom It May Concern,

June 24, 2013

I approve of the modification that my next door neighbor has applied for at 123 Crown Court in Cardiff subdivision. I feel that replacing the existing deck with a new one of the same dimensions and adding a roof over it will be a nice improvement and conforms with the quality of this neighborhood.

Mukut & Bula Gupta

Mukut and Bula Gupta

125 Crown Court

Peachtree City, GA 30269



Joanne Matlaga <joanne.matlaga@gmail.com>

Modification approved

1 message

Rhonda Fleming <RFleming@camga.com>
To: "joanne.matlaga@gmail.com" <joanne.matlaga@gmail.com>
Cc: Patrick Staples - President <pstaples@phrehab.com>

Fri, Jun 21, 2013 at 12:16 PM

See Below.

Thanks

Rhonda Fleming

Community Association Management, LLC

P.O. Box 143089

Fayetteville, Ga 30214

(770) 692-0152

(770) 692-0156 Fax

rfleming@camga.com

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From: Patrick Staples [mailto:pstaples@phrehab.com]

Sent: Friday, June 21, 2013 7:16 AM

To: Rhonda Fleming; 'Donald Summers - Treasurer'; 'Donald Summers - Treasurer'; 'Lynn Fairley - Secretary'

Subject: RE: Modification request

Approved.

From: Rhonda Fleming [mailto:RFleming@camga.com]

Sent: Thursday, June 20, 2013 12:07 PM

To: Donald Summers - Treasurer; Donald Summers - Treasurer; Lynn Fairley - Secretary; Patrick Staples -

POSITION PAPER

Proposed Variance: 991 Peachtree Parkway North
Chase Bank (former KFC/ Pizza Hut tract), Kedron Village retail center

Planning and Zoning Administrator
July 25, 2013

DAVID

Situation:

Chase Bank has acquired the property formerly known to us as the KFC/ Pizza Hut tract within the Kedron Village retail center. The subject tract is 1.39 acres in size and is zoned GC General Commercial.

The Applicant intends to demolish the existing building and parking area and redevelop the site with a 3,431 SF bank building, a freestanding drive thru and 30 parking spaces. Access would be provided by an existing curb cut from an internal road within the retail center complex. There are no curb cuts proposed off of Peachtree Parkway or Georgian Park.

The city's parking ordinance requires one parking space for every 250 SF of gross floor area for a "bank and financial institution", which would equate to a minimum of 14 parking spaces.

However, Section 1109(j) of the Vegetation Protection and Landscape Requirements ordinance stipulates:

- (j) *Permanent off-street automobile parking shall not exceed 125 percent of the minimum number of spaces required for the approved land use or development as identified in section 909 of the city's zoning ordinance. For all parking spaces above the minimum number of parking spaces required by the ordinance, the tree replacement requirements calculated for the additional paved surfaces (both impervious and pervious) shall be doubled and reflected on the landscape plan. For those developments that exceed the minimum number of parking spaces required, not more than 30 percent of the total number of additional parking spaces shall be impervious. Pervious paving shall be required within the remaining parking spaces up to but not exceeding 125 percent of the minimum number of parking spaces required.*

Based on this requirement, the site could have no more than 18 parking spaces.

The Applicant has indicated the nature of this business requires more parking than permitted by the parking and landscape ordinances, and has prepared a conceptual site plan showing a total of 30 parking spaces. That plan was presented to and approved by the Planning Commission on July 22, 2013, subject to a variance being granted for the additional parking.

Proposed Variance: 991 Peachtree Parkway North

July 25, 2013

Page 2

The Applicant is requesting a variance from Section 1109(j) of the Vegetation Protection and Landscape Requirements ordinance to permit up to 30 parking spaces on the subject tract.

A copy of the variance application and supporting documentation is included as Attachment "A".

Adjoining zoning and land use classifications:

The Kedron Village retail center is zoned GC General Commercial and is designated as COM Commercial on the Land Use Map. The subject tract was platted as an outparcel as a part of the first phase of the overall retail center development and is bordered on the north by Peachtree Parkway, to the east by Georgian Park, to the south by an internal access drive, and to the west by Wachovia bank.

Discussion

The conceptual site plan for the subject tract was reviewed and approved by the Planning Commission on June 25, 2001. That plan included a freestanding 3,100 SF KFC/ Pizza Hut restaurant building and a total of 32 parking spaces, which complied with the parking requirements at that time. The restaurant was constructed but closed within a few years, and the building has sat vacant since that.

On December 2, 2004, City Council adopted amendments to the Vegetation Protection and Landscape Requirements ordinance, the intent being to update, clarify and strengthen the former ordinance. One of the sections added to the ordinance addressed the maximum number of parking spaces that would be permitted on a particular tract of land. Those amendments included the adoption of Section 1109 (j).

Following this exercise, Staff recommended updates to the city's off-street parking requirements ordinance. Those amendments were adopted on December 1, 2005.

Facts:

1. The subject tract is zoned GC General Commercial.
2. The site is currently developed with a 3,100 SF restaurant building and associated drive-thru and a total of 32 parking spaces.
3. The Applicant desires to demolish the existing building and parking areas, and then redevelop the site with a 3,431 SF bank building, a freestanding drive-thru and 30 parking spaces.
4. The total impervious (paved) surface on the property would be similar to what is existing.
5. The proposed site plan and building elevations have been discussed by the Planning Commission in a workshop format.

Proposed Variance: 991 Peachtree Parkway North

July 25, 2013

Page 3

6. At their meeting on June 22, 2013, the Planning Commission voted unanimously to approve the conceptual site plan contingent on the Applicant obtaining a variance from City Council for the increase in parking spaces.

Review criteria:

Based on the review criteria established within Section 1207 of the city's Zoning Ordinance, City Council shall not grant the request unless all of the following findings can be made:

- (a) **There are special circumstances applicable to the property, including location, shape, size, surroundings, or topography so that the strict application of this ordinance denies the property of privileges enjoyed by other property in the vicinity and under identical zoning district classification;**

Staff findings:

There are no special circumstances applicable to the property related to location, shape, size, surroundings or topography. The site could be developed and comply with the current parking requirements.

However, the Applicant has indicated the nature of the proposed business requires more parking than is permitted by our ordinance. The building will house loan officers, mortgage brokers and other activities that will require additional parking. In addition, the Applicant has indicated that Attorneys, Realtors and other customers will frequent the building on a regular basis which will require additional parking.

It should be noted the existing development includes a 3,100 SF building and 32 parking spaces, and the Applicant is proposing a 3,431 SF building and 30 parking spaces.

- (b) **The strict or literal interpretation and application of this ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the Zoning Ordinance, or would deprive the Applicant of privileges granted to others in similar circumstances;**

Staff findings

The strict or literal interpretation and application of this ordinance would prevent the Applicant from developing the property as they desire. They have indicated there is a need for additional parking on the property due to the nature of the business and their experience in other markets. During the plan review process, they have tried to maintain the parking numbers initially approved for this site as well as the total impervious surface on the property. The proposed site plan reflects these efforts.

Proposed Variance: 991 Peachtree Parkway North

July 25, 2013

Page 4

- (c) **There are exceptional or extraordinary circumstances or conditions applicable to the property involved or the intended development of the property which preclude the applicant from complying with this ordinance and that do not apply generally to other property in the same zoning district and which prevent the applicant from complying with existing regulations;**

Staff findings

The exceptional or extraordinary circumstances or conditions related to this property include the business operations associated with the proposed development. The proposed parking would be consistent with the parking permitted and provided at similar banking and financial institutions within the city.

- (d) **The granting of such variance will not constitute the granting of special privileges inconsistent with the limitations on other property in the same zoning district; and**

Staff findings

Granting the variance would not have a significant impact on other properties within the GC zoning district, many of which were developed under the former parking ordinance. The Applicant has expressed a need for providing additional parking on the property, and the landscape ordinance has established impervious parking (non-paved) and additional landscaping requirements that would be required based on the additional parking provided.

- (e) **The granting of such variance will not be materially detrimental to the public health, safety, or general welfare nor injurious to property or improvements in the zone or neighborhood in which the property is located.**

Staff findings

Granting the variance will not be detrimental to the public health, safety or general welfare nor will it be injurious to property or improvements within the overall retail center. Because of the topography of the subject tract and the location of the proposed parking area, vehicles would not be visible from Peachtree Parkway nor from Georgian Park. As a part of their conceptual site plan, the Applicant submitted a schematic landscape plan which identified additional landscaping adjacent to both roads, which would be installed and maintained by the Applicant.

- (f) **The granting of such variance will not create inconsistencies with any objective of the Comprehensive Plan.**

Staff findings:

Granting the variance would support the findings of the Comprehensive Plan, which encourages the enhancement and revitalization of the existing retail

Proposed Variance: 991 Peachtree Parkway North

July 25, 2013

Page 5

centers. The Applicant is proposing to redevelop a site that has sat vacant for a number of years. The overall tract serves as one of the entrances into the overall Kedron Village retail center as well as the Georgian Park neighborhoods.

Summary of Findings:

1. The subject tract is located within the Kedron Village retail center complex and is zoned GC General Commercial.
2. The subject tract is 1.39 acres in size.
3. The site was initially developed in 2001 with a freestanding restaurant and associated parking. The restaurant closed within a few years and the property has sat vacant since that time.
4. The existing building is 3,100 SF in size and the site includes 32 parking spaces.
5. The Applicant is proposing a 3,431 SF building with 30 parking spaces.
6. The Planning Commission voted unanimously to approve the conceptual site plan for the new development subject to the Applicant securing a variance for the additional parking.

Options:

In accordance with Section 1202 of the Zoning Ordinance, variances shall only be granted upon showing that:

- a) Relief, if granted, would be in harmony with, or could be made to be in harmony with, the general purpose and intent of the zoning ordinance; or
- b) The application of the particular provision of the zoning ordinance to a particular piece of property, due to extraordinary and exceptional conditions pertaining to that property because of its size, shape, or topography, would create an unnecessary hardship for the owner while causing no detriment to the public.

Recommendation:

Based on the analysis and findings presented herein, and without the benefit of considering additional evidence that may be presented at the Public Hearing, Staff recommends that City Council grant a variance for the property located at 991 Peachtree Parkway North from Section 1109(j) of the Vegetation Protection and Landscape Requirements ordinance subject to the following understandings and conditions:

1. The variance shall be granted specifically to permit a total of 30 parking spaces on the subject tract.

Proposed Variance: 991 Peachtree Parkway North

July 25, 2013

Page 6

2. *The landscape plan for the subject tract shall reflect the additional planting requirements identified within Section 1109(j) of the Vegetation Protection and Landscape Requirements ordinance.*
3. *The Applicant shall maintain said landscaping and the ROW of Peachtree Parkway and Georgian Park adjoining the subject tract as a part of the overall maintenance of the property.*



Please use blue or black ink to fill out this form.

VARIANCE APPLICATION

153 Willowbend Rd, Peachtree City, GA 30269
P: 770-487-5731 F: 770-631-2552

WWW.PEACHTREE-CITY.ORG

Admin. Variance Fee: \$25.00
Variance Fee: \$250.00

Receipt # _____

Date Filed _____

Case # V-2013-08

Office Use Only

VARIANCE LOCATION	Street Address <u>991 North Peachtree Parkway</u> <u>Peachtree City, GA 30269</u>	PROPERTY OWNER	Name <u>BRADLEY MURPHY</u>
	Zoning District: ☐ Residential ☐ Multi-Family ☒ Commercial/Industrial/Office		Phone _____
VARIANCE TYPE	Variance Type: ☐ Administrative ☐ Special Exception ☒ Variance (check one below)	PROPERTY INFO	Email <u>bradley_murphy@ucbi.com</u>
	Variance from which ordinance: ☐ Sign ☐ Fence ☐ Land Development ☒ Zoning		Subdivision: _____
APPLICANT	Name <u>LAI Engineering: Brian Pelham</u>	SUPPORTING DOCUMENTS	Phase: _____ Lot # _____
	Address <u>1800 Parkway Place</u>		Please submit the following evidentiary items in support of this application and the requested variances. (Please check off the items that are attached to this application)
	City, State, Zip <u>Marietta, GA 30067</u>		☒ Site plan (with property lines and proposed work)
	Phone # <u>770-733-7905</u>		☒ A detailed report justifying the requested variance
	Email <u>brianp@laiengineering.com</u>		☐ Letters of support from adjacent property owners
			☒ Digital Photographs \ Renderings (CD or Email)
			☒ Other Items Demonstrating Need (topo, Survey, etc)

ADMINISTRATIVE VARIANCE	1.) Is a current survey included with the application?	☒ Yes ☐ No	Briefly describe why this variance is being requested: (A separate detailed report is still required to be attached to this application)
	2.) Does the application pertain to a zoning setback?	☐ Yes ☒ No	
	3.) Is the violation an existing setback violation?	☐ Yes ☒ No	
	4.) How long has the violation existed?	NA Years	
	5.) What is the required setback?	_____ Feet	
	6.) How much of a variance is being requested?	_____ Feet	
	7.) Were you the owner of the property when the violation occurred? (If not, who was?)	☐ Yes ☐ No	

SPECIAL EXCEPTION	1.) Is a current survey included with the application?	☐ Yes ☐ No	Briefly describe why this variance is being requested: (A separate detailed report is still required to be attached to this application)
	2.) Has property been rezoned or deed restrictions?	☐ Yes ☐ No	
	3.) Is the violation an existing setback violation?	☐ Yes ☐ No	
	4.) Application for a bldg setback, fence, or parking?	(Circle One)	
	5.) What is the required setback, height, or spaces?	_____	
	6.) How much of a variance is being requested?	_____	

VARIANCE	Please review the ordinances and instructions on the back of this page.		Briefly describe why this variance is being requested: (A separate detailed report is still required to be attached to this application)
	1.) Is a current survey included with the application?	☒ Yes ☐ No	
	2.) How much of a variance is being requested?	NA Feet	
	3.) Were you the owner of the property when the violation occurred? (If not, who was?)	☐ Yes ☒ No	
		KFC Restaurants	

I hereby certify that I am the owner of the property on which a variance is being requested and that all information provided as a part of this application is true and correct.

Signature of Owner/Agent: [Signature] Date 5-23-13

OFFICE ONLY

ADMINISTRATIVE VARIANCE	Signature: _____	☐ Approved ☐ Denied
Date of Acceptance: _____	Date of Hearing: _____	☐ Approved with Conditions

SPECIAL EXCEPTIONS & VARIANCE FROM ORDINANCES	This application, along with the required fee and all necessary supplemental documents, has been properly submitted and is hereby accepted for consideration by the City Council at a public hearing in the City Council Chambers at 7:00 PM on the date shown below:	
Signature: <u>DAVID E. RANT</u>	Date of Acceptance: <u>05-22-13</u>	Date of Public Hearing: <u>07-18-13</u>

Variance Application
Revised 6/2008

Res. 08-01-13
www.peachtree-city.org
Fax: 770-631-2552

MAY 23 2013

Attachment "A"



05-24-2013

David Rast
Peachtree City Planning Department
151 Willowbend Road
Peachtree City, GA 30269

Re: Chase Bank
911 N. Peachtree Parkway, Peachtree City, GA 30269
LAI# 12134

Dear Mr. Rast:

Please accept this letter as a formal request for relief from the current City parking regulations by a variance.

The site is located at 911 N. Peachtree Parkway at the southwest corner of Georgia Park and Peachtree Parkway. The site currently contains an abandoned 2,700-sf fast-food restaurant with applicable parking and utilities. The site is comprised of 0.66 acres (47%) of impervious surface and 0.73 (53%) acres of landscape and grassed areas.

Based on the proposed layout, the developer intends to demolish the current site and remove the paved areas. When redeveloped, the site will be developed as a commercial financial institution with associated parking and utilities. The development will maintain the existing composition with no increase in impervious surface. The proposed building is larger at approximately 3,500 square feet. The developer does not propose an increase in current parking yielding one space per 110 square feet of building area.

Although we are not increasing the number of current spaces, we do ask for relief from the current regulations of one space per 250 square feet of building area.

Based on Section 1207, please accept the responses in bold text as adherence to the variance review process:

- (a) There are special circumstances applicable to the property, including location, shape, size, surroundings, or topography so that the strict application of this ordinance denies the property of privileges enjoyed by other property in the vicinity and under identical zoning district classification;

Because of the project's location and proposed use, it is expected that the bank's volume of business will exceed the number of parking spaces allowed by strict adherence to the code.

- (b) The strict or literal interpretation and application of this ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning ordinance, or would deprive the applicant of privileges granted to others in similar circumstances;

The allowed parking will yield a count of approximately 14-spaces. Chase maintains approximately ten fulltime employees during an average work-day. During loan closings, there could be as many as six individuals involved. As many as sixteen employees/consultants could be present in the bank. This exceeds the parking count without considering patrons. The developer respectfully requests to maintain the current count of 32 spaces

MAY 23 2013

- (c) There are exceptional or extraordinary circumstances or conditions applicable to the property involved or the intended development of the property which preclude the applicant from complying with this ordinance and that do not apply generally to other property in the same zoning district and which prevent the applicant from complying with existing regulations;

The developer is not asking for any special consideration over what is currently in-place.

- (d) The granting of such variance will not constitute the granting of special privileges inconsistent with the limitations on other property in the same zoning district;

The current use is a fast food restaurant. This lot currently exceeds the allowable parking count. The developer is not asking for any special consideration over what is currently in-place. The impervious surface is not change from current conditions, and the building is becoming slightly larger. Because of the increase in building size, the count is actually decreasing from the existing. The current building to parking ratio is approximately one space per 85 square feet of building area. The proposed yield is one space per 110 square feet of building area.

- (e) The granting of such variance will not be materially detrimental to the public health, safety, or general welfare nor injurious to property or improvements in the zone or neighborhood in which the property is located.

The approval of the maintenance of the current parking count has no bearing or affect on the public health, safety, or general welfare of the adjacent properties.

- (f) The granting of such variance will not create inconsistencies with any objective of the comprehensive plan.

The granting of such variance does not have any bearing on the comprehensive plan.

If you have any additional questions, please feel free to give me a call at your earliest convenience.

Best regards,
LAI Engineering

Brian Pelham
LAI Engineering

LAI Engineering

Parkway Center • 1800 Parkway Place • Suite 720 • Marietta, GA 30067
770.423.0807 tel. • 770.423.1262 fax

PEACHTREE PARKWAY - 130' R/W

APPROX LOCATION OF 0' WATER LINE
TOP 87.54
219.96'

EX. 25
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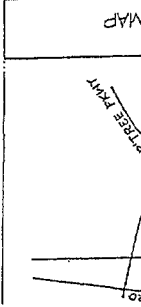
EX. 25
TOP 87.54
219.96'

ACCESS DRIVE

TDN - FIRE HYDRANT
ELEVATION - 893.75 MSL

GENERAL COMMERCIAL
CURRENT ZONING "GC"

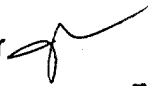
EXISTING



CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council Members

VIA: City Manager 
Community Services Director 

FROM: Planning and Zoning Administrator  David

DATE: July 26, 2013

SUBJECT: Public Hearing: Consider Rezoning Request for Wisdom Road tract
(GC – LUC-23)
Withdrawal of rezoning request

At the request of the Applicant, the rezoning request for the 2.846-acre tract of land within the Wisdom Pointe retail center has been withdrawn. It is our understanding the Applicant is working on a revised conceptual site plan that will not require a change to the current zoning.