City Council of Peachtree City
Agenda
September 3, 2009
7:00 p.m.

I. Call to Order

II. Pledge of Allegiance

III. Announcements, Awards, Special Recognition
Recognize 2009 Booth Middle School Science Olympiad Team
Recognize Mike Dupree for 25 Years of Service
Recognize Boy Scout Troop 175 for donation to Police Department - CERT Program
Proclamation for D.A.R. Daniel Newnan Chapter

IV. Public Comment

V. Agenda Changes

VI. Minutes

VII. Monthly Reports

VIII. Consent Agenda
Consider Appointment of Development Authority Members
Consider Acceptance of GEMA FY2006 Homeland Security Grant
Consider Sanitation Franchise Agreement – ANS Sanitation

IX. Old Agenda Items

08-09-01	Public Hearing (#2) – Consider Ordinance Amendment – Development Impact Fees, including Revision to Fee Schedule
08-09-02	Public Hearing – Consider Amendment to Capital Improvement Element (CIE)
08-09-14	Public Hearing – Consider Amendments to LUR-7 Zoning
08-09-21	Consider Adoption of FY 2010 Budget Resolution

X. New Agenda Items

08-09-22	Presentation by DAPC – Braelinn Village Shopping Center Renovation Study of City's Village Retail Areas (Collaboration w/ GA Tech)
08-09-23	Consider Ethics Resolution

XI. Council/Staff Topics

XII. Executive Session

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

ADMINISTRATIVE SERVICES
MONTHLY REPORT

For Month of: ***July 2009***

	June-09	July-09	FY 2009 YTD	FY 2008 YTD
Human Resources				
Workers Compensation Claims Filed	1	**3**	**22**	22
City Vehicle / Equipment Accidents	3	**3**	**17**	8
Employee Turnover Rate ***	0%	**0%**	**2.11%**	4.48%
Lawsuit Legal Fees	$ 968.00	**$1,073.40**	**$52,885.66**	$71,954.72

******* *The FY 2008 figure is for the full year. Of the 12 terminations in FY 2008, 2 were retirements. Of the 5 terminations year-to-date in FY 2009, 3 have been retirements.*

Municipal Court

	June-09	July-09	FY 2009 YTD	FY 2008 YTD
Fines Collected	$118,433.30	**$134,292.40**	**$1,328,538.90**	$1,225,299.08
Online Transactions	158	**104**	**1,326**	1,688
Citations Closed	582	**569**	**4,115**	5,788
Jail Fund Balance	$3,536.86	**-$15,084.48**	**$125,735.75**	$144,245.10

** Approximately 33% of the Municipal Court Fines Collected reflect mandated add-ons that pass through to State and other agencies.*

*** A positive Jail Fund Balance reflects a credit with the County based on jail fees paid versus number of prisoners housed*

Public Information

	June-09	July-09	FY 2009 YTD	FY 2008 YTD
New Businesses Registered	30	**21**	**192**	208
Public Contacts, Questions & Complaints	81	**80**	**733**	707

This includes 4 complaints against Comcast Cable Company, 8 sanitation company complaints, and 7 Open Records/Discovery Requests.

2009 City Event Calendar

		September
		8/29 – 9/4 Municipal Election Qualifying 9/1 –Council Workshop (Tentative), 6:30 9/3 – City Council Meeting, 7 pm 9/7 – Labor Day, City Offices Closed 9/11 – Amy Grant @ The Fred 9/17 – City Council Meeting, 7 pm 9/18, 19, 25, & 26 – Twilight Theater @ The Fred – *Annie Get Your Gun* 9/19 & 20 – Shakerag Arts & Crafts Fest. 9/25 – 50th Anniversary Event 9/26 & 27 – International Festival & Dragonboat Races
October	**November**	**December**
10/1 – City Council Meeting, 7 pm 10/6 – Council Workshop (Tentative), 6:30 10/10 & 11 – Great Georgia Air Show 10/15 – City Council Meeting, 7 pm 10/17 – PTC Classic Road Race 10/24 – Not So Frightful Halloween @ The Fred 10/31 - Halloween	11/3 – Municipal Election, 7 - 7 – Council Workshop (Tentative), 6:30 11/5 – City Council Meeting, 7 pm 11/19 – City Council Meeting, 7 pm 11/26 & 27 – Thanksgiving Holiday, City Offices Closed	12/1 – Election Run-Off (if needed) –Council Workshop (Tentative), 6:30 12/3 – City Council Meeting, 7 pm 12/5 – Hometown Holiday @ The Fred 12/17 – City Council Meeting, 7 pm 12/24 & 25 – Christmas Holiday, City Offices Closed

2010 City Event Calendar

January	February	March
1/1 – New Year's Day, City Offices Closed 1/5 – Council Workshop (Tentative), 6:30 1/7 – City Council Meeting, 7 pm 1/18 – MLK Holiday, City Offices Closed 1/21 – City Council Meeting, 7 pm	2/2 – Council Workshop (Tentative), 6:30 2/4 – City Council Meeting, 7 pm 2/18 – City Council Meeting, 7 pm	3/2 – Council Workshop (Tentative), 6:30 3/4 – City Council Meeting, 7 pm 3/18 – City Council Meeting, 7 pm
April	**May**	**June**
4/1 – City Council Meeting, 7 pm 4/6 – Council Workshop (Tentative), 6:30 4/15 – City Council Meeting, 7 pm	5/4 – Council Workshop (Tentative), 6:30 5/6 – City Council Meeting, 7 pm 5/20 – City Council Meeting, 7 pm 5/31 – Memorial Day (City Offices Closed)	6/1 – Council Workshop (Tentative), 6:30 6/3 – City Council Meeting, 7 pm 6/17 – City Council Meeting, 7 pm

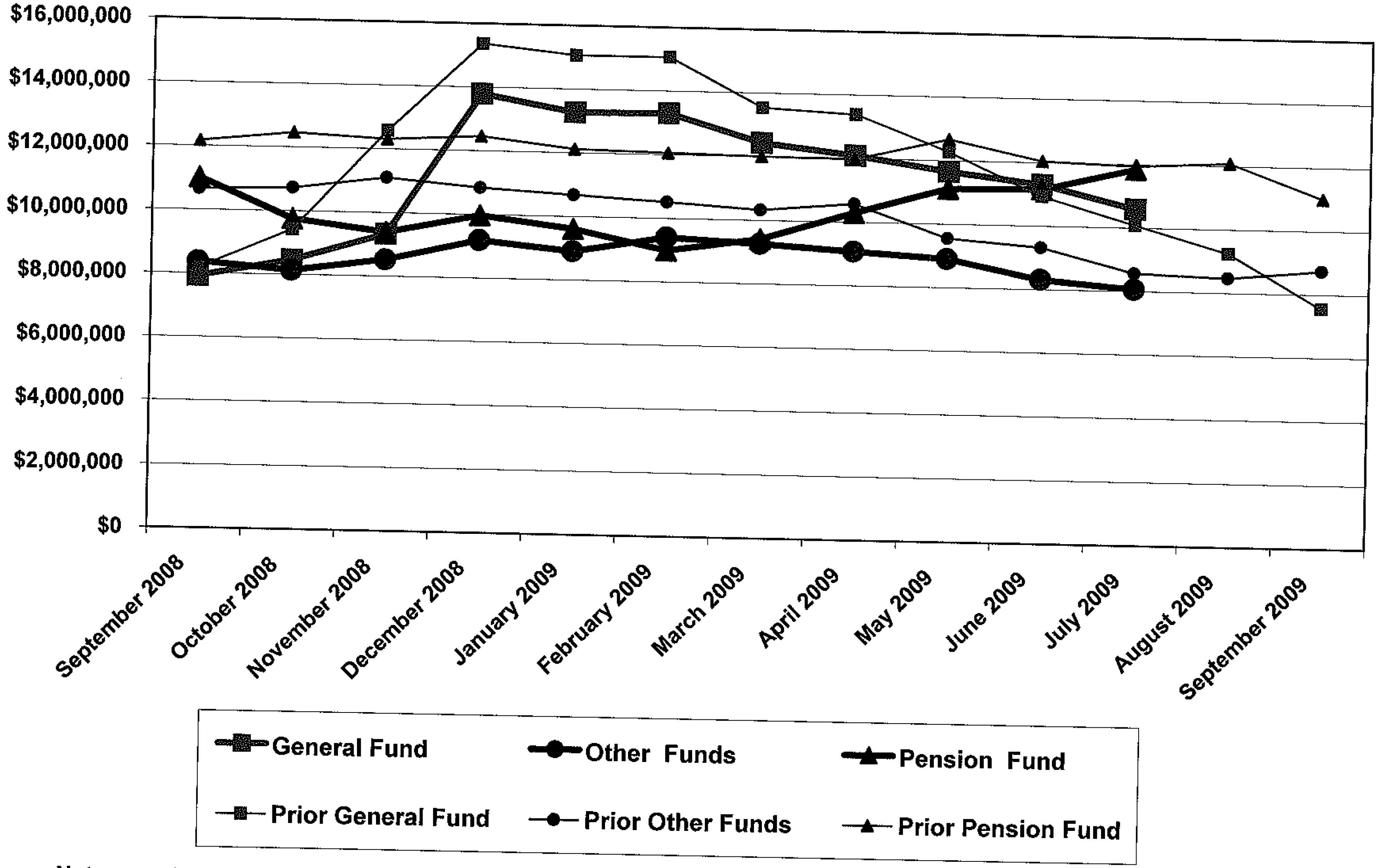
*Note: Items in **BOLD** are new additions*

Updated 8/26/09

PEACHTREE CITY BUILDING DEPARTMENT
FY 2009

	Jun-09	Jul-09	Fiscal Y-T-D 2009	Fiscal Y-T-D 2008
DEVELOPMENT PERMITS:	8	1	35	55
BUILDING PERMITS:				
Single Family Residential	6	1	22	38
Multi-Family Residential	0	0	0	0
Misc.-Pools/fences/additions	33	40	348	457
Commercial/Industrial	7	10	99	133
TOTAL INSPECTIONS:	277	288	3,252	4,171
CERTIFICATE OF OCCUPANCY:				
Residential	4	3	42	52
Commercial	10	3	53	46
Multi-Family Residential	0	0	151	0
CODE ENFORCEMENT:				
Sign Violations	98	103	1,197	1,274
New Rehab	3	26	71	63
Rehab Inspections	10	6	82	103
Tree Removal Permits	86	81	723	850
Notice of Violations - Construction	0	0	6	30
Notice of Violations-Non-Construction	302	192	1,869	1,838
Stop Work Orders	1	2	21	38
Compliance Inspections	453	288	2,804	3,097
Founded Complaints	13	12	145	134
Unfounded Complaints	6	7	78	78
Assessments	0	123	154	189
Water Ban Violations	1	8	21	109
Citations	5	12	56	45
Architect Review Board Permit Approval	29	28	287	359
PERMIT FEES COLLECTED:	26,080	33,549	393,803	380,759
POPULATION: Based on 2.09 persons per new completed dwelling unit.	36,683	36,689	36,689	36,362

CITY OF PEACHTREE CITY
FISCAL YEAR 2009 (with prior year comparison)
MONTHLY ENDING CASH/INVESTMENT BALANCES
(UNAUDITED)



Note: Other Funds include Special Revenue Funds, Capital Projects Funds, Debt Service Funds, Proprietary Funds (including the Stormwater Utility Fund), and Agency Funds.

CITY OF PEACHTREE CITY
MONTHLY REPORT
GENERAL FUND AND HOTEL/MOTEL TAX FUND
BUDGET COMPARISON (UNAUDITED)
FOR YEAR ENDED JULY 31, 2009

PERCENTAGE OF BUDGET YEAR COMPLETED 83.3%

GENERAL FUND REVENUES BY MAJOR CATEGORIES

Description	2009 Budget	YTD Actual	Dollar Difference	Percentage To-Date
General Property Taxes	$ 9,865,605	$ 9,592,827	$ (272,778)	97.24%
Franchise Taxes	2,395,859	2,334,306	(61,553)	97.43%
Local Option Sales Tax	6,324,351	5,361,744	(962,607)	84.78%
Other Sales & Use Taxes	691,266	578,715	(112,551)	83.72%
Business Taxes	2,282,903	2,222,496	(60,407)	97.35%
Licenses & Permits	809,749	731,817	(77,932)	90.38%
Intergovernmental/Grants	199,000	163,211	(35,789)	82.02%
Charges for Services - Other	772,691	652,308	(120,383)	84.42%
EMS Billings	306,710	421,100	114,390	137.30%
Fines & Forfeitures	1,043,670	930,023	(113,647)	89.11%
Investment Income	372,620	67,075	(305,545)	18.00%
Other Revenue	13,766	18,691	4,925	135.78%
Other Financing Sources	1,021,177	803,034	(218,143)	78.64%
Total General Fund Revenues	**$ 26,099,367**	**$ 23,877,347**	**$ (2,222,020)**	**91.49%**
Surplus Carryover	151,783	-	(151,783)	0.00%
Total General Fund	**$ 26,251,150**	**$ 23,877,347**	**$ (2,373,803)**	**90.96%**

GENERAL FUND EXPENDITURES BY DIVISION AND/OR TYPE

Division and/or Type	2009 Budget	YTD Actual	Dollar Difference	Percentage To-Date
Executive Services	$ 454,356	$ 327,105	127,251	71.99%
Administrative Services	1,033,936	813,680	220,256	78.70%
Financial Services	1,079,103	858,756	220,347	79.58%
Police Services	6,260,593	4,870,444	1,390,149	77.80%
Fire/EMS Services	5,821,388	4,727,359	1,094,029	81.21%
Public Works	3,858,835	3,096,296	762,539	80.24%
Leisure Services	4,756,609	3,648,970	1,107,639	76.71%
Developmental Services	1,335,173	1,052,859	282,314	78.86%
Non-Divisional:				
Council Contingency	41,900	-	41,900	0.00%
Non-Profit Organizations	28,100	28,002	98	99.65%
Transfer to Development Authority	35,000	35,000	-	100.00%
Development Authority Debt Service	140,297	140,353	(56)	100.04%
Transfers to Other Funds	1,755,620	1,215,250	540,370	69.22%
Liability Insurance	99,310	92,363	6,947	93.00%
Legal Services	125,675	52,886	72,789	42.08%
General Administration/Bad Debt Expense	61,771	4,552	57,219	7.37%
Budgeted Savings	(636,516)	-	(636,516)	0.00%
Total General Fund	**$ 26,251,150**	**$ 20,963,875**	**$ 5,287,275**	**79.86%**

HOTEL/MOTEL FUND REVENUES

Description	2009 Budget	YTD Actual	Dollar Difference	Percentage To-Date
Total Hotel/Motel Taxes	**$ 967,621**	**$ 644,800**	**$ (322,821)**	**66.64%**

HOTEL/MOTEL TRANSFERS OUT

Type	2009 Budget	YTD Actual	Dollar Difference	Percentage To-Date
Transfer to General Fund	$ 322,540	$ 214,933	$ 107,607	66.64%
Transfer to Tourism Association	645,081	429,867	215,214	66.64%
Total Hotel/Motel Transfers Out	**$ 967,621**	**$ 644,800**	**$ 322,821**	**66.64%**

CITY OF PEACHTREE CITY
FINANCIAL SERVICES
MONTHLY REPORT
(UNAUDITED)
AS OF JULY 31, 2009

SUMMARY OF MAJOR EXPENDITURES BY CITY MANAGER JULY 2009			
Description	**Vendor**	**Award**	**Date**
Expedition	Allan Vigil Ford	$ 25,976.00	07/01/2009
Willowbend-Alluminum Structure	Contec Construction	32,780.00	07/02/2009
Willowbend - Retaining Wall Structure	Georgia Masonry	10,493.00	07/02/2009
Construction Svcs. - Willowbend Road	Integrated Science & Engineering	15,130.00	07/16/2009
Construction Svcs. - Lakeside	Integrated Science & Engineering	15,130.00	07/20/2009
Video Systems for new cars	Coban Technologies	29,945.00	07/21/2009
Replacement Video Systems	Coban Technologies	30,196.00	07/21/2009

PURCHASING REPORT FOR MONTH ENDED JULY 31, 2009 AND JULY 31, 2008		
Activity	**Fiscal Year 2009**	**Fiscal Year 2008**
Purchase Orders / Requisitions Processed	279	249
City Store Requisitions Processed	9	10
Sealed Bids Requested	2	2
Requests for Proposals	0	0
Bids Awarded	5	2
Requests for Proposals Awarded	0	0
Contracts Prepared	4	2
Electronic Auction	0	0
Fixed Assets Purchased	11	4

CITY OF PEACHTREE CITY
DONATIONS RECEIVED
JULY 2009

POLICE			
Mom's Club	K-9		$100.00
Peachtree City Optimist Club	K-9	$	500.00
FIRE			
Fayette Cty Resource Council	Hazmat	$	2,500.00
LEISURE SERVICES DEPARTMENT			
Mom's Club	All Children's		$100.00
			150.00
TOTAL MONTH OF JULY 2009			$3,350.00

City of Peachtree City
Information Technology Statistics
July 2009
(as of 8/27/2009)

Goals and Objectives Summary (Statistically-based):

Goal 1: Minimize down-time for all critical servers.

Objective 1: Ensure maximum 5% downtime annually (438 hours out of 8,760 available hours) for primary application, file and email servers

Reported hours of downtime in July 2009 – 0.0 hours (100.0% uptime, 0.00% downtime)
Reported hours of downtime in FY2009 – 20.17 hours (99.72% uptime, 0.28% downtime)
Reported hours of downtime in FY2008 - 85 hours (99.03% uptime, 0.07% downtime)

Goal 2: Improve first call resolution for technical support issues.

Objective 1: Ensure first call resolution 90% of the time within 1 hour for "emergency" issues, 4 hours for "important" issues, and 12 hours for "normal" issues.

Period	Total Number of Issues	Number of Issues Resolved	%	Number of "Emergency" Issues	Number of "Emergency" Issues Resolved in 1 hour	%	Number of "Important" Issues	Number of "Important" Issues Resolved in 4 hours	%	Number of "Normal" Issues	Number of "Normal" Issues Resolved in 12 hours	%
July 2009	126	121	96.03%	0	0	0.00%	0	0	0.00%	126	119	94.4%
FY2009	1126	1088	96.63%	1	0	0.00%	25	24	96.00%	1079	977	90.55%
FY2008	1302	1254	96.31%	3	1	33.33%	12	11	91.67%	1239	1105	89.2%

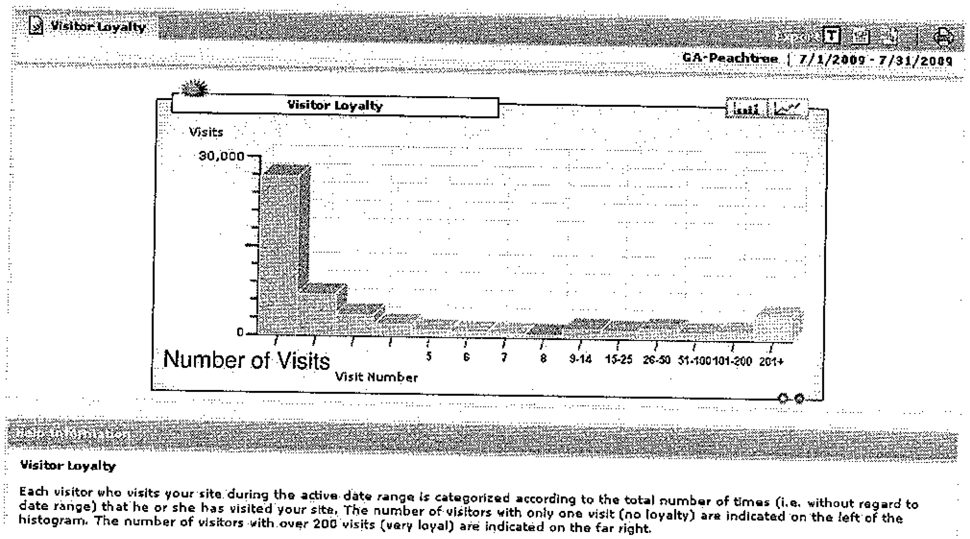
Website Statistics for www.peachtree-city.org

The City's web hosting provider changed statistic reporting systems to Google Urchin in July 2009, leading to incomplete data for the overall year. As the method used to track visitors and top pages has changed, showing YTD will not be accurate. We will continue to show monthly statistics until a full year has been tracked in Urchin to provide YTD trends.

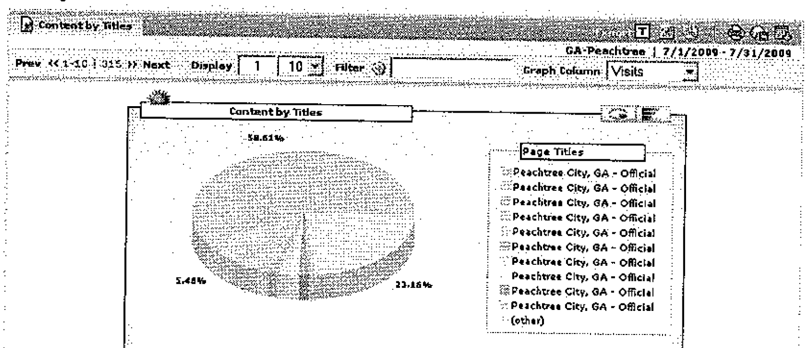
Visits

A visit is defined as a series of actions that begins when a visitor views their first page from the server, and ends when the visitor leaves the site or remains idle beyond the idle-time limit. The default idle-time limit is thirty minutes.

Total Number of Website Visits in July 2009 – 51,108
Unique Visitors – 34,031



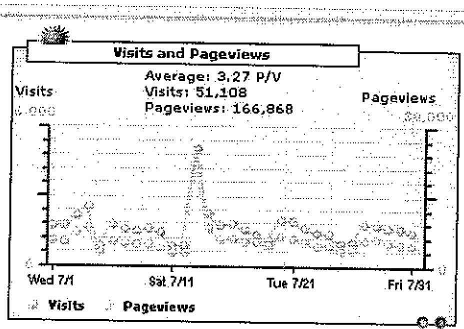
Top Pages for July 2009:

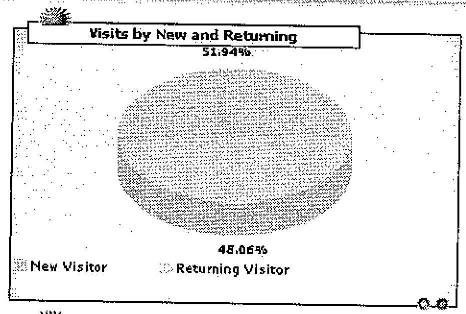


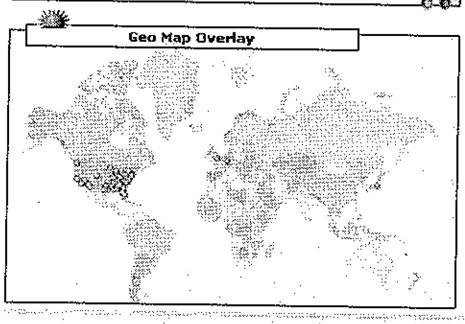
	Page Titles	Visits	Pageviews	Avg Time	% Exit
1.	Peachtree City, GA - Official Website	45,853	80,716	00:00:59	28.59%
2.	Peachtree City, GA - Official Website - Online Resources	4,270	5,575	00:05:40	75.89%
3.	Peachtree City, GA - Official Website - Library	1,684	3,136	00:01:07	50.16%
4.	Peachtree City, GA - Official Website - Police	1,562	2,488	00:00:45	53.09%
5.	Peachtree City, GA - Official Website - Street and Path Map	1,392	3,310	00:01:21	38.49%
6.	Peachtree City, GA - Official Website - About Peachtree City	1,247	4,985	00:00:40	15.91%
7.	Peachtree City, GA - Official Website - Peachtree City Tennis Cente	1,173	2,107	00:00:57	52.79%
8.	Peachtree City, GA - Official Website - Paths & Golf Carts	1,115	4,986	00:01:00	20.22%
9.	Peachtree City, GA - Official Website - Parks and Recreation	959	2,579	00:02:05	22.61%
10.	Peachtree City, GA - Official Website - Kedron Fieldhouse and Aqu	856	1,834	00:01:34	43.51%
	Totals:	78,232	166,868	00:01:06	30.63%

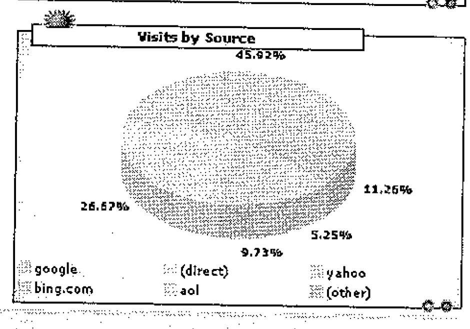
Executive Overview

GA-Peachtree | 7/1/2009 - 7/31/2009









Help Information

Executive Overview

The four graphics in this report provide a quick snapshot of visits to your site. Shown are:

- the total number of visits and pageviews your site received, the average number of pageviews per visit (P/V), and the number of visits and pageviews over time
- the number of first-time visitors and returning visitors
- the cities from which the most visitors come to your site
- your top referral sources. Examples of referral sources include search engines, newsletters, and referring websites. (direct) indicates visitors who entered your website by typing your URL directly into their browser.

PEACHTREE CITY FIRE/EMS DEPARTMENT
2009 MONTHLY REPORT

	Jun. 09	Jul. 09	2009 FY-T-D	2008 FY-T-D
FIRE/ACCIDENT CALLS				
Actual Residential Fires	3	2	23	26
Actual Business/Industrial Fires	0	0	9	10
Rescue/EMS Assist	151	156	1479	1497
Vehicle/Golfcart Accidents	18	16	188	173
False Alarms	24	28	227	247
[1]Other	17	24	274	285
Total Engine Response	213	226	2200	2238
Dispatched Fire Calls	44	62	549	572
Response Time Fire	5:59	5:16	5:00	5:00
RESCUE/EMS				
Trauma	33	40	328	298
Medical	145	135	1344	1358
Total # Patients	178	175	1672	1656
Patients Transported	91	100	859	792
Dispatched EMS Calls	168	168	1658	1672
[2]Total Medic Response	183	198	1991	2106
Response Time EMS	4:16	4:26	4:30	4:39
Dispatched Fire/EMS Total	212	230	2207	2244
EMS BILLING				
Patients Billed	87	98	848	781

[1]Other miscellaneous responses; gas and water leaks, hazmat spills, etc.

[2]Includes Fire Assist Responses

LEISURE SERVICES MONTHLY REPORT

Jul-09

Activity Description	Unit	July 09	FY 2009 YTD	FY 2008 YTD
Library				
Books Circulated	number	45,417	388,094	374,092
Internet Usage	visits	3,310	32,178	37,500
Computer Lab Use	hours	0*	38	283
Lab closed due to hour reductions				
Recreation				
Class/Program Revenue	$	$12,981	$50,315	$57,405
Playing Field Preparations	hours	923	7,015	6,991
Building Maintenance	hours	543	4,747	4,712
Litter Removal	hours	325	2,931	2,863
Complaints answered	number	2	18	38
Amphitheater Rentals, commercial		0		0
Amphitheater Rentals, nonprofit*		2		0

PEACHTREE CITY POLICE DEPARTMENT
2009 MONTHLY REPORT

	JULY 2009	JUNE 2009	2009 Calendar Year to Date	2008 Calendar Year to Date
PART I CRIMES				
Criminal Homicide	0	0	0	1
Forcible Rape	0	1	4	1
Robbery	0	0	3	5
Aggravated Assault	1	0	6	4
Arson	0	0	0	1
Motor Vehicle Theft	7	10	45	56
Theft	37	40	300	218
Burglary	3	5	30	35
TOTAL PART I CRIMES	**48**	**56**	**388**	**321**
ALCOHOL/DRUG ARRESTS				
DUI – TOTAL	13	11	116	112
DUI – ADULT	12	10	105	101
DUI – UNDERAGE	1	1	11	11
MINOR IN POSSESSION OF ALCOHOL	4	29	66	57
DRUG ARRESTS:				
MARIJUANA	6	1	61	52
METHAMPHEDIMINE	0	0	3	1
COCAINE	0	0	3	5
OTHER (opium, heroin, etc)	1	0	1	2
ARRESTS				
PROPERTY CRIMES	16	24	133	102
PERSON CRIMES	5	11	62	32
CITY ORDINANCES	53	42	268	247
TRAFFIC OFFENSES	44	24	285	271
OTHER	22	42	254	240
AVERAGE RESPONSE TIME	7.50	7.35	7.11	5.58
CALLS ANSWERED	**5,188**	**5,095**	**34,477**	**37,530**

TRAFFIC				
CITATIONS ISSUED	457	426	3,534	4,032
WARNINGS	580	415	3,755	4,855
ACCIDENTS	74	84	590	671

TOP 5 ACCIDENT LOCATIONS – MONTH

HWY 54 / HWY 74	3
HWY 54 / PEACHTREE PARKWAY	3
HWY 54 / HUDDLESTON ROAD	2
HWY 54 / MARKET PLACE BLVD	2
HWY 74 / MARKET PLACE CONN	2

TOP 5 ACCIDENT LOCATIONS – Y T D

HWY 54 / HWY 74	30
HWY 54 / PEACHTREE PARKWAY	21
HWY 74 / ROCKAWAY ROAD	15
HWY 54 / HUDDLESTON RD	15
HWY 54 / PLANTERRA WAY	14

PUBLIC SERVICES MONTHLY REPORT
JULY 2009

Activity Description	Unit	July-09	FY2009 YTD	FY2008 YTD
Street Patching	Hrs.	45	1,328	1,412
Street Crack Sealing	Hrs.	15	405	373
Street Crack Sealing	Mi.	0.25	2.32	4.48
Street General Miantenance	Hrs.	577	4,330	3,854
Storm Water Maintenance	Hrs.	325	4,267	4,838
Cart Path Paving	Ft.	614	13,157	30,176
Cart Path Prepped for Paving	Ft.	2,154	~~	~~
Cart Path Litter Removal	Hrs.	157	1,405	1,130
Cart Path Drainage Maintenance	Hrs.	170	1,619	544
Cart Path General Maintenance	Hrs.	628	5,686	4,937
Subdivision Sign Maintenance	Hrs.	14	271	364
Traffic Sign Maintenance	Hrs.	77	1,343	1,087
Vandalism Repairs	Hrs.	77	300	472
Vandalism Repairs	Dls.	$2,968	$8,415	$13,081
Citizen Complaints Answered	Num.	155	1,150	726
Community Service	Hrs.	353	717	258
RECYCLING SITE				
Manhours	Hrs.	43	1,072	1,226
Participants:				
Recycling	Num.	786	5,001	2,898
Composting	Num.	847	10,329	10,855
Mulch Pick UP	Num.	22	309	485
Streets Adopted for Litter Pickup	Miles	7.35		
Cart Paths Adopted for Litter Pickup	Miles	64.25		

COMMISSION/AUTHORITY ATTENDANCE RECORD

Planning Commission
Board name

July 2009 - 1
Report Date: Month Year

Name & Date of Appointment	Meetings Held Past 12 Months	# of Meetings Member Eligible to Attend	# Meetings Attended	# Meetings Absent	Meeting Dates Absent	Percentage Attendance
Patrick Staples *10/01/2006*	17	17	14	3	7/14/08, 10/13/08, 11/10/08	**82%**
Theo Scott *10/01/2004*	17	17	17	0		**100%**
Larry Sussberg *10/01/2008*	11	11	9	2	11/24/2008, 5/11/09	**82%**
Joe Frazar *10/17/2008*	11	11	10	1	12/08/08	**91%**
Lynda Wojcik *02/23/2009*	6	6	6	0		**100%**

COMMISSION/AUTHORITY ATTENDANCE RECORD

Planning Commission
Board name

July 2009 - 2
Report Date: Month Year

Name & Date of Appointment	Meetings Held Past 12 Months	# of Meetings Member Eligible to Attend	# Meetings Attended	# Meetings Absent	Meeting Dates Absent	Percentage Attendance
Patrick Staples *10/01/2006*	17	17	15	2	10/13/08, 11/10/08	**88%**
Theo Scott *10/01/2004*	17	17	17	0		**100%**
Larry Sussberg *10/01/2008*	12	12	10	2	11/24/2008, 5/11/09	**83%**
Joe Frazar *10/17/2008*	12	12	11	1	12/08/08	**92%**
Lynda Wojcik *02/23/2009*	7	7	7	0		**100%**

COMMISSION/AUTHORITY ATTENDANCE RECORD

RECREATION COMMISSION

July 20, 2009

Name & Date of Appointment	Meetings Held Past 12 Months*	# of Meetings Member Eligible to Attend	# Meetings Attended	# Meetings Absent	Meeting Dates Absent	Percentage Attendance
Mark Ballard *01-Jan-08*	9	9	8	1	09/15/2008	**89%**
Eric Imker *01-Jan-09*	9	6	5	1	05/18/2009	**83%**
Vince Obsitnik *01-Jan-08*	9	9	9	0		**100%**
David Ring *01-Jan-07*	9	9	8	1	04/20/2009	**89%**
Shayne Robinson *01-Jan-09*	9	6	6	0		**100%**
Michael LeDonne *Alternate* ** *01-Jan-09*	9	5	1	4	1/16/09 - 4/20/09 5/18/09 - 6/15/09	**20%**
Cyndi Plunkett *Council Liaison* *01-Jan-09*	9	6	4	2	2/16/09 - 7/20/09	**67%**

* No meetings held 10/08, 12/09 or 3/09

** As of 7/09, LeDonne is no longer an alternate

COMMISSION/AUTHORITY ATTENDANCE RECORD

Peachtree City Tourism Association — *Board name*

as of July 2009 — *Report Date: Month Year*

Name & Date of Appointment	Meetings Held Past 12 Months	# of Meetings Member Eligible to Attend	# Meetings Attended	# Meetings Absent	Meeting Dates Absent	Percentage Attendance
William Bexley *12/31/2010*	11*	11	9	2	08/08/2009 06/16/2009	82%
Kai Wolter *12/31/2010*	11*	11	10	1	07/15/2009	91%
David Ring *Until no Longer Rec Comm Chairman*	11*	11	9	2	03/25/2009 05/27/2009	82%
Stanley Phillips *12/31/2009*	11*	11	9	2	9/16/2008 12/17/2008	82%
Eva Durham *8/2/2009 (filling Chuck Micallef's unexpired term)*	11*	9	7	2	02/25/2009 06/16/2009	78%
Veronica Ross *8/2/2009 (filling Art Ferriera's unexpired term)*	11*	9	8	1	01/21/2009	89%
Mayor Harold Logsdon *12/31/2009*	11*	7	5	2	04/15/2009 7/15/2009	71%

*** The October 2008 meeting was cancelled due to lack of quorom and agenda per the Chairman**

Updated by: Jeremy Hogan
as of: May 22, 2009

COMMISSION/AUTHORITY ATTENDANCE RECORD

PTC Water & Sewerage Authority
Board name

Jul-09
Report Date: Month Year

Name & Date of Appointment	Meetings Held Past 12 Months	# of Meetings Member Eligible to Attend	# Meetings Attended	# Meetings Absent	Meeting Dates Absent	Percentage Attendance
Wade Williams *01/01/2007*	12	12	12	0	0	**100%**
Tim Meredith *01/01/2008*	12	12	11	1	07/27/2009	**92%**
Jeff Prellberg *01/01/2006*	12	12	9	3	08/04/2008 07/06/2009 07/27/2009	**75%**
Phil Mahler *10/19/2007*	12	12	12	0	0	**100%**
Michael Harman *01/01/2009*	12	8	6	2	02/02/2009 04/02/2009	**75%**

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor and Council**

FROM: **City Manager**

DATE: **8/21/2009**

SUBJECT: **Consider Appointment of Development Authority Members**
Consent Agenda, September 3, 2009

Recommendation:

Appoint Sherri Smith Brown to a new term on the Development Authority beginning 9/3/2009 ending 9/3/2013. In addition, Donna O'Kelly to be appointed as an alternate in the event a vacancy occurs.

Discussion:

The Selection Committee, composed of Mayor Logsdon, Council Member Steve Boone, Development Authority Chairman, Mark Hollums and myself, considered 7 applicants for the vacancies on the Development Authority.

It is the recommendation of the Committee that Sherri Smith Brown be appointed to a term that would end on 9/3/2013. In addition, the Committee further recommends that Donna O'Kelly be appointed as an alternate to fill any vacancy that may occur.

Copies of their applications are attached for your review.

Budget Impact:

This item should have no budgetary impact.

DEVELOPMENT AUTHORITY
APPLICATION FOR APPOINTMENT

Thank you for your interest in being considered for appointment to the Development Authority.

Applicants must be a legal resident of the State of Georgia and have been a resident of Peachtree City for at least six months prior to the date an application is submitted. Elected officials of any governmental jurisdiction in the County and City employees are not eligible for appointment.

The Development Authority is comprised of seven members appointed to four-year terms. Meetings are held on the third Monday of each month at 6:00 p.m. Members are required to attend a minimum of eighty percent (80%) of all meetings. **Applicants are encouraged to attend as many Authority meetings as possible in an effort to become familiar with the responsibilities of the Authority.** The Authority is responsible for developing and promoting trade, commerce, industry and employment in Peachtree City.

Please take a few minutes to complete the form below and answer the questions on the reverse side of this form and return it with a resume, if available, to Debbie Lemay, Peachtree City Hall, 151 Willowbend Road, Peachtree City, GA 30269 by **5:00 p.m. on Friday, July 24, 2009**. The City will contact you within two weeks of the application closing date.

If you have any questions, please call 487-7657.

Information provided on this form is subject to disclosure as a public record under Georgia Open Records Law.

NAME Sherri Smith Brown

ADDRESS 400 Peachtree Parkway N.
Peachtree City, GA 30269

TELEPHONE (Day Time) 770 - 487 - 6846

(Evening) Same

~~**(Fax #)**~~ Cell 404 - 310 - 9613

(Email:) Sherri @ brownsmithbrown.com

Sherri Smith Brown
Signature

July 24, 2009
Date

How long have you been a resident of Peachtree City?

August 1977

Why are you interested in serving on the Development Authority?

I'm interested in maintaining the integrity of development in Peachtree City

What qualifications and experience do you possess that would benefit the Development Authority?

I am organized and detail oriented and deadline oriented. My writing skills are always useful and I have been following development in the town throughout my time here.

List major jobs you have held during your working career to include name of company and position.

I have been a free lance writer and producer for over 25 years. I worked indepently until about 3 years ago when my husband and I formed our company, Brain Smith Brown & Associates.

Do you have any past experience relating to development? If so, describe.

I have written about development in the region nearly all of my time in Peachtree City, including being editor of 20 South Magazine from 2006 – 2008 which focused on quality development. I was PR Director at Garden Cities in 1979 – 80

Have you attended any Development Authority meetings in the past year and, if so, how many?

No

Are you willing to take continuing education classes?

If it does not interfere with the raising of my 6-year-old daughter.

Would there be any possible conflict of interest between your employment and you serving on the Development Authority?

I don't foresee anything.

Describe your current community involvement.

None other than being involved at Crabapple Lane Elementary.

DEVELOPMENT AUTHORITY
APPLICATION FOR APPOINTMENT

Thank you for your interest in being considered for appointment to the Development Authority.

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The Development Authority is comprised of seven members appointed to four-year terms. Meetings are held on the third Monday of each month at 6:00 p.m. Members are required to attend a minimum of eighty percent (80%) of all meetings. **Applicants are encouraged to attend as many Authority meetings as possible in an effort to become familiar with the responsibilities of the Authority.** The Authority is responsible for developing and promoting trade, commerce, industry and employment in Peachtree City.

Please take a few minutes to complete the form below and answer the questions on the reverse side of this form and return it with a resume, if available, to Debbie Lemay, Peachtree City Hall, 151 Willowbend Road, Peachtree City, GA 30269 by **5:00 p.m. on Friday, July 24, 2009**. The City will contact you within two weeks of the application closing date.

If you have any questions, please call 487-7657.

Information provided on this form is subject to disclosure as a public record under Georgia Open Records Law.

NAME Donna O'Kelly

ADDRESS 109 St. Andrew Square
Peachtree City, GA 30269

TELEPHONE (Day Time) (H) 770-487-6266

(Evening) (C) 404-925-6782

(Fax #) 770-487-8899

(Email:) donnaokelly@bellsouth.net

D. O'Kelly
Signature

7/24/09
Date

Donna O'Kelly

How long have you been a resident of Peachtree City?

moved here in 1980 - 4th grade
left after high school for several years

Why are you interested in serving on the Development Authority?

I want PC to have another
50 great years + I want to do my part

What qualifications and experience do you possess that would benefit the Development Authority?

- Active in the community - long time resident
- Past board member of Fayette chamber, YMCA, + realtor boards

List major jobs you have held during your working career to include name of company and position.

Donna O'Kelly Realtors, Inc - owner
Eckerds - management
my first job was @ Big Starr (the now vacant Kroger) ☺

Do you have any past experience relating to development? If so, describe.

I'm in real estate but mostly on sale ~~side~~ sign

Have you attended any Development Authority meetings in the past year and, if so, how many?

No

Are you willing to take continuing education classes?

yes

Would there be any possible conflict of interest between your employment and you serving on the Development Authority?

No

Describe your current community involvement.

* Volunteer when needed but not currently on any boards
* active @ my kids school
* Heading up my 20 year class reunion (class of 89) from McIntosh High School

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO:	**Peachtree City Council**
VIA:	**Bernie McMullen, City Manager** **Edwin Eiswerth, Fire Chief**
FROM:	**Joe O'Conor, Assistant Chief – Training & Special Operations**
DATE:	**August 24, 2009**
SUBJECT:	**Consider Acceptance of GEMA FY2006 Homeland Security Grant** *September 3, 2009 - Council Meeting*

Recommendation:

That the Mayor and Council authorize the acceptance of the FY 2006 Homeland Security Grant in the amount of $9,000.00.

Discussion:

Peachtree City has been offered the opportunity to receive a grant from the Georgia Emergency Management Agency in the amount of $9,000.00 from unexpended fiscal year 2006 Office of Domestic Preparedness, Homeland Security Grant funds for the purchase of four fully encapsulated chemical protective clothing ensembles for the hazardous materials response team. Purchase of these items through this grant will benefit the response capability of the Multi-jurisdictional Hazardous Material Response Team, to which our Department is one of three partners with Fayette County Emergency Services and Fayetteville Fire Department.

Under the terms of this grant, Peachtree City will purchase these items for the benefit of the multi-jurisdictional team directly prior to December 31, 2009 and seek 100% reimbursement through the grant.

The Fire Department has been assured by Finance Department that these purchases can be made, delivered and paid for prior to the specified deadline to qualify for full reimbursement (100%) under the terms of the grant.

Budget Impact:

There is no anticipated impact on the budget. Any funds expended are expected to be fully reimbursed under the terms of the grant.

GEORGIA EMERGENCY MANAGEMENT AGENCY
GEORGIA OFFICE OF HOMELAND SECURITY

SONNY PERDUE
GOVERNOR

CHARLEY ENGLISH
DIRECTOR

August 17, 2009

RE: FIP #113-59724-03
GAN #2006-GE-T6-0066
Budget Worksheet #2312
City of Peachtree City Fire Department

Chief Edwin F. Eiswerth
City of Peachtree City Fire Department
105 Peachtree Parkway, North
Peachtree City, Georgia 30269

Dear Chief Eiswerth:

Enclosed is the Grantee-Subgrantee Agreement for funding awarded to your agency by the Georgia Emergency Management Agency (GEMA) from the Department of Homeland Security (DHS) Fiscal Year 2006 Homeland Security Grant Program State Homeland Security Program. 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 $9,000.00. 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 – H. Please review and return signed originals of the Grantee-Subgrantee Agreement, Exhibit F, and Exhibit G, to the attention of your grants manager **within 14 days of receipt of this letter**. Keep a copy of each form for your records.

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,

Angi W. Ford
Public Assistance Director

awf/mjp
Enclosures
cc: Joseph O'Conor, Assistant Chief
City of Peachtree City Fire Department

FISCAL YEAR 2006 HOMELAND SECURITY GRANT PROGRAM
GRANTEE-SUBGRANTEE AGREEMENT
STATE HOMELAND SECURITY PROGRAM

The United States Department of Homeland Security (DHS), Preparedness Directorate, Office of Grants and Training (G&T), approved the application and awarded grant funding from the Fiscal Year 2006 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 of 2006 (Public Law 109-90). 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 $9,000.00 to City of Peachtree City Fire Department**, as Subgrantee, in accordance with the **Fiscal Year 2006 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 **Ralph Reichert 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 **six (6)** of this agreement and whose signature appears on page **six (6)** 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.

Effective Date: From August 29, 2006 to October 31, 2009.

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, 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), Preparedness Directorate, Office of Grants and Training (G&T), Fiscal Year 2006 Homeland Security Grant Program, Program Guidance and Application Kit (DHS Guide), located on Office of Justice Program's Web site: www.ojp.usdoj.gov/odp/docs/fy2006hsgp.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.

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. The Subgrantee shall complete and submit 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.

3. **Financial Status Report (FSR):** Obligations and expenditures must be reported to GEMA on a quarterly basis through the FSR, which is due within 45 days of the end of each calendar quarter (i.e. for the quarter ending March 31, FSR is due on May 15). A copy of this form is attached as Exhibit H to this agreement.

4. **Grant Closeout Report:** Within 60 days after the ending effective date of the subgrant, the Subgrantee will 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:** The Subgrantee agrees that federal or state officials and auditors or their duly authorized representatives may conduct required 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 Fiscal Year 2006 Homeland Security Appropriations Act and this Agreement.

2. **Code of Federal Regulations (CFR):** The Subgrantee agrees to comply with 28 CFR Part 66 (Uniform Administrative Requirements for Grants to States) and with 48 CFR 1.31, Contract Cost Principles and Procedures.

3. **Office of Management and Budget (OMB):** 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). The Subgrantee further agrees to comply with the standards put forth in the applicable OMB circulars: OMB Circular A-87, Cost Principles for State, Local and Indian Tribal Governments, OMB Circular A-21,

Cost Principles for Educational Institutions, or OMB Circular A-122, Cost Principles for Non-Profit Organizations. Details specific to the OMB Circulars can be found on the OMB Web site at www.whitehouse.gov/omb/circulars/. 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. **Withholding of Funds:** GEMA, as the awarding agency, may withhold payments of grant funds to a Subgrantee after proper notification or opportunity to remedy if the Subgrantee demonstrates any of the following:

    a. Unwillingness or inability to attain program or project goals or to establish procedures that will minimize the time elapsing between the cash drawdowns and expenditures;
    b. Inability to adhere to guideline requirements or special conditions;
    c. Improper award and administration of subawards or contracts; and
    d. Inability to submit reliable and/or timely reports.

Noncompliance by the Subgrantee with the terms or conditions of this Agreement will constitute justification for non-payment of any amounts submitted on the Payment Request Forms.

National Initiatives

1. Sugrantee agrees to comply with all applicable terms and conditions of the Fiscal Year 2006 Homeland Security Grant Program Guidance (Exhibit B), including without limitation meeting the minimum National Incident Management System (NIMS) Fiscal Year 2006 implementation compliance requirements in the NIMS Compliance section of the DHS Guide (Appendix G). In order to receive FY 2006 preparedness funding, applicants will have to certify that they have met the minimum FY 2005 NIMS requirements. Therefore, 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.

2. Subgrantee agrees to institutionalize the use of the Incident Command System (ICS) as required by Georgia law and the NIMS minimum compliance requirements.

3. Subgrantee agrees that any exercises implemented with grant funds will be conducted 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 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 G&T Secure Portal, located at https://www.hseep.dhs.gov/ and approved 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).

Special Conditions

The Subgrantee agrees to the following conditions:

1. The Subgrantee agrees to use all grant funding awarded from the FY 2006 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 will use grant funding in accordance with the Fiscal Year 2006 Homeland Security Grant Program Guidance and Application Kit (Exhibit B), comply with all DHS requirements and cooperate with GEMA to comply with federal and state requirements related to the grant funding.

3. The Subgrantee agrees that federal funds under this award will be used to supplement, but not supplant, state or local funds for homeland security preparedness.

4. The Subgrantee agrees to cooperate with any assessments, national evaluation efforts, planning, 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 project.

5. Federal funds provided under this program are for 100% reimbursement of all eligible expenditures. Subgrantee will follow procurement standards as stated in the Financial Guide (Exhibit A).

6. 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 Financial Guide (Exhibit A).

7. 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 G&T.

8. 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.

9. If the Subgrantee violates any of the conditions of this agreement, including all 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 for other projects under this program, this or other agreements, and applicable federal and state regulations until adequate corrective action is taken.

10. 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 Office of Grants and Training, 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 the Office of Grants and Training or the U.S. Department of Homeland Security."

11. Subgrantee acknowledges that G&T reserves a royalty-free, non-exclusive, and irrevocable license to reproduce, publish, or otherwise use, and authorize others to use, for Federal government purposes: (1) the copyright in any work developed under an award or sub-award; and (2) any rights of copyright to which a recipient or sub-recipient purchases ownership with Federal support. The Subgrantee agrees to consult with G&T through GEMA regarding the allocation of any patent rights that arise from, or are purchased with, this funding.

12. 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."

13. The Subgrantee agrees to comply with the National Environmental Policy Act (NEPA) requirements, if applicable; to obtain written approval by G&T, through GEMA prior to use of any HSGP funds for construction or renovation, including without limitation, security equipment; and to coordinate with GEMA regarding any activities using grant funding that require specific documentation of NEPA compliance.

14. The Subgrantee must complete, sign and return the NIMS compliance form (Exhibit C) and understands and acknowledges that all terms and conditions of this contract are predicated upon the Subgrantee's assurances in the signed NIMS Compliance Form that the Subgrantee's jurisdiction is NIMS compliant in accordance with state and federal laws and with the requirements of DHS for receipt of grant funding through the 2006 Homeland Security Grant Program.

15. Subgrantee agrees that any exercise involving any type of Fiscal Year 2006 HSGP funding, i.e. SHSP, LETPP, UASI, Citizen Corps Program, or Metropolitan Medical Response System, for any equipment, training, planning, exercises or any other use will comply with the Homeland Security Exercise and Evaluation Program (HSEEP) requirement and that prior to conducting any such exercise the Subgrantee will notify and coordinate with the State's Terrorism Emergency Response and Preparedness Division Exercise Program Manager.

16. Subgrantee agrees to cooperate with GEMA in assuring that any training funded through HSGP funding is reported on the Web-Forms system as more fully explained in the FY 2006 Homeland Security Grant Program (HSGP) Program Guidance and Application kits, pp. 36-38 and in G&T Information Bulletin No. 219.

17. All statewide information sharing and analysis centers leveraging FY 2006 HSGP funds must establish connectivity with the DHS Homeland Security Operations Center (HSOC) via the Homeland Security Information Network (HSIN). HSIN must serve as the primary vehicle by which information and intelligence is shared with DHS as part of the fusion process across the federal, state, local, regional, tribal and private sectors.

18. When implementing G&T 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. The Subgrantee is required to take reasonable steps to ensure persons of limited English proficiency have meaningful access to language assistance services regarding the development of proposals and budgets and conducting G&T funded activities.

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: ______________________
Authorized Grantee

8/17/2009
____
Signature Date

By: ______________________
Subgrantee's Authorized Official

____
Signature Date

____
Printed or Typed Name of
Subgrantee's Authorized Official

Exhibit C

NIMS Compliance Form

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

In federal Fiscal Year 2006, state agencies, tribes, and local communities will be required to complete several activities to comply with the National Incident Management System (NIMS). This document describes the actions that jurisdictions must have taken by September 30, 2006 to be compliant with NIMS. Homeland Security Presidential Directive 5 (HSPD-5), Management of Domestic Incidents, requires all federal departments and agencies to adopt and implement the NIMS, and requires state and local jurisdictions to implement the NIMS to receive federal preparedness funding. Please check the box next to each action that your organization has completed. For those actions not completed please provide a one-page summary of the plan to complete these actions and fully implement NIMS. Additional NIMS guidance can be found at: www.fema.gov/nims

- ☐ Community Adoption: Adopt NIMS at the community level for all government departments and agencies; as well as promote and encourage NIMS adoption by associations, utilities, non-governmental organizations (NGOs), and private sector incident management and response organizations.
- ☐ Incident Command System (ICS): Manage all emergency incidents and preplanned (recurring/special) events in accordance with ICS organizational structures, doctrine, and procedures, as defined in NIMS. ICS implementation must include the consistent application of Incident Action Planning and Common Communications Plans.
- ☐ Public Information System: Implement processes, procedures, and/or plans to communicate timely, accurate information to the public during an incident through a Joint Information System and Joint Information Center.
- ☐ Preparedness/Planning: Establish the community's NIMS baseline against the FY 2005 and FY 2006 implementation requirements. (NIMSCAST and/or Implementation Plan)
- ☐ Develop and implement a system to coordinate all federal preparedness funding to implement the NIMS across the community.
- ☐ Revise and update plans and SOPs to incorporate NIMS components, principles and policies, to include planning, training, response, exercises, equipment, evaluation, and corrective actions.
- ☐ Participate in and promote intrastate and interagency mutual aid agreements, to include agreements with the private sector and non-governmental organizations.
- ☐ Implementation plan exists at agency level that identifies personnel to complete the below listed NIMS training requirements.
  - ☐ Complete IS-700 NIMS: An Introduction
  - ☐ Complete IS-800 NRP: An Introduction
  - ☐ Complete ICS 100 and ICS 200 Training
- ☐ Incorporate NIMS/ICS into all tribal, local, and regional training and exercises.
- ☐ Participate in an all-hazard exercise program based on NIMS that involves responders from multiple disciplines and multiple jurisdictions.
- ☐ Incorporate corrective actions into preparedness and response plans and procedures.
- ☐ Inventory community response assets to conform to homeland security resource typing standards.
- ☐ To the extent permissible by law, ensure that relevant national standards and guidance to achieve equipment, communication, and data interoperability are incorporated into tribal and local acquisition programs.
- ☐ Apply standardized and consistent terminology, including the establishment of plain English communications standards across public safety sector.

Authorized Signature: ______________________ **Date:** ______________ **Agency:** ____________________________

Exhibit D

GEORGIA EMERGENCY MANAGEMENT AGENCY
DHS FY 2006 State Homeland Security Grant Program *(SHADED AREAS ARE FOR GEMA USE ONLY)*

Fiscal Year/Part Fiscal Year 2006	FIPS NO. 113-59724-03	SHEET # 2312	DATE SUBMITTED	APPROVAL DATE 7-29-2009
Federal ID No. 58-1079955	APPLICANT (Agency/ Department) Peachtree City Fire Department	COUNTY Fayette	GEMA AREA 7	GAN NO. 2006-GE-T6-0066
ADDRESS 105 Peachtree Parkway, North; Peachtree City, GA 30269		CONTACT NAME Asst. Chief O'Conor		CONTACT PHONE/ALTERNATE NO./E-MAIL: 770-631-2572/770-631-2526 joconor@ptcgovernment.org

Category - Indicate below, <u>must</u> be one of the following: 1. Personal Protective Equipment (PPE), 2. EOD, 3. CBRNE Search and Rescue (SAR), 4. Information Technology (IT), 5. Cyber Security (CS), 6. Interoperable Communications (Inter. Op), 7. Detection Equipment (DET), 8. Decon (DECON), 9. Medical Supplies (MED), 10. Power Equipment (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 (LS), 20. Intervention (INT), 21. Other Authorized (O)

Investment Justification = ______6__________ Specify on this line the Investment Justification associated with the project to be funded. One per application.
Choose one: 1. National Incident Management System and National Response Plan, 2. Regional Collaboration, 3. National Infrastructure Protection Plan, 4. Information Sharing, 5. Interoperable Communications, 6. CBRNE, 7. Medical Surge and Mass Prophylaxis, 8. Explosive Device Response Operations, 9. Law Enforcement Operations and Investigations, 10. Citizen Preparedness and Volunteer Efforts, 11. Georgia Search and Rescue Program, 12. Evacuation Preparedness, 13. Agroterrorism Defense, 14. Planning

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 = <u>HAZMAT TEAM</u> 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	1	One Suit Flash, fully encapsulated NFPA compliant Level A PPE	4.2, 3a	4	$2,250.00	$ 9,000.00
						$ -
					TOTAL	$ 9,000.00

PREPARED BY:	Joseph O'Conor	TITLE:	Asst Chief, Training and Special Operations

Exhibit E

EXHIBIT E

Date: ______________

Georgia Emergency Management Agency
State Homeland Security Grant Program
Payment Request Form

Instructions: All requests for payments must be supported by documentation supporting **actual** expenditures. Itemize each expenditure below to the fullest detail possible. Attach documentation that supports this payment request, such as copies of bills of sale, invoices, receipts, and canceled checks evidencing payment. Do not send originals. Attach a continuation sheet if necessary.

*** Please refer to Budget Worksheet for information needed in the following section ***

Budget Worksheet Number:_________ Name of Jurisdiction:_________________________________

GAN Number:______________________ FIPs Number:________________________ Area: _________

Item Number From Budget Worksheet	Requested Item to be Reimbursed	Requested Quantity	Requested Cost	Description of Documentation Attached in Support of this Payment Request
	(from Continuation sheet attached) **SUBTOTAL**			
	TOTAL			
	NET AMOUNT REQUESTED			

Under penalty of perjury, I certify that to the best of my knowledge and belief the data above are correct and that all outlays were made in accordance with the grant conditions or other agreements, comply with procurement regulations contained within the Financial Guide, and that payment is due and has not been previously requested. I understand that any part of this payment request that is not supported by cost documents and/or expended within the scope of the approved project will be refunded to the State of Georgia within 30 days of receiving the deobligation notice.

______________________________ ______________________ ______________________

Signature of Subgrantee's Authorized Representative Printed Name Contact Phone Number

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 pain 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 statue(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statue(s) which may apply to the application.

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	* TITLE
Completed on submission to Grants.gov	
* APPLICANT ORGANIZATION	* DATE SUBMITTED
	Completed on submission to Grants.gov

OMB Approval No. 4040-0007
Expiration Date 04/30/2008

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.

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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	* TITLE
Completed on submission to Grants.gov	
* APPLICANT ORGANIZATION	* DATE SUBMITTED
	Completed on submission to Grants.gov

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 (Nonpro-curement) 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 convic-tion. 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 iden-tification 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 enforce-ment, 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 indentified 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 ap-plication 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, posses-sion, 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

*U.S. Government Printing Office: 1996 - 405-037/40014

Exhibit H

GEORGIA EMERGENCY MANAGEMENT AGENCY
State Homeland Security Program

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.

Category - Indicate below, must be one of the following: 1. Personal Protective Equipment (PPE), 2. EOD, 3. CBRNE Search and Rescue (SAR), 4. Information Technology (IT), 5. Cyber Security (CS), 6. Interoperable Communications (Inter. Op), 7. Detection Equipment (DET), 8. Decon (DECON), 9. Medical Supplies (MED), 10. Power Equipment (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 (LS), 20. Intervention (INT), 21. Other Authorized (O)

COST ESTIMATE

ITEM NO	CATEGORY	ITEM DESCRIPTION	QUANTITY	COST EACH	TOTAL COST	AMOUNT OBLIGATED (A)	AMOUNT EXPENDED(B)
					$ -		
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PREPARED BY:						$ -	

* OBLIGATIONS AND EXPENDITURES MUST BE REPORTED TO GEMA ON A QUARTERLY BASIS THROUGH THE FSR. PLEASE COMPLETE FORM BY UPDATING INFORMATION IN SECTIONS (A) AND (B) ABOVE.

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

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

VIA: City Manager
Administrative Services Director

FROM: Public Information Officer/City Clerk

DATE: August 27, 2009

SUBJECT: Consider Residential Curbside Sanitation Franchise Agreement – ANS Sanitation
September 3, 2009, City Council Meeting

Recommendation:

That Council approve standard franchise agreement and addendum for ANS Sanitation.

Discussion:

Attached is a copy of ANS Sanitation's application and insurance coverage to be included among the City's approved residential curbside sanitation companies. Council approved four other haulers under the same terms and conditions at the August 6, 2009 meeting. Although ANS was operating within the City at that time, they were unable to submit their application packet prior to that meeting. The appropriate documents have now been submitted for consideration.

Budget Impact:

This item should have no additional budget impact.

SANITATION FRANCHISE APPLICATION

(return with executed Franchise Agreement)

APPLICATION DATE: 8-14-09

Company Name: A.N.S. Sanitation Services inc.

DBA (List all): same

CURRENT # of PTC Customers: ____

Manager/Owner: Scott Terry

Physical Address: 240 Glazier Farms Way Senoia GA. 30276

Mailing Address: Same

Business Phone: 770 599-1606

Web Site: anssanitation@comcast.net

Quarterly Residential Service Rate for:

$ 40.00 Weekly Garbage & Recycling (must be combined in base rate) – ***FOR PUBLICATION ON CITY WEB SITE***

$ 10.00 Yard Debris (required service, additional charge permitted)
Frequency of Yard Debris Pickup once week

Other Services Available

X Twice Weekly Service

X Two carts

X Bulky Waste

X Back Door Service (disabled)

X Back Door Service (other)

____ Other (describe) ____

Contact Information:

Customer Service Phone Number: (770) 599-1606

Customer Service Email: anssanitation@comcast.net

City Representative Name: Scott Terry

Title: owner

Email: anssanitation@comcast.net

Daytime Phone Number: 770 652-0977

Cell Phone Number: Same

Emergency Phone Number (nights/weekends): same

ATTACH: **Insurance Certificate**
Executed Agreement

APPROVED BY COUNCIL: ____

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO:	**Mayor and Council Members**
VIA:	**City Manager** **Financial Services Director** P.S. **Assistant Financial Services Director**
FROM:	**Interim Community Development Director** David
DATE:	**August 25, 2009**
SUBJECT:	**Second Public Hearing to discuss and consider adoption of amended Development Impact Fee Ordinance, to include a new Impact Fee Schedule** *September 3, 2009 City Council Agenda*

Recommendation:
In accordance with O.C.G.A. § 36-71-6, the city must hold two public hearings prior to the adoption of an ordinance imposing a development impact fee. The law does not distinguish between adopting a new impact fee ordinance and amending an existing ordinance, and the City Attorney has advised the safer course of action would be to have two duly noticed public hearings before the proposed ordinance is adopted.

The first Public Hearing was held on August 3, 2009.

Staff recommends that City Council adopt the amended Development Impact Fee Ordinance (Attachment "A") as recommended to include a single, city-wide service area and a new impact fee schedule as specified therein.

Discussion:
City Staff has been working with Ross+associates and the Development Impact Fee Advisory Committee to develop a new impact fee program for the city. The city's initial ordinance was adopted in1992 and has been modified as various sections of the city were developed. The current ordinance establishes a total of nine (9) service areas and identifies specific items within each service area where impact fees can be allocated. As each of these new service areas has come on line, the ordinance was not updated to account for the rate of inflation.

Staff recommends that City Council establish and base impact fees for new development on a single, city-wide service area. Changing from various service areas to a single service area in no way disintegrates or endangers the village concept, as services provided by the city are not confined or limited to specific villages. In essence, residents within each village have access to and utilize services provided by fire, police, parks and recreation, and library services.

The Impact Fee Methodology Report, which was adopted by City Council on May 7, 2009, analyzes and establishes methodologies to determine new development's fair share of the investment in fire, police, parks and recreation, and library services. The report also identified the need for new facilities and equipment to maintain established service levels throughout the city.

Within the Methodology Report, a Maximum Impact Fee Schedule (Attachment "B") was established which identified the ***maximum*** impact fee that could be assessed under State law for the public facility categories (Library, Parks and Recreation, Fire Protection, and Police). These fees were based on various land use categories, including residential, retail and commercial, office and industrial. It should be noted that, to date, the city has assessed and collected impact fees for residential development only, yet we have provided services to each of these land use categories.

The Methodology Report states:

> *"The city may adopt the maximum fee for any given public facility category, or could adopt a lower fee, as part of the Impact Fee Ordinance. In order to fulfill the Georgia Development Impact Fee Act (DIFA) requirement that new growth pay its fair, proportionate share, all fees in a particular public facility category could be reduced proportionately (that is, by the same percentage), but individual land use categories within the particular public facility category should not be individually reduced or deleted.*
>
> *It must be remembered that any reduction in the maximum allowable impact fee must be funded with other revenues – general fund or SPLOST, for instance. Such funding from general sales or property taxes will increase credit calculations for taxes generated by new development, further reducing the "net impact fee" calculated for the public facility category."*

Staff recommends that City Council adopt an impact fee schedule with the maximum impact fee that could be assessed under state law. Assessing the maximum fee will ensure that new development pays its fair, proportionate share for services provided by the city. The following table from the Methodology Report provides a summary of the historic and anticipated funding sources for capital improvement projects in each facility category. All figures are in net present value. The shortfall is the net amount that could be collected from new growth in the form of impact fees.

Overview of impact fee program – potential funding

Funding requirements	Libraries	Fire Protection	Police	Parks and Recreation	SUMMARY
CIE preparation	$3,100	$3,100	$3,100	$3,100	$12,400
New capital investment	$326,717	$6,132,382	$447,810	$4,081,434	$10,988,343
Net capital investment	**$329,817**	**$6,135,482**	**$450,910**	**$4,084,534**	**$11,000,743**
Funding responsibility (assuming maximum impact fee is assessed):					
Existing tax base	$11,051	$2,986,975	$-	$1,062,922	$4,042,948
New growth	**$318,766**	**$3,166,507**	**$450,910**	**$3,021,612**	**$6,957,795**
New growth revenue*:					
Taxes	$497	$100,838	$-	$47,105	$148,440
Shortfall (Impact fees)	**$(318,269)**	**$(3,065,669)**	**$(450,910)**	**$(2,974,507)**	**$(6,809,355)**

** The amount of tax revenue generated by future growth, as estimated in the Methodology Report, is directly related to the city's population and employment projections. This projection should be reviewed each year against other data, such as building permits and utility hook-ups, to confirm continued validity or to modify the methodologies.*

The Methodology Report states:

> *"Impact fees present an important potential revenue source for funding public facilities in Peachtree City. Decisions have been made regarding the level of service to be provided by the city – decisions by the City Council based on current plans or based on desired level of service standards – in order for facility planning to take place. Based on that planning, calculations have been carried out to identify what portion of future capital facilities could be funded through impact fee collections.*
>
> *In this report capital costs have been examined for several public facility categories: fire, police, parks and recreation, and library facilities. Based on plans by the city, the portion of future capital costs that could be met through impact fees was calculated. In short, impact fees could be used to fund 62% of the local capital costs in these public facility categories, and at the desired level of service standards, over the period of 2008 – 2027. Of the $11.0 million in local capital costs, $6.8 million could come through impact fee collection.*
>
> *Impact fees can play an important role in any funding strategy. If general funds alone were used to meet the $11.0 million in local capital costs, the city would need to charge an average of about 0.31 additional mills in property tax for each of the 20 years covered by the report in order to fund these capital projects. Impact fees, as a component of a funding strategy, are just one part of the potential scenario, and can be refined as necessary over time. For instance, the future addition of a new SPLOST program can affect the funding strategy, as can the issuance of general obligation bonds or other loan investments.*

In the end, impact fees represent a potential funding source that must be balanced against the other needs of the city. In this report the maximum allowable impact fee has been calculated; this is the most that could be charged to new growth. If impact fees are adopted, the impact fee amount ultimately charged would represent a shifting of the burden to fund these capital projects from the tax base as a whole, to the new developments actually demanding the services being added through these projects.

In short:

Total $11.0 million in local costs to be funded for capital improvements in:
- *Fire ($6.1 million)*
- *Police ($0.5 million)*
- *Parks and Recreation ($4.1 million)*
- *Libraries ($0.3 million)*

Total to support new growth: $7 million

WITH impact fee program in place:
- *Tax rate to fund ineligible portions of projects: about 0.11 mills per year, for twenty years*
- *Impact fees from new growth: $6.8 million*

WITHOUT impact fee program:
- *Tax rate to fund all remaining improvements: about 0.31 mills per year for the next twenty years.*
- *Taxes generated by current tax base: $9.9 million*
- *Taxes generated by new growth: $1.1 million."*

Staff prepared an analysis identifying projected impact fee revenue at 100%, 75% and 50% of the maximum impact fee (Attachment "C"). Again, any reduction in the maximum allowable impact fee must be funded with other revenue sources.

Staff has also prepared an analysis of what the impact fee would be in each of the established service areas in today's dollars if they had been updated regularly to account for the rate of inflation (Attachment "D"). This analysis identifies that, even with inflation, the city's current impact fee program may not have accounted for new development's fair share of improvements and investments in public facilities.

This analysis also identifies that the average impact fee in the four current service areas where lots remain to be developed, based on what is being assessed in our current ordinance, would be $2,372.25 per lot or dwelling unit. Factoring in the rate of inflation, the impact fee would increase to $2,974.56. City Staff is recommending that the impact fee for new residential development be established at $3,466.43 per dwelling unit, and that the city establish impact fees for retail and commercial, office and industrial uses.

At their meeting on March 18, 2009, the Development Impact Fee Advisory Committee met to discuss the proposed amendments and voted on a series of proposed recommendations (Attachment "E").

Budget Impact:
Adoption of an amended impact fee ordinance will have a net positive impact on the city's budget.

Attachment

Ordinance Number _____

AN ORDINANCE TO AMEND THE PEACHTREE CITY LAND DEVELOPMENT ORDINANCE, AS AMENDED, SPECIFICALLY ARTICLE III, ADMINISTRATION, SECTION 307, DEVELOPMENT IMPACT FEES, TO REPLACE THE EXISTING DEVELOPMENT IMPACT FEE ORDINANCE AND TO REPEAL SECTION 306, DEVELOPMENT FEES, OF SAID LAND DEVELOPMENT ORDINANCE; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO ESTABLISH AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

NOW THEREFORE, BE IT AND IT IS HEREBY ORDAINED by the City Council of the City of Peachtree City that:

Section 1. That Article III, Section 307, Development impact fee, of the Land Development Ordinance of the City of Peachtree City, as amended, be deleted in its entirety and that a new Section 307, Development impact fee ordinance, be adopted to read and to be codified as follows:

Section 307. Development impact fee ordinance.

This Ordinance shall be known and may be cited as the "Development Impact Fee Ordinance of Peachtree City, Georgia," or, for brevity, the "Development Impact Fee Ordinance."

Section 307.1 Authority.

This Ordinance has been prepared and adopted by the City Council of Peachtree City, Georgia, in accordance with the authority provided by Article 9, Section 2, Paragraph 3 of the Constitution of the State of Georgia, the Georgia Development Impact Fee Act (O.C.G.A. 36-71-1 et seq. as amended), and such other laws as may apply to the provision of public facilities and the power to charge fees for such facilities.

Section 307.2 Applicability.

(a) The provisions of this Ordinance shall not be construed to limit the power of Peachtree City, Georgia, to use any other legal methods or powers otherwise available for accomplishing the purposes set forth herein, either in substitution of or in conjunction with this Ordinance.

(b) This Ordinance shall apply to all areas under the regulatory control and authority of Peachtree City, Georgia, and such other areas as may be included by intergovernmental agreement.

Section 307.3 Findings, purpose and intent.

(a) Findings.

The City Council of Peachtree City, Georgia, finds and declares:

(1) That an equitable program for planning and financing public facilities to serve new growth and development is necessary in order to promote and accommodate orderly growth and development and to protect the public health, safety, and general welfare of the citizens of Peachtree City; and

(2) That certain public facilities as herein defined have been and must be further expanded if new growth and development is to be accommodated at the same level of service available to existing development; and

(3) That it is fair and equitable that new growth and development shall bear a proportionate share of the cost of such public facilities necessary to serve new growth and development.

(b) Purpose.

The purpose of this Ordinance is to impose impact fees, as hereinafter set forth, for certain public facilities, as hereinafter defined.

It is also the purpose of this Ordinance to ensure that adequate public facilities are available to serve new growth and development in Peachtree City and to provide that new growth and development bears a proportionate share of the cost of new public facilities needed to serve them.

(c) Intent.

This Ordinance is intended to implement and be consistent with the Peachtree City Comprehensive Plan, as it may be adopted or amended in accord with the Georgia Comprehensive Planning Act (O.C.G.A. 50-8-1 et seq.); and the applicable Minimum Standards and Procedures for Local Comprehensive Planning and the Development Impact Fee Compliance Requirements, both as adopted by the Georgia Board of Community Affairs and amended from time to time.

Section 307.4 Rules of construction.

The provisions of this Ordinance shall be construed so as to effectively carry out its purpose in the interest of the public health, safety, and general welfare of the citizens of Peachtree City.

Unless otherwise stated in this Ordinance, the following rules of construction shall apply to the text of this Ordinance:

(a) In the case of any difference of meaning or implication between words or phrases as used in this Ordinance and as used in other codes, regulations or laws of Peachtree City, such difference shall not affect the meaning or implication of such words or phrases as used in this Ordinance.
(b) In the case of any difference of meaning or implication between the text of this Ordinance and any caption, illustration, summary table or illustrative table, the text shall control.
(c) The word "shall" is always mandatory and not discretionary; the word "may" is permissive.
(d) Words used in the present tense shall include the future and words used in the singular number shall include the plural and the plural the singular, unless the context clearly indicates the contrary.
(e) The word "person" includes an individual, a corporation, a partnership, an incorporated association, or any other legal or similar entity.
(f) The conjunction "and" indicates that all the connected terms, conditions, provisions, or events shall apply.
(g) The conjunction "or" indicates that the connected items, conditions, provisions, or events may apply singly or in any combination.
(h) The use of "either . . . or" indicates that the connected items, conditions, provisions, or events shall apply singly and not in combination.
(i) The word "includes" or "including" shall not limit a term to the specific example but is intended to extend its meaning to all other instances or circumstances of like kind or character.
(j) The Article, Section, and paragraph headings and enumerations used in this Ordinance are included solely for convenience and shall not affect the interpretation of this Ordinance.

Section 307.5 Definitions.

As used in this Ordinance, the following terms shall have the meaning set forth below.

(a) *Administrator* means the Community Development Director, or his designee, who is hereby charged with implementation and enforcement of this Ordinance.
(b) Building Permit is the permit required for new construction, completion of construction, or an interior finish pursuant to the applicable Building Code. As used herein, the term shall not include permits required for remodeling, rehabilitation, or other improvements to an existing structure provided there is no increase in the demand placed on those Public Facilities as defined herein.
(c) *Capital improvement* means an improvement with a useful life of ten years or more, by new construction or other action, which increases the service capacity of a public facility.
(d) *Capital improvements element* means that portion of the Peachtree City Comprehensive Plan that sets out projected needs for system improvements during the planning horizon established therein, which

provides a schedule that will meet the anticipated need for system improvements, and which provides a description of anticipated funding sources for each required improvement, as most recently adopted or amended by the City Council.

(e) *City* means Peachtree City, a municipal corporation of the State of Georgia.

(f) *City Council* means the City Council of Peachtree City, Georgia.

(g) *Commencement of construction*, for private development, means initiation of physical construction activities as authorized by a development or building permit and leading to completion of a foundation inspection or other initial inspection and approval by a public official charged with such duties; and for public projects, means expenditure or encumbrance of any funds, whether they be Development Impact Fee funds or not, for a Public Facilities project, or advertising of bids to undertake a Public Facilities project.

(h) *Comprehensive Plan* means the Peachtree City Comprehensive Plan or Plan Elements as adopted or amended in accord with the Georgia Comprehensive Planning Act (O.C.G.A. 50-8-1 et seq.) and the applicable Minimum Standards and Procedures for Local Comprehensive Planning as adopted by the Georgia Board of Community Affairs.

(i) *Day* means a calendar day, unless otherwise specifically identified as a "work" day or other designation when used in the text.

(j) *Developer* means any person or legal entity undertaking development.

(k) *Development* means any action which creates demand on or need for public facilities, as defined herein, and includes any construction or expansion of a building, structure, or use; any change in use of land, a building, or structure; or the connection of any building or structure to a public utility.

(l) *Development approval* means written authorization, such as issuance of a building permit, land disturbance permit or other approval for grading or site development, or other forms of official action required by local law or regulation prior to commencement of construction.

(m) *Development impact fee* means the payment of money imposed upon and paid by new development as a condition of development approval as its proportionate share of the cost of system improvements needed to serve it.

(n) *Encumber* means to legally obligate by contract or otherwise commit to use by appropriation or other official act of Peachtree City, Georgia.

(o) *Excess capacity* means that portion of the capacity of a public facility or system of public facilities which is beyond that necessary to provide adequate service to existing development at the adopted level-of-service standard.

(p) *Fee payor* means that person or entity who pays a development impact fee, or his or her legal successor in interest when the right or entitlement to any refund of previously paid development impact fees which is required by this Ordinance has been expressly transferred or assigned to the successor in interest.

(q) *Individual assessment determination* means a finding by the Administrator that an Individual Assessment Study does or does not meet the requirements for such a study as established by this Ordinance or, if the requirements are met, the fee calculated therefrom.

(r) *Individual assessment study* means the engineering, financial, or economic documentation prepared by a fee payor or applicant to allow individual determination of a development impact fee other than by use of the applicable impact fee schedule.

(s) *Level of Service* means a measure of the relationship between service capacity and service demand for specified public facilities as established by Peachtree City, Georgia in terms of demand to capacity ratios or the comfort and convenience of use or service of such public facilities or both.

(t) *Present value* means the current value of past, present, or future payments, contributions, or dedications of goods, services, materials, construction, or money, as calculated using accepted methods of financial analysis for determination of "net present value."

(u) *Project* means a single improvement or set of interrelated improvements undertaken together within a finite time period at a specific location. With regard to land development, a project may be identified as those construction activities authorized collectively by a building permit or other development approval, or for an interrelated collection of buildings and common public facilities such as a residential subdivision or an office park.

(v) *Project improvements* means site specific improvements or facilities that are planned, designed, or built to provide service for a specific development project and that are necessary for the use and convenience of the occupants or users of that project only, and that are not "system" improvements. The character of the improvement shall control a determination of whether an improvement is a "project" improvement or a "system" improvement, and the physical location of the improvement on-site or off-site shall not be considered determinative of whether an improvement is a "project" improvement or a "system" improvement. A project improvement may provide no more than incidental service or facility capacity to persons other than users or occupants of the particular project they serve. No improvement or facility included in a plan for public facilities and approved for public funding by Peachtree City, Georgia shall be considered a project improvement.

(w) *Property owner* means that person or entity that holds legal title to property.

(x) *Proportionate share* means that portion of the cost of system improvements that is reasonably and fairly related to the service demands and needs of a project.

(y) *Public facilities* means: (A) Parks, open space, and recreation areas and related facilities; and (B) Public safety facilities, including police, fire, emergency medical, and rescue facilities; (C) Libraries and related facilities.

(z) *Service area* means a geographically defined area as designated in the Capital Improvements Element of the Comprehensive Plan in which a defined set of public facilities provide or are proposed to provide service to existing or future development.

(aa) *System improvement costs* means costs incurred to provide public facilities capacity to serve new growth and development, including the costs of planning, design, engineering, construction, land acquisition, and land improvement for the construction or reconstruction of facility improvements or expansions. System improvement costs include the construction contract price, surveying and engineering fees, related land acquisition costs (including land purchases, court awards and costs, attorneys' fees, and expert witness fees), and expenses incurred for qualified staff or any qualified engineer, planner, architect, landscape architect, or financial consultant for preparing or updating the capital improvements element, and administrative costs of up to three (3) percent of the total of all other system improvement costs. Projected interest charges and other finance costs may be included if the impact fees are to be used for the payment of principal and interest on bonds, notes, or other financial obligations issued to finance system improvements, but such costs do not include routine and periodic maintenance expenditures, personnel training, and other operating costs.

(bb) *System improvements* means capital improvements that are public facilities designed to provide service to more than one project or to the community at large, in contrast to "project" improvements.

(cc) *Unit of development* means the standard incremental measure of land development activity for a specific type of land use upon which the rate of demand for public service and facilities is based, such as a dwelling unit, square foot of floor area, motel room, etc.

(dd) *Unused or excess impact fee* means any individual impact fee payment from which no amount of money or only a portion thereof has been encumbered or expended according to the requirements of this Ordinance.

Section 307.6 Imposition of development impact fees.

Any person who after the effective date of this Ordinance engages in development shall pay a development impact fee in the manner and amount set forth in this Ordinance.

(a) Construction not subject to impact fees.

The following projects and construction activities do not constitute “development” as defined in this Ordinance, and are therefore not subject to the imposition of impact fees:

(1) Rebuilding no more than the same number of residential units of development or the same square footage for retail, commercial and/ or industrial development as defined in this Ordinance that were removed by demolition, or destroyed by fire or other catastrophe, on the same lot or property.
(2) Remodeling or repairing a structure that does not result in an increase in the number of units of development or an increase in the total square footage of retail, commercial and/ or industrial development.
(3) Replacing a residential housing unit with another housing unit on the same lot or property.
(4) Replacing an existing retail, commercial and/ or industrial building with a building of similar size and use on the same lot or property
(5) Placing a temporary construction or sales office on a lot during the period of construction or build-out of a development project.
(6) Constructing an addition to or expansion of a residential housing unit that does not increase the number of housing units.
(7) Adding uses that are typically accessory to residential uses and intended for the personal use of the residents, such as a deck or patio, satellite antenna, pet enclosure, or private recreational facilities such as a swimming pool.

(b) Grandfathered projects.

Notwithstanding any other provision of this Ordinance, that portion of a project for which an impact fee has been paid or is due and owed to the City under the previous ordinance shall not be subject to development impact fees pursuant to this Ordinance unless as otherwise required by this ordinance.

Any building for which a valid and complete application for a building permit has been received prior to the effective date of this Ordinance may proceed without payment of fees otherwise imposed by this Ordinance, provided that:

(1) all fees and development exactions in effect prior to the effective date of this Ordinance shall be or have been paid in full; and,
(2) said construction shall be commenced, pursued and completed within the time established by the building permit, or within 180 days, whichever is later. If said construction is not completed within this timeframe, the city shall impose additional impact fees that are in effect at the time construction is complete.

(c) Method of calculation.

Any development impact fee imposed pursuant to this Ordinance shall not exceed a project's proportionate share of the cost of system improvements, shall be calculated on the basis of the establishment of service areas, and shall be calculated on the basis of levels of service for public facilities that are the same for existing development as for new growth and development, as established in the Capital Improvements Element of the Comprehensive Plan.

Notwithstanding anything to the contrary in this Ordinance, the calculation of impact fees shall be net of credits for the present value of ad valorem taxes or other revenues as established in the Capital Improvements Element of the Comprehensive Plan, and which:

(1) are reasonably expected to be generated by new growth and development; and
(2) are reasonably expected on the basis of historical funding patterns to be made available to pay for system improvements of the same category and in the same service area for which an impact fee is imposed.

The method of calculating impact fees for public facilities under this Ordinance shall be maintained for public inspection as a part of the official records of Peachtree City, Georgia, and may be amended from time to time by official act.

In addition to the cost of new or expanded system improvements needed to be built to serve new development, the cost basis of a development impact fee may also include the proportionate cost of existing system improvements to the extent that such public facilities have excess service capacity and new development will be served by such facilities, as established in the Capital Improvements Element of the Comprehensive Plan.

Development impact fees shall be based on actual system improvement costs or reasonable estimates of such costs, as set forth in the Capital Improvements Element of the Comprehensive Plan.

Section 307.7 Fee assessment and payment.

(a) Impact fee schedule.

Payment of a development impact fee pursuant to the impact fee schedule attached hereto and incorporated herein as Attachment "A" for a property located inside of Peachtree City, shall constitute full and complete payment of the project's proportionate share of system improvements as individually levied by Peachtree City, and shall be deemed to be in compliance with the requirements of this Ordinance.

When a land development activity for which an application for a building permit has been made includes two or more buildings, structures or other land uses in any combination, including two or more uses within a building or structure, the total development impact fee shall be the sum of the fees for each and every building, structure, or use, including each and every use within a building or structure.

In the event that an applicant contends that the land use category of the proposed development is not shown on the impact fee schedule or fits within a different category, then:

The Administrator in his or her sole discretion shall make a determination as to the appropriate land use designation and the appropriate development impact fee.
In making such determination, the Administrator may require such additional information from the applicant as necessary to form a logical fee determination relative to the impact fees shown on the adopted impact fee schedule.

If a land use designation is not in a category contained in this Ordinance, then an appropriate new category may be added by the Administrator and an appropriate fee established under the City's current impact fee methodology, subject to annual confirmation by the City Council.

Appeals from the decision of the Administrator shall be made to the City Council in accordance with the Administrative Appeals Section of this Ordinance.

(b) *Timing of assessment and payment.*

Development impact fees shall be assessed at the time of application for a building permit. All development impact fees shall be due and collected prior to issuance of a building permit.

For projects not involving issuance of a building permit, all development impact fees shall be collected at the time of approval of the development permit or such other authorization to commence construction or to commence use of a property.

If the final use of a building cannot be determined at the time of the initial building permit, the Administrator shall have the authority to assess a development impact fee based on the most likely use of the building, and shall adjust the fee in accordance with the actual use prior to issuance of an interior finishes permit or approval of a Certificate of Occupancy. An adjustment may result in a refund to the fee payor or payment of the marginal increase of the adjusted fee over the amount already paid.

Notwithstanding any other provision of this Ordinance, any future change in demand for public facilities in excess of the average demand anticipated at the time of issuance of the building permit shall be assessed such additional fee as would otherwise have been due. Future changes in demand may result from a change in the land use category of the occupant of the building or property, the expansion of a building or use on a property that results in an increase in the units of development (as defined herein), or the subsequent discovery of facts unknown or misrepresented at the time of issuance of the building permit.

(c) *Individual assessment determinations.*

Individual assessments of development impact fees may be established as follows:
At their option, an applicant for development approval may petition the Administrator for an individual assessment determination of development impact fees due for their project in lieu of the fee established on the impact fee schedule attached hereto and incorporated herein as Attachment "A".

In the event that an applicant elects an individual assessment, the applicant shall submit an individual assessment study. Each individual assessment study shall:

(1) be based on relevant and credible information from an accepted standard source of engineering or planning data; or,
(2) be based on actual, relevant, and credible studies or surveys of facility demand conducted in Peachtree City or its region, carried out by qualified engineers or planners pursuant to accepted methodology; and,
(3) provide any other written specifications as may be reasonably required by the Administrator to substantiate the individual assessment determination.
(4) The Administrator in his or her sole discretion shall determine whether the content of an individual assessment study satisfies the requirements of this Ordinance. A negative determination by the Administrator may be appealed to the City Council in accordance with the Administrative Appeals Section of this Ordinance.
(5) Any fee approved as an individual assessment determination shall have standing for 180 days following the date of approval. Payment of such an approved individual assessment determination shall constitute full and complete payment of the project's proportionate share of system improvements as individually levied by Peachtree

City, and shall be deemed to be in compliance with the requirements of this Ordinance.

(d) *Fee certification.*

Upon application to the Administrator, a developer may receive a certification of the development impact fee schedule attached hereto and incorporated herein as Attachment "A" or a certified fee for a particular project, as applicable. Such certified schedule or fee shall establish the development impact fee due for a period of 180 days from the date of certification, even if new or revised rate schedules are adopted in the interim.

Section 307.8 Exemptions

(a) *Exemption Policy*

The City Council of Peachtree City finds that certain office, retail trade or industrial uses that create unusually high investment, economic or job creation benefits represent extraordinary economic development and employment growth of public benefit to Peachtree City in proportion to the creation of such benefits. To encourage such development projects, the City Council may consider granting a reduction in the impact fee for such a development project upon the determination and relative to the extent that the business or project represents extraordinary economic development and employment growth of public benefit to Peachtree City, in accordance with adopted exemption criteria. It is also recognized that the cost of system improvements otherwise foregone through exemption of any impact fee must be funded through revenue sources other than impact fees.

(b) *Process for exemption approval*

An application for exemption shall be considered under the following procedures:

(1) Application for exemption approval must be made by the building permit applicant to the Administrator. A building permit may be issued upon approval of an exemption, or may be issued without payment of applicable impact fees following receipt of a complete exemption application and pending its approval, but a Certificate of Occupancy shall not be issued until a decision regarding the exemption has been made, or until such time that the application for exemption is otherwise withdrawn by the applicant and payment of impact fees have been paid.

(2) Documentation must be provided to the Administrator that demonstrates the applicant's eligibility for an exemption. This documentation shall address, but need not be limited to, all applicable exemption criteria adopted by the City. This documentation constitutes the application for exemption.

(3) The Administrator in his or her sole discretion shall determine whether an application for exemption addresses the exemption criteria adopted by the City and is complete. A negative determination by the Administrator may be appealed to the City Council in accordance with the Administrative Appeals Section of this Ordinance.

(4) The Administrator or the City Council shall determine the eligibility for and extent of exemption, in accordance with the standards and procedures contained in the exemption criteria adopted by the City Council. If action by the City Council is required, the application for exemption shall be considered at the next regularly scheduled meeting of the City Council that falls at least two weeks after a complete application for exemption has been received by the Administrator.

Section 307.9 Deposit and expenditure of fees.

(a) Maintenance of funds.

All development impact fee funds collected for future expenditure on construction or expansion of facilities pursuant to this Ordinance shall be maintained in one or more interest-bearing accounts until encumbered or expended. Restrictions on the investment of development impact fee funds shall be the same that apply to investment of all such funds generally.

Separate accounting records shall be maintained for each category of system improvements within each service area wherein fees are collected.

Interest earned on development impact fees shall be considered funds of the account on which it is earned and shall be subject to all restrictions placed on the use of development impact fees under this Ordinance.

(b) Expenditures; restrictions.

Expenditures from the impact fee accounts shall be made only for the category of system improvements within the service area for which the development impact fee was assessed and collected.

Except as provided below, development impact fees shall not be expended for any purpose that does not involve building or expanding system improvements that create additional capacity available to serve new growth and development.

Notwithstanding anything to the contrary in this Ordinance, the following shall be considered general revenue of Peachtree City, and may be expended accordingly:

(1) impact fees collected to recover the present value of excess capacity in existing system improvements;
(2) any portion of an impact fee collected as a repayment for expenditures made by Peachtree City for system improvements intended to be funded by such impact fee; and,
(3) any portion of the impact fee (but not to exceed three percent of the total) collected and allocated by the Administrator for administration of the impact fee ordinance, and such additional amount assessed for repayment of the cost of preparing the Capital Improvements Element of the Comprehensive Plan.

(c) *Annual report.*

The Administrator shall prepare an annual report to the City Council as part of the annual audit describing the amount of any development impact fees collected, encumbered, and used during the preceding fiscal year by category of public facility and service area.

Such annual report shall be prepared following guidelines of the Georgia Department of Community Affairs (DCA), and submitted to DCA in conjunction with the annual update of the Capital Improvements Element of the Comprehensive Plan.
Credits.

Section 307.10 Credits.

When eligible, fee payors shall be entitled to a credit against impact fees otherwise due and owing under the circumstances and in the manner set forth in this Section.

(a) *Credits; restrictions.*

Except as provided in Paragraph 2 below, no credit shall be given for construction, contribution, or dedication of any system improvement or funds for system improvements made before the effective date of this Ordinance.

If the value of any construction, dedication of land, or contribution of money made by a developer (or his or her predecessor in title or interest) prior to the effective date of this Ordinance for system improvements that are included for impact fee funding in the Capital Improvements Element of the Comprehensive Land Use Plan, is greater than the impact fee that would otherwise have been paid for the Project, then the developer shall be entitled to a credit for such excess construction, dedication, or funding. Notwithstanding anything to the contrary in this Ordinance, any credit due under this section shall not constitute a liability of Peachtree City, and shall accrue to the developer to the extent of impact fees assessed for new development for the same category of system improvements within the same service area.

In no event shall credit be given for project improvements, or for system improvements not included for impact fee funding in the Capital Improvements Element of the Comprehensive Plan.

(b) *Granting of credits.*

Credit shall be given for the present value of any construction of improvements, contribution or dedication of land, or payment of money by a developer or his or her predecessor in title or interest for system improvements of the same public facilities category and in the same service area for which a development impact fee is imposed, provided that:

(1) the system improvement is included for impact fee funding in the Capital Improvements Element of the Comprehensive Land Use Plan;
(2) the amount of the credit does not exceed the portion of the system improvement's cost that is eligible for impact fee funding, as shown in the Capital Improvements Element; and,
(3) the City Council shall have explicitly approved said improvement, contribution, dedication, or payment and the value thereof prior to its construction, dedication, or transfer.
(4) The credit allowed pursuant to this Section shall not exceed the impact fee due for such system improvement unless a greater credit is authorized under a private agreement executed under the provisions of Section 9 of this Ordinance.

(c) *Guidelines for credit valuation.*

Credits under this Section shall be valued using the following guidelines:

(1) For the construction of any system improvements by a developer or his or her predecessor in title or interest and accepted by the City, the developer must present evidence satisfactory to the

Administrator of the original cost of the improvement, from which present value may be calculated.

(2) For any contribution or dedication of land for system improvements by a developer or his or her predecessor in title or interest and accepted by the City, the original value of the land shall be the same as that attributed to the property by the validated tax appraisal at the time of dedication, from which present value may be calculated.

(3) For any contribution of capital equipment that qualifies as a system improvement by a developer or his or her predecessor in title or interest and accepted by the City, the value shall be the original cost to the developer of the capital equipment or the cost that Peachtree City, Georgia would normally pay for such equipment, whichever is less.

(4) For any contribution of money for system improvements from a developer or his or her predecessor in title or interest accepted by the City, the original value of the money shall be the same as that at the time of contribution, from which present value may be calculated.

(5) In making a present value calculation, the discount rate used shall be the net of the interest returned on a State of Georgia, AA rated or better municipal bond less average annual inflation, or such other discount rate as the City Council in its sole discretion may deem appropriate.

(d) Credits; application.

Credits shall be given only upon written request of the developer to the Administrator. A developer must present written evidence satisfactory to the Administrator at or before the time of development impact fee assessment.

The Administrator, in his or her sole discretion, shall review all claims for credits and make determinations regarding the allowance of any claimed credit, and the value of any allowed credit.

Any credit approved by the Administrator shall be acknowledged in writing by the Administrator and calculated at the time of impact fee assessment.

(e) Credits; abandoned building permits.

In the event that an impact fee is paid but the building permit is abandoned, credit shall be given for the present value of the impact fee against future impact fees for the same parcel of land, upon submission of adequate evidence to the Administrator that an impact fee was received by the City, the amount paid, and that the building permit was abandoned.

Section 307.11 Refunds.

(a) Eligibility for a refund.

Upon the request of a fee payor regarding a property on which a development impact fee has been paid, the development impact fee shall be refunded if:

(1) capacity is available in the Public Facilities for which the fee was collected but service is permanently denied; or,
(2) the development impact fee has not been encumbered or construction has not been commenced within six years after the date the fee was collected.
(3) In determining whether development impact fees have been encumbered, development impact fees shall be considered encumbered on a first-in, first-out (FIFO) basis.

(b) Notice of entitlement to a refund.

When the right to a refund exists due to a failure to encumber the development impact fees, the Administrator shall provide written notice of entitlement to a refund to the fee payor who paid the development impact fee at the address shown on the application for development approval or to a successor in interest who has given adequate notice to the Administrator of a legal transfer or assignment of the right to entitlement to a refund and who has provided a mailing address. Such notice shall also be published in a newspaper of general circulation in Peachtree City within 30 days after the expiration of the six year period after the date that the development impact fee was collected and shall contain a heading "Notice of Entitlement to Development Impact Fee Refund." No refund shall be made for a period of 30 days from the date of said publication.

(c) Filing a request for a refund.

All requests for refunds shall be made in writing to the Administrator within one year of the time the refund becomes payable or within one year of publication of the notice of entitlement to a refund, whichever is later. Failure to make a claim for a refund within said time period shall result in a waiver of all claims to said funds.

(d) Payment of refunds.

All refunds shall be made to the fee payor within 60 days after it is determined by the Administrator that a sufficient proof of claim for refund has been made, but no sooner than 30 days after publication of the notice of entitlement to the refund.

A refund shall include a refund of a pro rata share of interest actually earned on the unused or excess impact fee collected.

In no event shall a fee payor be entitled to a refund for impact fees assessed and paid to recover the cost of excess capacity in existing system improvements, for any portion of an impact fee collected as a repayment for expenditures made by Peachtree City for system improvements intended to be funded by such impact fee, or for that portion of the fee payment that was assessed for administration of the impact fee ordinance or for recovery of the cost of preparation of the Capital Improvements Element of the Comprehensive Plan.

Section 307.12 Private contractual agreements.

(a) *Private agreements; authorized.*

Nothing in this Ordinance shall prohibit the voluntary mutual approval of a private contractual agreement between the City and any developer or property owner or group of developers and/or property owners in regard to the construction or installation of system improvements and possibly providing for credits or reimbursement for system improvement costs incurred by a developer, including inter-project transfers of credits or providing for reimbursement for project improvement costs which are used or shared by more than one development project, provided that:

(1) The system improvements are included for impact fee funding in the Capital Improvements Element of the Comprehensive Plan; and,
(2) The amount of any credit or reimbursement granted shall not exceed the portion of the system improvement's cost that is eligible for impact fee funding.

(b) *Private agreements; provisions.*

(1) A private contractual agreement for system improvements may include, but shall not be limited to, provisions which:
(2) Modify the estimates of impact on public facilities according to the methods and provisions concerning the calculation of impact fees, provided that any such agreement shall allow the City to assess additional development impact fees after the completion of construction according to schedules set forth in this Ordinance.
(3) Permit construction of, dedication of property for, or other in-kind contribution for specific public facilities of the type for which

development impact fees would be imposed in the same service area in lieu of or with a credit against applicable development impact fees.

(4) Permit a schedule and method of payment appropriate to particular and unique circumstances of a proposed project in lieu of the requirements for payment under this Ordinance, provided that acceptable security is posted ensuring payment of the development impact fees. Forms of security that may be acceptable include a cash bond, irrevocable Letter of Credit from a bank authorized to do business within the State of Georgia, a surety bond, or lien or mortgage on lands to be covered by the building permit.

(c) Private agreements; procedure.

Any private agreement proposed by an applicant pursuant to this Section shall be submitted to the Administrator for review, negotiation, and submission to the City Council.

Any such agreement must be presented to and approved by the City Council of Peachtree City, Georgia prior to the issuance of a building permit.

Any such agreement shall provide for execution by mortgagees, lien holders or contract purchasers in addition to the landowner, and shall require the applicant to submit such agreement to the Clerk of Superior Court for recording.

Section 307.13 Periodic review and amendments.

(a) Ordinance amendments.

This Ordinance may be amended from time to time as deemed appropriate or desirable.

Interim amendments to the impact fee schedule regarding the establishment of new land use categories by the Administrator under Section 0 are expressly authorized, and shall be confirmed by the City Council when this Ordinance is subsequently amended.

(b) Capital Improvements Element periodic review.

(1) *Update.* At least once each year, the City Council shall review and may update the Capital Improvements Element so as to maintain, at a minimum, a schedule of system improvements for each of the subsequent five years. The Capital Improvements Element Update may include changes in funding sources or project costs, or

changes in the list or scheduling of projects. The Capital Improvements Element Update shall be submitted to the Regional Development Center for their review, in accordance with the Development Impact Fee Compliance Requirements as adopted by the Board of Community Affairs of the State of Georgia.

(2) *Amendment.* In conducting a periodic review of the Capital Improvements Element and calculation of development impact fees, the City Council may determine to amend the Capital Improvements Element. Amendments to the Capital Improvements Element shall comply with the procedural requirements of the Development Impact Fee Compliance Requirements as adopted by the Board of Community Affairs of the State of Georgia, and shall be required for any change to the Capital Improvements Element that would:

(a) redefine growth projections, land development assumptions, or goals or objectives that would affect system improvements proposed in the Capital Improvements Element;

(b) add new public facility categories for impact fee funding, modify impact fee service areas or make changes to system improvement projects;

(c) change service levels established for an existing impact fee service area; or

(d) make any other revisions needed to keep the Capital Improvements Element up to date.

(c) Continuation of validity.

Failure of the City Council to undertake a periodic review of the Capital Improvements Element shall result in the continued use and application of the latest adopted development impact fee schedule and other data. The failure to periodically review such data shall not invalidate this Ordinance.

Section 307.14 Administrative appeals.

(a) Eligibility to file an appeal.

Only applicants or fee payors who have already been assessed an impact fee by the City or who have already received a written determination of individual assessment, refund or credit amount shall be entitled to an appeal.

(b) Appeals process.

(1) The aggrieved applicant or fee payor (hereinafter, the "appellant") must file a written appeal with the Administrator within 15 days of the decision or receipt of written determination from which the appeal is taken.

(2) Such written appeal shall constitute an application for relief, shall be of sufficient content to set forth the basis for the appeal and the relief sought, and shall include:

(3) The name and address of the appellant;

(4) The location of the affected property;

(5) A copy of any applicable written decision or determination made by the Administrator (from which the appeal is taken);

(6) Within 15 days after receipt of the appeal, the Administrator shall make a written final decision with respect to the appeal, such decision to be of sufficient content to set forth the basis for the determination.

(7) Appeals from the final decision of the Administrator shall be made to the City Council within 30 days of receipt by the appellant of the Administrator's decision. Delivery by hand or certified mail to, or posting upon the property at, the address given by the appellant in the application for relief shall constitute "receipt by the appellant" under this provision.

(8) The City Council shall thereafter hold a hearing on the appeal within 30 days provided that at least 2 weeks written notice thereof can be given to the appellant. The City Council shall decide the issue within a reasonable time following the hearing, but in no case more than 15 days following the hearing, unless the appellant agrees to an extension to a later date. Any party making an appeal shall have the right to appear at the hearing to present evidence and may be represented by counsel. The decision of the City Council shall be final, and may only be appealed by Writ of Certiorari to the Superior Court of Fayette County

(c) Payment of impact fee during appeal.

The filing of an appeal shall not stay the collection of a development impact fee as a condition to the issuance of development approval.

A developer may pay a development impact fee under protest to obtain a development approval, and by making such payment shall not be estopped from exercising this right of appeal or receiving a refund of any amount deemed to have been collected in excess.

Section 307.15 Enforcement and penalties.

(a) Enforcement authority.

The enforcement of this Ordinance shall be the responsibility of the Administrator and such personnel as the Administrator may designate from time to time.

The Administrator shall have the right to inspect the lands affected by this Ordinance and shall have the right to issue a written notice, a stop work order or citation for violations, as the Administrator in his or her sole determination may deem appropriate to the circumstances. Refusal of written notice of violation, stop work order or citation under this Ordinance shall constitute legal notice of service. The citation shall be in the form of a written official notice issued in person or by certified mail to the owner of the property, or to his or her agent, or to the person performing the work. The receipt of a citation shall require that corrective action be taken within thirty (30) days unless otherwise extended at the discretion of the Administrator.

The Administrator may suspend or revoke any building permit or withhold the issuance of other development approvals if the provisions of this Ordinance have been violated by the developer or the owner or their assigns.

(b) *Violations.*

Knowingly furnishing false information on any matter relating to the administration of this Ordinance shall constitute an actionable violation.

Proceeding with construction of a project that is not consistent with the project's impact fee assessment, such as the use category claimed or units of development indicated, shall constitute an actionable violation.

Failure to take corrective action following the receipt of a citation shall constitute an actionable violation.

A violation of this Ordinance shall be a misdemeanor punishable according to law, including the general penalty provisions of the Peachtree City Code of Ordinances. In addition to or in lieu of criminal prosecution, the City Council shall have the power to sue in law or equity for relief in civil court to enforce this Ordinance, including recourse to such civil and criminal remedies in law and equity as may be necessary to ensure compliance with the provisions of this Ordinance, including but not limited to injunctive relief to enjoin and restrain any person from violating the provisions of this Ordinance and to recover such damages as may be incurred by the implementation of specific corrective actions.

Section 307.16 Repealer, severability, and effective date.

(a) *Repeal of conflicting laws.*

Any and all ordinances, resolutions, or regulations, or parts thereof, in conflict with this Ordinance are hereby repealed to the extent of such conflict. The repeal provided for in this Section 14.01 shall not affect any impact fees previously paid or due and payable under ordinances in effect as of the date of adoption of this Ordinance, or any contract or vested right, as defined under Georgia law, established or accruing before the effective date of this Ordinance; nor shall this repeal affect any contract or obligation assumed by the city; nor shall the adoption of this Ordinance affect the present annual appropriation of the city; nor shall this repeal affect any ordinance or resolution levying or imposing charges, fees or taxes now due or accrued.

(b) *Severability.*

If any sentence, clause, part, paragraph, section, or provision of this Ordinance is declared by a court of competent jurisdiction to be invalid, the validity of the Ordinance as a whole or any other part hereof shall not be affected.
Incorporation by Reference of Georgia Law.

It is the intent of the City Council that the Development Impact Fee Ordinance of Peachtree City, Georgia comply with the terms and provisions of the Georgia Development Impact Fee Act (O.C.G.A. 36-71-1 et seq. as amended). To the extent that any provision of this Ordinance is inconsistent with the provisions of said Chapter 36-71, the latter shall control. Furthermore, to the extent that this Ordinance is silent as to any provision of said Chapter 36-71 that is otherwise made mandatory by said Chapter 36-71, such provision shall control and shall be binding upon the City.

(c) Effective date.

This Ordinance shall take effect on adoption.

Section 2. That Section 306, Development fees, of the Land Development Ordinance of the City of Peachtree City, Georgia, as amended, is hereby repealed ins entirety.

Section 3. Except as otherwise provided herein, all ordinances or parts thereof which conflict with the provisions of this ordinance are, to the extent of such conflict and except as hereinafter provided, hereby repealed.

Section 4. Should any provision of this ordinance be declared invalid by a Court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any provision thereof other than the provisions specifically declared to be invalid. The City Council declares that it would have passed this ordinance and each subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more subsections, sentences, clauses or phrases may be declared invalid.

Section 4. This ordinance shall be in full force and effect upon its official adoption by the City Council.

This _________ day of _______________________ 2009.

____
Harold K. Logsdon, Mayor

____

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Attest: __________________________________
City Clerk

Attachment "A"

IMPACT FEE SCHEDULE

The attached fee schedule reflects the adoption of an impact fee schedule that is 100% of the maximum allowable impact fee, as calculated in the March 9, 2009 *City of Peachtree City Impact Fee Methodology Report*.

Attachment "B"

PEACHTREE CITY MAXIMUM ALLOWABLE IMPACT FEE SCHEDULE

Land Use Category	Library	Parks & Recreation	Fire Protection	Police	Subtotal	Adminis-tration (3%)	TOTAL IMPACT FEE		Unit of Measure**
	Net Impact Fee								
Residential									
Single-Family Detached Housing	$221.7902	$2,072.8274	$933.5373	$137.3081	$3,365.4629	$100.9639	$3,466.427	per	dwelling
Apartment	$221.7902	$2,072.8274	$933.5373	$137.3081	$3,365.4629	$100.9639	$3,466.427	per	dwelling
Residential Condominium/Townhouse	$221.7902	$2,072.8274	$933.5373	$137.3081	$3,365.4629	$100.9639	$3,466.427	per	dwelling
Port and Terminal									
Truck Terminal	-	-	$4,176.7021	$614.3248	$4,791.0269	$143.7308	$4,934.758	per	acre
Industrial									
General Light Industrial	-	-	$0.8227	$0.1210	$0.9437	$0.0283	$0.972	per	square foot
General Heavy Industrial	-	-	$0.6521	$0.0959	$0.7480	$0.0224	$0.770	per	square foot
Manufacturing	-	-	$0.6484	$0.0954	$0.7438	$0.0223	$0.766	per	square foot
Warehousing	-	-	$0.4545	$0.0669	$0.5214	$0.0156	$0.537	per	square foot
Mini-Warehouse	-	-	$0.0158	$0.0023	$0.0182	$0.0005	$0.019	per	square foot
High-Cube Warehouse	-	-	$0.0648	$0.0095	$0.0743	$0.0022	$0.077	per	square foot
Lodging									
Hotel	-	-	$221.7392	$32.6142	$254.3534	$7.6306	$261.984	per	room
All Suites Hotel	-	-	$253.0959	$37.2263	$290.3222	$8.7097	$299.032	per	room
Business Hotel	-	-	$35.6620	$5.2453	$40.9073	$1.2272	$42.135	per	room
Motel	-	-	$253.5105	$37.2873	$290.7978	$8.7239	$299.522	per	room
Recreational									
Campground/Recreational Vehicle Park	-	-	$23.8837	$3.5129	$27.3966	$0.8219	$28.218	per	camp site
Golf Course	-	-	$87.5548	$12.8779	$100.4327	$3.0130	$103.446	per	acre
Multipurpose Recreational Facility	-	-	$178.2366	$26.2157	$204.4522	$6.1336	$210.586	per	acre
Movie Theater	-	-	$0.5339	$0.0785	$0.6124	$0.0184	$0.631	per	square foot
Arena	-	-	$1,188.1249	$174.7538	$1,362.8787	$40.8864	$1,403.765	per	acre
Amusement Park	-	-	$3,242.0652	$476.8549	$3,718.9201	$111.5676	$3,830.488	per	acre
Tennis Courts	-	-	$86.9394	$12.7874	$99.7268	$2.9918	$102.719	per	acre
Racquet Club	-	-	$0.1299	$0.0191	$0.1491	$0.0045	$0.154	per	square foot
Bowling Alley	-	-	$0.3565	$0.0524	$0.4089	$0.0123	$0.421	per	square foot
Recreational Community Center	-	-	$0.2993	$0.0440	$0.3433	$0.0103	$0.354	per	square foot
Institutional									
Private School (K-12)	-	-	$2.8832	$0.4241	$3.3073	$0.0992	$3.407	per	square foot
Church/Synagogue	-	-	$0.1836	$0.0270	$0.2106	$0.0063	$0.217	per	square foot
Day Care Center	-	-	$0.9059	$0.1332	$1.0391	$0.0312	$1.070	per	square foot
Cemetery	-	-	$29.0260	$4.2692	$33.2952	$0.9989	$34.294	per	acre
Lodge/Fraternal Organization	-	-	$356.4731	$52.4314	$408.9045	$12.2671	$421.172	per	employee

Land Use Category	Library	Parks & Recreation	Fire Protection	Police	Subtotal	Adminis-tration (3%)	TOTAL IMPACT FEE		Unit of Measure**
	Net Impact Fee								
Medical									
Hospital	-	-	$1.1570	$0.1702	$1.3272	$0.0398	$1.367	per	square foot
Nursing Home	-	-	$230.8672	$33.9568	$264.8240	$7.9447	$272.769	per	bed
Clinic	-	-	$356.4731	$52.4314	$408.9045	$12.2671	$421.172	per	employee
Office									
General Office Building	-	-	$1.1822	$0.1739	$1.3560	$0.0407	$1.397	per	square foot
Corporate Headquarters Building	-	-	$1.2123	$0.1783	$1.3906	$0.0417	$1.432	per	square foot
Single-Tenant Office Building	-	-	$1.1393	$0.1676	$1.3069	$0.0392	$1.346	per	square foot
Medical-Dental Office Building	-	-	$1.4455	$0.2126	$1.6581	$0.0497	$1.708	per	square foot
Research and Development Center	-	-	$1.0437	$0.1535	$1.1972	$0.0359	$1.233	per	square foot
Retail									
Building Materials and Lumber Store	-	-	$0.5241	$0.0771	$0.6012	$0.0180	$0.619	per	square foot
Free-Standing Discount Superstore	-	-	$0.3422	$0.0503	$0.3925	$0.0118	$0.404	per	square foot
Specialty Retail Center	-	-	$0.6484	$0.0954	$0.7437	$0.0223	$0.766	per	square foot
Free-Standing Discount Store	-	-	$0.7000	$0.1030	$0.8029	$0.0241	$0.827	per	square foot
Hardware/Paint Store	-	-	$0.3436	$0.0505	$0.3941	$0.0118	$0.406	per	square foot
Nursery (Garden Center)	-	-	$0.5812	$0.0855	$0.6667	$0.0200	$0.687	per	square foot
Nursery (Wholesale)	-	-	$0.5941	$0.0874	$0.6815	$0.0204	$0.702	per	square foot
Shopping Center	-	-	$0.5953	$0.0876	$0.6829	$0.0205	$0.703	per	square foot
Factory Outlet Center	-	-	$0.5953	$0.0876	$0.6829	$0.0205	$0.703	per	square foot
Quality Restaurant	-	-	$2.6593	$0.3911	$3.0504	$0.0915	$3.142	per	square foot
High-Turnover (Sit-Down) Restaurant	-	-	$2.6593	$0.3911	$3.0504	$0.0915	$3.142	per	square foot
Fast-Food Restaurant	-	-	$3.8856	$0.5715	$4.4571	$0.1337	$4.591	per	square foot
Quick Lubrication Vehicle Shop	-	-	$748.5935	$110.1059	$858.6994	$25.7610	$884.460	per	service bay
Auto-Care Center	-	-	$0.5098	$0.0750	$0.5847	$0.0175	$0.602	per	square foot
New Car Sales	-	-	$0.6323	$0.0930	$0.7254	$0.0218	$0.747	per	square foot
Auto Parts Store	-	-	$0.3422	$0.0503	$0.3925	$0.0118	$0.404	per	square foot
Self-Service Car Wash	-	-	$71.2946	$10.4863	$81.7809	$2.4534	$84.234	per	stall
Tire Store	-	-	$0.4563	$0.0671	$0.5234	$0.0157	$0.539	per	square foot
Wholesale Tire Store	-	-	$0.4563	$0.0671	$0.5234	$0.0157	$0.539	per	square foot
Supermarket	-	-	$0.4526	$0.0666	$0.5192	$0.0156	$0.535	per	square foot
Convenience Market (Open 24 Hours)	-	-	$0.6417	$0.0944	$0.7360	$0.0221	$0.758	per	square foot
Convenience Market (Open 15-16 Hours)	-	-	$0.6238	$0.0918	$0.7156	$0.0215	$0.737	per	square foot
Convenience Market with Gasoline Pumps	-	-	$0.6417	$0.0944	$0.7360	$0.0221	$0.758	per	square foot
Wholesale Market	-	-	$0.2922	$0.0430	$0.3352	$0.0101	$0.345	per	square foot
Discount Club	-	-	$0.4626	$0.0680	$0.5306	$0.0159	$0.547	per	square foot
Home Improvement Superstore	-	-	$0.3422	$0.0503	$0.3925	$0.0118	$0.404	per	square foot
Electronics Superstore	-	-	$0.3422	$0.0503	$0.3925	$0.0118	$0.404	per	square foot
Apparel Store	-	-	$0.5953	$0.0876	$0.6829	$0.0205	$0.703	per	square foot
Pharmacy/Drugstore	-	-	$0.5953	$0.0876	$0.6829	$0.0205	$0.703	per	square foot
Furniture Store	-	-	$0.1480	$0.0218	$0.1697	$0.0051	$0.175	per	square foot
Services									
Drive-in Bank	-	-	$1.2988	$0.1910	$1.4898	$0.0447	$1.535	per	square foot

**CIE prep category is a recoupment of the expenditure of preparing the Capital Improvements Element.*

Impact Fees reflect credit given for forecasted SPLOST and general fund contributions.

***"squre feet" means square feet of gross building floor area.*

Potential impact fee revenue with amended impact fee schedule (assuming 100%)

(based on permits issued or in the review process - as of July 29, 2009))

Residential	Unit of measurement	Total units/ SF	Impact fee (100%)	Impact fee (potential)
Wilshire Village - Somerby tract*	per unit	367	$3,466.43	$1,272,179.81
Wilksmoor - Wieland tract	per lot	475	$3,466.43	$1,646,554.25
Wilksmoor - Scarbrough tract	per lot	650	$3,466.43	$2,253,179.50
Wilksmoor - Wieland (89 acres)	per lot	125	$3,466.43	$433,303.75
Smokerise - Bradshaw tract (undeveloped)	per lot	150	$3,466.43	$519,964.50
Callula Hill - residential tract (pending rezoning)	per lot	80	$3,466.43	$277,314.40
Callula Hill - event center villas (pending rezoning)	per unit	12	$3,466.43	$41,597.16
SANY - condominiums	per unit	3	$3,466.43	$10,399.29
SANY - residential lots	per lot	6	$3,466.43	$20,798.58
Retail/ commercial				
Line Creek retail	per SF	175,000	$0.77	$134,750.00
Wilshire Village - Delta Community Credit Union tract	per SF	7,090	$1.54	$10,883.15
Wilshire Village - Walgreen's tract	per SF	14,550	$0.70	$10,228.65
Walgreen's - Ruby Tuesday tract	per SF	10,754	$0.70	$7,560.06
Callula Hill - events center (pending rezoning)	per SF	15,000	$3.14	$47,100.00
Lodging				
Fairfield Inn (pending)	per room	84	$261.98	$22,006.32
Comfort Suites (pending)	per room	72	$261.98	$18,862.56
Office				
SANY - office building	per SF	50,000	$1.43	$71,500.00
SANY - research and development building	per SF	50,000	$1.23	$61,500.00
Industrial				
SANY - assembly/ warehousing*	per SF	570,846	$0.77	$439,551.42

* *final site plan approved, however Building Permit has not been issued*

Attachment "C"

Potential impact fee revenue with amended impact fee schedule (assuming 75%)

(based on permits issued or in the review process - as of July 29, 2009))

Residential	Unit of measurement	Total units/ SF	Impact fee (75%)	Impact fee (potential)
Wilshire Village - Somerby tract*	per unit	367	$2,599.82	$954,133.94
Wilksmoor - Wieland tract	per lot	475	$2,599.82	$1,234,914.50
Wilksmoor - Scarbrough tract	per lot	650	$2,599.82	$1,689,883.00
Wilksmoor - Wieland (89 acres)	per lot	125	$2,599.82	$324,977.50
Smokerise - Bradshaw tract (undeveloped)	per lot	150	$2,599.82	$389,973.00
Callula Hill - residential tract (pending rezoning)	per lot	80	$2,599.82	$207,985.60
Callula Hill - event center villas (pending rezoning)	per unit	12	$2,599.82	$31,197.84
SANY - condominiums	per unit	3	$2,599.82	$7,799.46
SANY - residential lots	per lot	6	$2,599.82	$15,598.92
Retail/ commercial				
Line Creek retail	per SF	175,000	$0.57	$99,750.00
Wilshire Village - Delta Community Credit Union tract	per SF	7,090	$1.15	$8,153.50
Wilshire Village - Walgreen's tract	per SF	14,550	$0.52	$7,566.00
Walgreen's - Ruby Tuesday tract	per SF	10,754	$0.52	$5,592.08
Callula Hill - events center (pending rezoning)	per SF	15,000	$2.35	$35,250.00
Lodging				
Fairfield Inn (pending)	per room	84	$196.48	$16,504.32
Comfort Suites (pending)	per room	72	$196.48	$14,146.56
Office				
SANY - office building	per SF	50,000	$1.07	$53,500.00
SANY - research and development building	per SF	50,000	$0.92	$46,000.00
Industrial				
SANY - assembly/ warehousing*	per SF	570,846	$0.57	$325,382.22

* *final site plan approved, however Building Permit has not been issued*

Potential impact fee revenue with amended impact fee schedule (assuming 50%)

(based on permits issued or in the review process - as of July 29, 2009))

Residential	Unit of measurement	Total units/ SF	Impact fee (50%)	Impact fee (potential)
Wilshire Village - Somerby tract*	per unit	367	$1,733.21	$636,088.07
Wilksmoor - Wieland tract	per lot	475	$1,733.21	$823,274.75
Wilksmoor - Scarbrough tract	per lot	650	$1,733.21	$1,126,586.50
Wilksmoor - Wieland (89 acres)	per lot	125	$1,733.21	$216,651.25
Smokerise - Bradshaw tract (undeveloped)	per lot	150	$1,733.21	$259,981.50
Callula Hill - residential tract (pending rezoning)	per lot	80	$1,733.21	$138,656.80
Callula Hill - event center villas (pending rezoning)	per unit	12	$1,733.21	$20,798.52
SANY - condominiums	per unit	3	$1,733.21	$5,199.63
SANY - residential lots	per lot	6	$1,733.21	$10,399.26
Retail/ commercial				
Line Creek retail	per SF	175,000	$0.38	$66,500.00
Wilshire Village - Delta Community Credit Union tract	per SF	7,090	$0.77	$5,459.30
Wilshire Village - Walgreen's tract	per SF	14,550	$0.35	$5,092.50
Walgreen's - Ruby Tuesday tract	per SF	10,754	$0.35	$3,763.90
Callula Hill - events center (pending rezoning)	per SF	15,000	$1.57	$23,550.00
Lodging				
Fairfield Inn (pending)	per room	84	$130.99	$11,003.16
Comfort Suites (pending)	per room	72	$130.99	$9,431.28
Office				
SANY - office building	per SF	50,000	$0.71	$35,500.00
SANY - research and development building	per SF	50,000	$0.61	$30,500.00
Industrial				
SANY - assembly/ warehousing*	per SF	570,846	$0.38	$216,921.48

* *final site plan approved, however Building Permit has not been issued*

Existing service areas and associated impact fee with rate of inflation

(as of July 29, 2009)

Service Area	Ordinance	Date adopted	Fee	Fee w/ inflation*	% increase due to inflation	Potential lots
Citywide	586	10/15/92	**$1,083.00**	$1,664.97	53.7%	
Recreational system improvements			*$1,040.00*			
Library expansion, police department expansions and a recreation administration building			*$43.00*			
North Aberdeen	608	10/07/93	**$1,190.00**	$1,776.30	49.3%	0
Citywide			*$1,083.00*			
Bike bridge across SR 74			*$107.00*			
South Aberdeen	608	10/07/93	**$1,083.00**	$1,616.58	49.3%	0
Citywide						
Glenloch	608	10/07/93	**$1,083.00**	$1,616.58	49.3%	0
Citywide						
Braelinn	608	10/07/93	**$1,083.00**	$1,616.58	49.3%	0
Citywide						
Kedron	586	10/15/92	**$1,283.00**	$1,972.45	53.7%	0
Citywide			*$1,083.00*			
Bike path system improvements, new fire station with equipment, system improvements to Brown Road			*$200.00*			
Planterra	586	10/15/92	**$1,202.00**	$1,847.92	53.7%	0
Citywide			*$1,083.00*			
Underpass access across SR 54 to Planterra			*$119.00*			
Line Creek	704	04/02/98	**$1,637.00**	$2,166.19	32.3%	75
Citywide			*$1,083.00*			
Bike bridge across SR 74			*$231.00*			
Underpass access across SR 54 to Planterra and reconstruction of Leach Fire Station			*$323.00*			
Crabapple West	681	11/20/97	**$3,708.00**	$4,938.11	34.4%	25
Citywide			*$1,083.00*			
Kedron service area			*$200.00*			
System improvements to Crabapple Lane			*$2,425.00*			
Northeast Kedron	705	04/02/98	**$1,707.00**	$2,258.82	32.3%	150
Citywide			*$1,083.00*			
Kedron service area			*$200.00*			
System improvements to Sumner Road			*$424.00*			
West Village**		06/07/07	**$2,437.00**	$2,535.15	4.0%	1,125***
Citywide			*$1,083.00*			
Bike bridge across SR 74			*$231.00*			
West Village Fire Station			*$877.00*			
S 74 BSC expansion			*$246.00*			

** information obtained from www.usinflationcalculator.com*
*** impact fees for West Village presented to Council but never adopted*
**** does not include development on 89-acre Wieland tract, etc.*

Attachment "D"

On March 18, 2009, the Peachtree City Impact Fee Advisory Committee met and voted on a series of proposed recommendations regarding an update to the City's impact fee program. There were nine Committee members present. What follows are the recommendations, as made by the Committee members, and the vote count for each recommendation. These are arranged in order of popularity, based on the number of votes 'for' the recommendation.

Vote Count (for—against)	Recommendation
9 votes (unanimous)	Nonresidential fees should be charged on a single, city-wide service area basis; fees should be charged by village (nonresidential fee would be the same in each Village); industrial park is included as a 'village'
9 votes (unanimous)	Allow economic development exemptions; applicant must begin with the Development Authority of Peachtree City
9 votes (unanimous)	Fully consider alternate funding sources, such as SPLOST
5—2	Residential fees should be charged based on multiple service areas, based on the villages
4—4	Residential fees should be charged on a single, city-wide service area; fees should be charged by village (nonresidential fee would be the same in each Village); fees should be capped at about $2,000 per single-family house; fees should be kept in place at that level for two years, after which they may increase
3—5	Keep the residential fee 'as is' for two years, after which it will be increased; add nonresidential fee as soon as possible, based on a percentage of the maximum allowable that is equivalent to about $2,500 per single-family house; nonresidential fee is based on a single, city-wide service area
3—6	Keep the residential fee 'as is' for two years, after which it will be increased; add nonresidential fee as soon as possible, based on a percentage of the maximum allowable that is equivalent to about $2,500 per single-family house; nonresidential fee is based on multiple service areas; after two years the impact fee program will be revisited by an Advisory Committee
2—6	Roads should be considered as a category in the updated impact fee program
1 vote in favor	Establish a single, city-wide service area for nonresidential fees and multiple service areas for residential fees

Vote Count (for—against)	Recommendation
1—3	Establish a single, city-wide service area for nonresidential fees and multiple service areas for residential fees, with the provision that the situation would be revisited in two years
1—7	Raise the current (residential) fees across the board by 25%, but not to exceed $3,000 per single-family house; keep in place for two years
1—8	Raise the current (residential) fees across the board to be at least $1,500 per single-family house; keep in place for two years, then raise to about $2,500 per single-family house

In addition to the recommendations, the Committee was polled on several items. Here are those results, in order of popularity:

- A 6 to 1 vote in favor of allowing the impact fee to be paid as late as the issuance of a Certificate of Occupancy.
- 5 votes in favor of instituting an impact fee on nonresidential land uses.
- 3 votes in favor of multiple service areas.
- 3 votes in favor of single, city-wide service areas.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor and Council Members**

VIA: **City Manager**
Financial Services Director
Assistant Financial Services Director

FROM: **Interim Community Development Director** David

DATE: **August 25, 2009** *(this item was continued from the August 6, 2009 meeting)*

SUBJECT: **Consider adoption of Capital Improvements Element (CIE) Amendments and authorize Staff to forward this document to ARC/ DCA.**
September 3, 2009 City Council Agenda

Recommendation:
Adopt the Capital Improvements Element (CIE) Amendments and authorize Staff to forward this document to ARC/ DCA.

Discussion:
City Staff has been working with Ross+associates and the Impact Fee Advisory Committee to update the city's Impact Fee Ordinance. As a part of this process, a Methodology Report has been prepared which represents a recalculation, though not a direct continuation, of our existing impact fee program which began in 1993. Impact fees collected to this point are used to reimburse the city for completed eligible projects from the previous impact fee program, while the calculations and projects identified within the new Methodology Report represent a new impact fee program.

The Capital Improvements Element (CIE) is a component of the city's comprehensive plan adopted pursuant to Chapter 70 of the Development Impact Fee Act. This document sets out projected needs for system improvements during a planning horizon established within the comprehensive plan, a schedule of capital improvements that will meet the anticipated need for system improvements and a description of anticipated funding sources for each required improvement.

The draft CIE amendment was forwarded to ARC and DCA on May 8, 2009, and we were notified on June 10, 2009 that the plan had been reviewed and was found to be in compliance with the Development Impact Fee Act and the Minimum Standards and procedures for Local Comprehensive Planning.

Attached to this memorandum is an electronic copy of the CIE amendment. Our consultant will be present at next Thursday's meeting to explain these documents as well as to answer questions about this process.

Budget Impact:
There is no budget impact associated with the adoption of this document.

Attachment

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PEACHTREE CITY ADOPTING THE CAPITAL IMPROVEMENTS ELEMENT AMENDMENT TO THE PEACHTREE CITY COMPREHENSIVE PLAN

WHEREAS, the City of Peachtree City adopted a Capital Improvements Element as an amendment to the *City of Peachtree City Comprehensive Plan*; and

WHEREAS, the City of Peachtree City has prepared an Amendment to the adopted Capital Improvements Element; and

WHEREAS, the Capital Improvements Element Amendment was prepared in accordance with the "Development Impact Fee Compliance Requirements" and the "Minimum Planning Standards and Procedures for Local Comprehensive Planning" adopted by the Board of Community Affairs pursuant to the Georgia Planning Act of 1989; and,

WHEREAS, the Capital Improvements Element Amendment was reviewed by the Atlanta Regional Commission and the Georgia Department of Community Affairs and found to be in compliance with the Development Impact Fee Act and the Minimum Planning Standards and Procedures for Local Comprehensive Planning; and,

WHEREAS, a duly advertised Public Hearing was held on August 6, 2009, at 7:00 P.M. at the City Hall Council Chambers at 151 Willowbend Road in Peachtree City;

BE IT THEREFORE RESOLVED, that the Mayor and City Council of the City of Peachtree City does hereby adopt the Capital Improvements Element Amendment and authorize Staff to forward this document to the Atlanta Regional Commission and the Georgia Department of Community Affairs.

SO RESOLVED, this _____ day of _____________, 2009.

____
Harold Logsdon, Mayor

____

____

____

____

Attest: ______________________________
City Clerk

ARC
ATLANTA REGIONAL COMMISSION 40 COURTLAND STREET, NE ATLANTA, GEORGIA 30303

June 10, 2009

The Honorable Harold Logsdon, Mayor
City of Peachtree City
151 Willow Bend Road
Peachtree City, Georgia 30269

RE: Peachtree City CIE Amendment

Dear Mayor Logsdon:

We are pleased to inform you that the Georgia Department of Community Affairs (DCA) has determined that the Capital Improvement Element (CIE) Amendment for the City of Peachtree City is in compliance with the Development Impact Fee Act and the Minimum Standards and Procedures for Local Comprehensive Planning.

Please note that the amendment cannot be adopted prior to July 14, 2009 in order to satisfy the mandatory review period. Once the CIE Amendment has been adopted, please send ARC a copy of the adoption resolution and any revisions so that we may forward this to DCA.

I commend you and Peachtree City for your commitment to the comprehensive planning process. Please contact Jared Lombard at 404-463-3302 if you have any questions or if we can provide further assistance.

Sincerely,

Charles Krautler
Director

CK:jl

cc: Jim Frederick, Georgia Department of Community Affairs (via email)
David Rast, Peachtree City

RECEIVED JUN 2 9 2009

404-463-3100 FAX 404-463-3105 WWW.ATLANTAREGIONAL.COM

Sonny Perdue
Governor

Georgia
Department of
Community Affairs

Mike Beatty
Commissioner

June 5, 2009

Mr. Charles Krautler
Executive Director
Atlanta Regional Commission
40 Courtland Street, NE
Atlanta, Georgia 30303

Dear Mr. Krautler:

Our staff has reviewed the Capital Improvement Element Study Amendment for the City of Peachtree City and finds that it adequately addresses applicable requirements. The next step is for the City to adopt the CIE Study Amendment. As soon as your office confirms that the CIE Study Amendment has been adopted and provides DCA with a digital copy of the final adopted version of this document, we will notify the City that its Qualified Local Government status has been extended.

Sincerely,

James R. Frederick

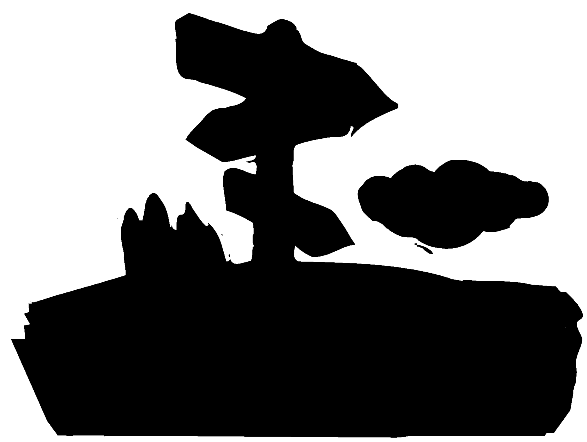
James R. Frederick, Director
Office of Planning and Quality Growth

JF/rhb
cc: Dan Reuter, Atlanta Regional Commission Land Use Division Director
Jared Lombard, Atlanta Regional Commission Planner
Jon West, DCA Area Planner
Rebecca Born, DCA CIE Coordinator

Capital Improvements Element

An Amendment to the

City of Peachtree City Comprehensive Plan



Draft of November 5, 2008

ROSS+associates

urban planning & plan implementation

Table of Contents

Capital Improvements Element

An Amendment to the City of Peachtree City Comprehensive Plan

Introduction

The purpose of a Capital Improvements Element (CIE) is to establish where and when certain new capital facilities will be provided within a jurisdiction and how they may be financed through an impact fee program. As required by the Development Impact Fee Act, and defined by the Department of Community Affairs in its *Development Impact Fee Compliance Requirements*, the CIE must include the following for each category of capital facility for which an impact fee will be charged:

- the designation of **service areas** - the geographic area in which a defined set of public facilities provide service to development within the area;
- a **projection of needs** for the planning period of the adopted Comprehensive Plan;
- the designation of **levels of service** (LOS) - the service level that will be provided;
- a **schedule of improvements** listing impact fee related projects and costs for the first five years after plan adoption; and
- a description of **funding sources** proposed for each project during the first five years of scheduled system improvements.

System improvements expected to commence or be completed over the coming five years are also shown in the attached Short-Term Work Program (STWP) amendment. The STWP amendment affects new and previously planned capital projects for the upcoming five-year period, beginning with the current year.

Categories for Assessment of Impact Fees

To assist in paying for the high costs of expanding public facilities and services to meet the needs of projected growth and to ensure that new development pays a reasonable share of the costs of public facilities, Peachtree City has developed this CIE for the categories of libraries, parks and public safety facilities (fire and police).

Components of the Impact Fee System

The Peachtree City Impact Fee System consists of several components:

- The currently adopted Comprehensive Plan, including future land use assumptions and projected future demands;
- Service area population forecasts, based on population, households, dwelling unit and employment forecasts of the Comprehensive Plan;
- Service area definition and designation;
- Appropriate level of service standards for each impact fee eligible facility category;
- A methodology report, which establishes the impact cost of new growth and development and thus the maximum impact fees that can be assessed;
- This Capital Improvements Element to implement the City's proposed improvements; and
- A Development Impact Fee Ordinance, including an impact fee schedule by land use category.

Forecasts

In order to accurately calculate the demand for expanded services for Peachtree City, new growth and development must be quantified in future projections. These projections include forecasts for population, housing or dwelling units, and employment to the year 2027. These projections provide the base-line conditions from which the level of service calculations are produced. Also, projections are combined to produce what is known as “day/night population.” This is a method that combines resident population and employees in the city to produce an accurate picture of the total number of persons that rely on certain services, such as law enforcement. The projections used for each public facility category are specified in each public facility chapter. These forecasts are based on a “build out” scenario as calculated by the City. This scenario is the result of known remaining developable land, and does not anticipate any future annexations by the City.

Future Growth Projections

Because there is no employment forecast in the City’s *Comprehensive Plan*, one must be created. (There are historic employment and population figures in the document to work from.) This is done by forecasting the ratio of employment to population forward in time, based on the *Comprehensive Plan* population forecast and the observed growth in the employment-to-population ratio over time. The first step is to calculate this ratio, and this is shown in **Table P-1**. The 1990 and 2000 *Comp Plan* population and employment figures are used to calculate the employment-to-population ratio for each year. The net change over ten years is calculated, as is the annual rate of change in the ratio.

“Value Added” employment is used here, as this is the total employment in the city, less those types of employment generally transitory in nature, such as construction and agriculture.

Table P-1

Historic Employment Ratio

1990 - 2000

Year	Population	"Value Added" Employment*	Ratio - Employment to Population
1990	19,027	8,322	0.43738
2000	31,580	15,033	0.47603
		Net Change (1990 - 2000):	0.03865
		Annual Change (1990 - 2000):	0.00387

*"Value Added" employment is total employment less agricultural, construction and mining workers.

Source: Employment and population figures are drawn from the Peachtree City *Comprehensive Plan, Community Assessment, 2007-2027*.

Table P-2 next takes the annual change in the population-to-employment ratio and applies it to the population growth forecasted in the *Comp Plan*. The ratio is increasing over time, based on the observed change between 1990 and 2000, as calculated in Table P-1. Note that population does not increase after 2023; this is the projected “build out” year. Employment, however, is anticipated to continue for a period of time after residential construction has concluded.

Table P-2
"Value Added" Employment Forecast
2000 - 2027

Year	Population	Employment Ratio	"Value Added" Employment
2000		*0.47603*	
2001		*0.47989*	
2002		*0.48376*	
2003		*0.48762*	
2004		*0.49149*	
2005		*0.49535*	
2006		*0.49922*	
2007		*0.50308*	
2008	36,242	0.50695	18,373
2009	36,481	0.51081	18,635
2010	36,722	0.51468	18,900
2011	36,964	0.51854	19,168
2012	37,208	0.52241	19,438
2013	37,454	0.52628	19,711
2014	37,701	0.53014	19,987
2015	37,950	0.53401	20,265
2016	38,200	0.53787	20,547
2017	38,452	0.54174	20,831
2018	38,706	0.54560	21,118
2019	38,961	0.54947	21,408
2020	39,218	0.55333	21,701
2021	39,477	0.55720	21,997
2022	39,738	0.56106	22,295
2023	40,000	0.56493	22,597
2024	40,000	0.56879	22,752
2025	40,000	0.57266	22,906
2026	40,000	0.57652	23,061
2027	40,000	0.58039	23,215

Table P-3 presents the final forecasts for population, dwelling units, “value added” employment, and “day/night” population. The population and dwelling unit forecasts are based on the City’s calculation of a “build out” scenario, the scenario itself based on the remaining undeveloped residential lots in the City. “Build out” is expected by 2023.

“Value added” employment is a sub-set of total employment in the city, and represents the number of employees in non-transitory jobs. Basically, “value added” employment excludes farming and construction sector employment.

The "day/night" population is a combination of the resident (population) projections and employment estimates, and is used to determine level of service standards for facilities that serve both the resident population and business employment. The fire department, for instance, protects one's house whether or not they are at home, and protects stores and offices whether or not they are open for business. Thus, this day/night population is a measure of the total services demanded of a 24-hour provider facility and a fair way to allocate the costs of such a facility among all of the beneficiaries.

Table P-3

Forecasts

Peachtree City

	Population	Dwelling Units	"Value Added" Employment	Day/Night Population
2008	36,242	12,795	18,373	54,615
2009	36,481	12,886	18,635	55,116
2010	36,722	12,978	18,900	55,622
2011	36,964	13,070	19,168	56,132
2012	37,208	13,163	19,438	56,646
2013	37,454	13,256	19,711	57,165
2014	37,701	13,351	19,987	57,688
2015	37,950	13,446	20,265	58,215
2016	38,200	13,541	20,547	58,747
2017	38,452	13,638	20,831	59,283
2018	38,706	13,735	21,118	59,824
2019	38,961	13,832	21,408	60,369
2020	39,218	13,931	21,701	60,919
2021	39,477	14,030	21,997	61,474
2022	39,738	14,130	22,295	62,033
2023	40,000	14,230	22,597	62,597
2024	40,000	14,230	22,752	62,752
2025	40,000	14,230	22,906	62,906
2026	40,000	14,230	23,061	63,061
2027	40,000	14,230	23,215	63,215

Source: Population and dwelling unit figures for 2008 and 2023 have been developed by Peachtree City, based on a 'build out' scenario; intervening years (2009-2022) are based on average annual increase between the given figures.

"Value Added" Employment is total employment less agricultural and construction employment.

Service Area Projections

In **Table P-4** the service area forecasts are presented for a single city-wide service area measured in two ways: city-wide dwelling units (which includes libraries and parks), and city-wide day/night population (fire and police). These are the figures that will be used in subsequent service category chapters to calculate impact costs and fees.

Table P-4
Service Area Forecasts
2008 - 2027

	City-wide Dwelling Units (Library, Parks)	City-wide Day/Night Population (Fire, Police)
2008	12,795	54,615
2009	12,886	55,116
2010	12,978	55,622
2011	13,070	56,132
2012	13,163	56,646
2013	13,256	57,165
2014	13,351	57,688
2015	13,446	58,215
2016	13,541	58,747
2017	13,638	59,283
2018	13,735	59,824
2019	13,832	60,369
2020	13,931	60,919
2021	14,030	61,474
2022	14,130	62,033
2023	14,230	62,597
2024	14,230	62,752
2025	14,230	62,906
2026	14,230	63,061
2027	14,230	63,215
Net Increase, 2008-2027:	**1,435**	**8,600**

Library Facilities

The Peachtree City Library provides library services through a single facility, located in the city. This library is operated and maintained by financial contributions from the City. The library provides services to all residents of Peachtree City through a variety of information and materials, facilities and programs. The library system serves all persons on an equal basis in meeting their educational, recreational, civic, economic and spiritual needs.

Demand for library services is almost exclusively related to the city's resident population. Businesses make some use of public libraries for research purposes, but the use is incidental compared to that of the families and individuals who live in the city. Thus, a library services system impact fee is limited to future residential growth.

Service Area

Materials, facilities and services of the Peachtree City Library are equally available to the City's population. The entire city is considered a single service district for library services. An improvement in any part of the city increases service to all parts of the city to some extent.

Projection of Needs

Between 2008 and 2027, the dwelling units in the service area will grow from 12,795 to 14,230, an increase of 1,435 dwelling units.

Level of Service

The current library facility was built to house a collection of materials sufficient to serve the city to 2027. While facility space could be included in the impact fee calculations for the purposes of recoupment of the value of any existing excess capacity, the City has elected to focus solely on collection materials in this public facility category. The City has adopted a level of service for library services based on the current level of service in collection materials. There is no existing deficiency. In **Table L-1**, the current collection material level of service figure is used to calculate future demand in materials between 2008 and 2027. The additional number of forecasted dwelling units to the year 2027 is multiplied by the level of service to produce the future demand figures. Based on the adopted LOS, future growth will demand 8,972 additional collection materials by the year 2027 in order to maintain the adopted level of service. Ultimately, more collection materials will need to be acquired in order to account for future collection material discards (see Table L-2).

Table L-1

Future Demand Calculation

Collection Materials/ dwelling unit	Number of New Dwelling Units (2008-27)	Collection Materials Demanded
6.2524	1,435	8,972

Capacity to Serve New Growth

Table L-2 presents the figures for collection material demand. Materials demanded by new growth are calculated in the first columns. Note that the 'Materials Demanded (annual)' column represents the number of materials that must be purchased in order to meet new growth's demand.

Table L-2
Future Collection Materials Demanded

	New Growth Demand				Total
Year	New Dwelling Units	Materials Demanded (annual)	Running Total	Plus Discarded Materials	Total Materials Needed (annual)
2008	*0*	*0*		0	0
2009	91	569	569	20	589
2010	92	573	1,142	20	593
2011	92	577	1,719	20	597
2012	93	581	2,300	20	601
2013	94	585	2,885	20	605
2014	94	589	3,475	21	610
2015	95	594	4,069	21	615
2016	96	598	4,666	21	619
2017	96	602	5,269	21	623
2018	97	606	5,875	21	627
2019	98	611	6,486	21	632
2020	98	615	7,101	22	637
2021	99	619	7,720	22	641
2022	100	624	8,344	22	646
2023	100	628	8,972	22	650
2024	0	0	8,972	0	0
2025	0	0	8,972	0	0
2026	0	0	8,972	0	0
2027	0	0	8,972	0	0
		8,972		314	9,286
		Total to Meet new Growth Demand			**8,972**

For collection materials the number of new items demanded by new growth that will be retained for at least 10 years is increased by an anticipated discard rate of 3.5% for "weeded" materials. This rate represents the number of materials required to meet the demand, as well as those "weeded" from the collection in a normal year. By including the weeded materials, the resulting 'total materials needed' reflects the total number of items required annually to maintain the LOS once these non-impact fee eligible materials are discarded. 8,972 new materials will be needed to meet the demand of new growth to the year 2027; a total of 9,286 items will need to be purchased to maintain the level of service for new and existing development and to account for discarded materials (8,972 items for new growth, plus 314 items to account for discarded materials).

Capital Project Costs

The new collection materials needed to serve new growth identified in Table L-2 are used to calculate the future cost to meet service demand, as shown in **Table L-3**. The costs are shown in current dollars, and then adjusted to reflect the net present value.[1] Collection materials costs are estimated at $29.92 per item. The percentage of the cost attributable for new growth in each year is based on the percentage of total items demanded that are attributable to new growth's demand (drawn from Table L-2).

Table L-3

Collection Material Costs to Meet Future Demand

Year	Materials Needed (annual)	Gross Cost*	Net Present Value - Local Cost	% for New Growth	New Growth Cost (NPV)
2009	589	$17,620.96	$16,247.42	96.60%	$15,695.66
2010	593	$17,742.02	$15,922.43	96.63%	$15,385.40
2011	597	$17,863.94	$15,603.97	96.65%	$15,081.28
2012	601	$17,986.73	$15,291.91	96.67%	$14,783.16
2013	605	$18,110.39	$14,986.11	96.70%	$14,490.94
2014	610	$18,264.85	$14,710.54	96.56%	$14,204.49
2015	615	$18,390.27	$14,416.25	96.58%	$13,923.71
2016	619	$18,516.59	$14,127.88	96.61%	$13,648.48
2017	623	$18,643.81	$13,845.29	96.63%	$13,378.69
2018	627	$18,771.93	$13,568.38	96.65%	$13,114.23
2019	632	$18,900.96	$13,297.02	96.68%	$12,854.99
2020	637	$19,060.83	$13,051.61	96.55%	$12,600.89
2021	641	$19,191.70	$12,790.49	96.57%	$12,351.80
2022	646	$19,323.51	$12,534.62	96.59%	$12,107.64
2023	650	$19,456.25	$12,283.89	96.62%	$11,868.31
2024	0	$0.00	$0.00	0.00%	$0.00
2025	0	$0.00	$0.00	0.00%	$0.00
2026	0	$0.00	$0.00	0.00%	$0.00
2027	0	$0.00	$0.00	0.00%	$0.00
	9,286	$277,844.74	$212,677.82		$205,489.67

*Cost is based on average unit cost of $29.92 per item.

[1] For more information on the construction cost inflator and net present value, see the 'Cost Adjustments and Credits' section of the *Peachtree City Impact Fee Methodology Report*, November 5, 2008.

Fire Protection Facilities

Fire protection is provided by the City to the entire city by the Peachtree City Fire Department. The capital value of this service is based upon fire stations, administrative office space, land, and apparatus. In 2008, fire protection services were provided by four facilities with a combined square footage of 28,924, utilizing a total of 18 heavy vehicles.

Service Area

The Department, providing fire protection, operates from four fire stations. However, as new growth demands an increase in services, additional fire stations will be required. The Department will continue to operate a coordinated system, with each station backing up the other station in the system. The backing up of another station is not a rare event; it is the essence of good fire protection planning. All stations do not serve the same types of land uses, nor do they all have the same apparatus. It is the strategic placement of personnel and equipment that is the backbone of good fire protection. Any new station would relieve some of the demand on the other station. Since each station would continue to operate as “backup” to the other station, everyone in the city would benefit by the construction of the new station since it would reduce the “backup” times the station nearest to them would be less available. For these reasons the entire city is considered a single service area for the provision of the fire protection because all residents and employees within this area have equal access to the benefits of the City program. For the purposes of an impact fee calculation, fire protection is provided in a single, city-wide service area.

Projection of Needs

Between 2008 and 2027, the day/night population (a combination of residents and employees) in the fire protection facilities service area will grow from 54,615 to 63,215, an increase of 8,600 persons.

Level of Service

For the purposes of impact fee calculations the City has determined that a level of service, based on the expansion of an existing station, addition of two fire stations and five heavy vehicles, would be adequate to serve the future service area population projected for the year 2027. **Table F-1** presents the calculations involved in determining the LOS standard that results from these additions, based on the service area forecasts for the year 2027.

In Table F-1, the total to be added to the current inventory, whether in square feet or heavy vehicles, is shown. The resulting total inventory is divided by the population to be served—the 2027 day/night population—in order to calculate the resulting level of service. This year 2027 LOS is then applied to today’s service area day/night population in order to identify any existing deficiency or excess capacity, at that level of service. Based on the calculations shown here, there is an existing deficiency in facility space (12,622 square feet) and an existing deficiency in heavy vehicles (2 vehicles).

Table F-1

Future Level of Service

Capital Project*	Estimated New Square Feet	New Heavy Vehicles
Station 84 Expansion	1,260	1
New Station 85	8,952	2
New Station 86	8,952	2
Totals	19,164	5

Existing SF of Station Space	28,924	
SF Added	19,164	
Total SF in 2027	48,088	
Total SF in 2027	48,088	
Service Population in 2027	63,215	
SF/day/night population	**0.760700**	
SF/day/night population	0.760700	
Service Population in 2008	54,615	
Current Demand in SF	41,546	
Current Demand in SF	41,546	
Existing SF of Station Space	28,924	
Existing Deficiency (SF)	(12,622)	
Existing Heavy Vehicles		18
Vehicles Added		5
Total Heavy Vehicles in 2027		23
Total Heavy Vehicles in 2027		23
Service Population in 2027		63,215
HV/day/night population		**0.000364**
HV/day/night population		0.000364
Service Population in 2008		54,615
Current Demand in Heavy Vehicles		20
Current Demand in Heavy Vehicles		20
Existing Heavy Vehicles		18
Existing Deficiency (Vehicles)		(2)

The adopted LOS standards from Table F-1 are next multiplied by the forecasted day/night population increase to produce the expected future demand in **Table F-2**. The 'day/night population increase' figure is taken from Table P-4. For facility space, the existing deficiency means that more space is needed than just that demanded by new growth. While 6,542 square feet are demanded by new growth, the existing deficiency of 12,622 square feet must be met in order to serve existing development at the same level of service, resulting in a need to add a total of 19,164 square feet. Likewise, the existing deficiency in heavy vehicles means that, out of a total of 5 vehicles, 2 are needed to serve the existing population, while three are demanded by new growth.

Table F-2

Future Demand Calculation

SF/day/night population	Day/night Pop Increase (2008-27)	SF Demanded by New Growth
0.7607	8,601	6,542
	Existing Deficiency (SF)	12,622
	Total Demand (SF)	19,164

Heavy Vehicles/day/night pop	Day/night Pop Increase (2008-27)	New Heavy Vehicles Demanded
0.000364	8,601	3
	Existing Deficiency (Vehicles)	2
	Total Demand (Vehicles)	5

Capacity to Serve New Growth

As new demand is calculated, fire service capacity is developed to meet the estimated demand. In a well-planned fire system such as that in Peachtree City, stations are timed for construction and built as areas grow and population increases, and heavy vehicles added to the fleet, in order to maintain the City's adopted LOS. The location of new facilities are planned to provide adequate coverage and access to all areas of the city. **Tables F-3 and F-4** provide an annual breakdown of the demand for stations and equipment following the adopted level of service standards. The facility projects shown in Table F-3 are based on the City's desire to increase the inventory of fire stations in a balanced way; the final projects could be reconfigured, with 6,542 square feet ultimately impact fee eligible.

Table F-3

Future Fire Protection Facility Projects

Year	Day/night Pop Increase	SF Demanded (annual)	Running Total: SF Demanded*	Project	Net New Square Footage*
2008	*0*	*0*	12,622		(12,622)
2009	501	381	13,003	Station 84 expansion	1,260
2010	506	385	13,388	New Station 85	8,952
2011	510	388	13,776		
2012	514	391	14,167	New Station 86	8,952
2013	519	394	14,561		
2014	523	398	14,959		
2015	527	401	15,360		
2016	532	405	15,765		
2017	536	408	16,173		
2018	541	411	16,584		
2019	545	415	16,999		
2020	550	418	17,417		
2021	555	422	17,839		
2022	559	425	18,265		
2023	564	429	18,694		
2024	155	118	18,811		
2025	155	118	18,929		
2026	155	118	19,046		
2027	155	118	19,164		
				Net New Growth Total:	**6,542**

*Figures reflect existing deficiency.

Future fire stations will be built at locations to be determined in the future with regard to NFPA standards, ISO rating criteria and response times in order to adequately serve the demands created by new growth and development.

Table F-4
Future Heavy Vehicles Demanded

Year	Day/night Pop Increase	New Vehicles Demanded (annual)	Net New Vehicles
2008	*0*	*1.87*	0
2009	501	0.18	0
2010	506	0.18	0
2011	510	0.19	1
2012	514	0.19	1
2013	519	0.19	1
2014	523	0.19	1
2015	527	0.19	1
2016	532	0.19	2
2017	536	0.20	2
2018	541	0.20	2
2019	545	0.20	2
2020	550	0.20	2
2021	555	0.20	2
2022	559	0.20	3
2023	564	0.21	3
2024	155	0.06	3
2025	155	0.06	3
2026	155	0.06	3
2027	155	0.06	3
		5	

*Figures reflect existing deficiency.

Capital Project Costs

The future facility and heavy vehicle capital costs are shown on the schedules in **Tables F-5** and **F-6**. The costs are shown in current dollars, and then adjusted to reflect the net present value. For facility construction (Table F-3), the cost of construction is adjusted to reflect the construction cost inflation factor, before conversion to net present value.[2] Note that all of the first two facility projects, and a portion of the third, are not impact fee eligible in that the square footage is required in order to meet an existing deficiency.

[2] For more information on the construction cost inflator and net present value, see the 'Cost Adjustments and Credits' section of the *Peachtree City Impact Fee Methodology Report*, November 5, 2008.

Table F-5
Facility Costs to Meet Future Demand

Year	Project	Square Footage	Cost*	Adjusted Construction Cost**	Const. Cost - Net Present Value**	% for New Growth	New Growth Cost (NPV)
2009	Station 84 expansion	1,260	$219,801.03	$240,387	$221,649	0.00%	$0
2010	New Station 85	8,952	$1,561,634	$1,759,625	$1,579,161	0.00%	$0
2012	New Station 86	8,952	$1,721,701	$2,059,297	$1,750,767	73.08%	$1,279,526
		19,164	$3,503,136	$4,059,308	$3,551,577		**$1,279,526**

*Estimated costs based on City estimates.

**Adjusted cost is based on construction cost estimate adjustment; net present value is based on Consumer Price Index adjustment of adjusted construction cost.

In Table F-6, two of the five vehicles are not impact fee eligible since they are required in order to meet an existing deficiency.

Table F-6
Heavy Vehicle Costs to Meet Future Demand

Year	New Vehicles	Gross Cost*	Net Present Value - Gross Cost**	% for New Growth	New Growth Cost (NPV)
2009	Heavy Rescue	$375,000	$345,769	0.00%	$0
2010	Quint	$734,031	$658,750	100.00%	$658,750
2011	Ambulance	$215,000	$187,800	0.00%	$0
2012	Engine	$711,320	$604,748	100.00%	$604,748
2013	Ambulance	$237,037	$196,145	100.00%	$196,145
		$2,272,388	$1,993,213		**$1,459,643**

*Estimated costs based on City estimates and comparable units.
**Net present value is based on Consumer Price Index adjustment of gross cost.

Police Facilities

The City Police Department provides primary law enforcement to the city. Impact fee calculations for the Police Department functions will be based on a service area that includes the entire city.

Service Area

The entire city is considered a single service area for the provision of Police Department services because all residents and employees in the city have equal access to the benefits of the program.

Projection of Needs

Between 2008 and 2027, the day/night population (a combination of residents and employees) in the police facilities service area will grow from 54,615 to 63,215, an increase of 8,600 persons.

Level of Service

The City has determined that it would adopt a LOS based on the current level of service, which is in turn based on a total of 14,000 square feet of police facility space. In **Table PD-1** the adopted level of service is applied to future growth. The 'day/night population increase' figure is calculated from Table P-4. The additional number of forecasted day/night population to the year 2027 is multiplied by the adopted level of service to produce the future demand figure. There is no existing deficiency.

Table PD-1

Future Demand Calculation

SF/day/night population	Day/night Pop Increase (2008-27)	New Square Feet Demanded
0.2563	8,601	2,205

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Capacity to Serve New Growth

A future police facility project is contemplated to meet future demand. **Table PD-2** presents the annual forecasted square footage demand, accompanied by the proposed facility expansion project. This project could be reconfigured; 2,205 square feet are ultimately impact fee eligible.

Table PD-2

Future Police Facility Projects

Year	Day/night Pop Increase	SF Demanded (annual)	Running Total: SF Demanded	Project	Net New Square Footage
2008	*0*	*0*	*0*		
2009	501	129	129		
2010	506	130	258		
2011	510	131	389		
2012	514	132	521		
2013	519	133	654		
2014	523	134	788		
2015	527	135	923		
2016	532	136	1,059	New Facility	2,205
2017	536	137	1,197		
2018	541	139	1,335		
2019	545	140	1,475		
2020	550	141	1,616		
2021	555	142	1,758		
2022	559	143	1,902		
2023	564	145	2,046		
2024	155	40	2,086		
2025	155	40	2,125		
2026	155	40	2,165		
2027	155	40	2,205		
				New Growth Total:	2,205

Capital Project Costs

Future costs to meet the square footage demanded by new growth to 2027 are shown in **Table PD-3**. Estimated project cost is based on comparable facility estimates of other jurisdictions. The costs are shown in current dollars, and then adjusted to reflect the net present value. For facility construction, the cost of construction is adjusted to reflect the construction cost inflation factor, before conversion to net present value.[3]

Table PD-3

Project Costs to Meet Future Demand

Year	Project	Square Footage	Cost*	Adjusted Construction Cost**	Const. Cost - Net Present Value**	% for New Growth	New Growth Cost (NPV)
2015	New Facility	2,205	$385,875	$504,764	$395,688	100.00%	**$395,688**

*Cost estimate is based on an estimated per square foot cost of $175.

**Adjusted cost is based on construction cost estimate adjustment; net present value is based on Consumer Price Index adjustment of adjusted construction cost.

[3] For more information on the construction cost inflator and net present value, see the 'Cost Adjustments and Credits' section of the *Peachtree City Impact Fee Methodology Report*, November 5, 2008.

Parks and Recreation Facilities

Public recreational opportunities are available in Peachtree City through a number of parks facilities operated by the City. Demand for recreational facilities is almost exclusively related to the city's resident population. Businesses make some incidental use of public parks for office events, company softball leagues, etc., but the use is minimal compared to that of the families and individuals who live in the city. Thus, the parks and recreation impact fee is limited to future residential growth.

Service Area

The city park system operates as part of a city-wide system of parks. Parks and recreational facilities are made available to the city's population without regard to where in the city the resident lives. In addition, the facilities are provided equally to all residents, and often used on the basis of the programs available, as opposed to proximity of the facility. For instance, children active in the little leagues play games at various locations throughout the city, based on scheduling rather than geography. Other programs are located only at certain centralized facilities, to which any Peachtree City resident can come. As a general rule, parks facilities are located throughout the city, and future facilities will continue to be located around the city so that all residents will have recreational opportunities available on an equal basis. Thus, the entire city is considered a single service area for parks & recreation.

Projection of Needs

Demand for recreational facilities is almost exclusively related to the city's resident population. Businesses make some use of public parks for office events, company softball leagues, etc., but the use is minimal and considered incidental compared to that of the families and individuals who live in the city. Thus, a parks and recreation impact fee is limited to future residential growth.

Between 2008 and 2027, the dwelling units in the service area will grow from 12,795 to 14,230, an increase of 1,435 dwelling units.

Level of Service

The City has adopted a level of service standard for parks acreage based on the target of 15.0 acres per 1,000 dwelling units, and developed components based on the year 2008 LOS. **Table PR-1** shows the future demand in parks acreage and components based on the adopted LOS standards. The increase in dwelling units between 2008 and 2027 is multiplied by the level of service standards to produce the future demand. The ‘new dwelling units’ figure is taken from Table P-4. At the desired level of service, the city currently has excess capacity in the parks acreage category. No new park acres would need to be added to the system in order to maintain the desired LOS. Note also that for some developed component categories (multi-use fields and volleyball courts) there is little future demand, in that the adopted level of service in each case results in a demand of less than a tenth of a facility.

Table PR-1
Future Demand Calculation

AC/1,000 Dwelling Units	Number of New Dwelling Units (2008-27)	Acres Demanded
15.0	1,435	21.5
	Excess Capacity (acres)	(224.8)
	Net New Acres	(203.3)

Adopted LOS per 1,000 Dwelling Units	New Components Demanded (2008-2027)	
1.719	2.5	Ball Fields
1.172	1.7	Soccer Fields
0.156	0.2	Football Fields
0.078	0.1	Multi-use Fields
0.938	1.3	Tennis Courts
0.703	1.0	Basketball Ct.s
0.078	0.1	Volleyball Ct.s
0.703	1.0	Fishing Area
0.391	0.6	Swimming Pools
0.625	0.9	Playgrounds
1.016	1.5	Picnic Areas
1.719	2.5	Concess/RR
0.938	1.3	Tot Lots

Capital Project Costs

Table PR-2 is a listing of the future capital projects costs for the developed components required in order to maintain the adopted level of service standards. The ‘units to be added’ figures are drawn directly from Table PR-1, and rounded up to the next whole facility.[4] As a result, some portions of these projects are not impact fee eligible since they provide excess capacity beyond that demanded by currently forecasted growth. This is because the City cannot construct a portion of a facility, but must provide developed components in ‘whole’ numbers. For example, new growth to 2027 requires 2.5 ball fields in order to maintain the current LOS (see table PR-1). However, three entire ball fields will have to be built since there is no such thing as 0.5 of a ball field. So three fields will be built, and 0.5 of that third field will be excess capacity that can be recouped through future impact fee collections from growth beyond 2027.

[4] Two facility types—volleyball courts and multi-purpose fields—are not included in the future plans shown here in that the future demand for these facilities is very low (one-tenth of a unit).

Project years have been selected to match the distribution of new facilities with demand, based on the population forecast of the city. Project cost estimates are based on comparable facility construction estimates; these gross costs have been converted to net present value figures.[5]

Table PR-2
Future Park Facility Costs

Year	Facility Type	Units to be Added	Cost per Unit*	Gross Cost	Net Present Value - Gross Cost**	% for New Growth	Net Cost to New Growth
2013	Ball Fields	3	$250,000	$750,000	$620,615	83.33%	$517,179
2017	Soccer Fields	2	$200,000	$400,000	$297,049	85.00%	$252,491
2013	Football Fields	1	$200,000	$200,000	$165,497	20.00%	$33,099
2017	Tennis Courts	2	$60,000	$120,000	$89,115	65.00%	$57,924
2015	Basketball Ct.s	1	$45,000	$45,000	$35,276	100.00%	$35,276
2018	Fishing Areas	1	$144,000	$144,000	$104,083	100.00%	$104,083
2020	Swimming Pools	1	$600,000	$600,000	$410,841	60.00%	$246,504
2014	Playgrounds	1	$50,000	$50,000	$40,270	90.00%	$36,243
2016	Picnic Areas	2	$30,000	$60,000	$45,779	75.00%	$34,334
2013	Concess/RR	3	$225,000	$675,000	$558,554	83.33%	$465,461
2018	Tot Lots	2	$125,000	$250,000	$180,700	65.00%	$117,455
				$3,294,000	$2,547,779		**$1,900,052**

*Estimated costs are based on comparable facility costs.

**Net present value is based on Consumer Price Index adjustment of gross cost.

[5] For more information on net present value, see the ‘Cost Adjustments and Credits’ section of the *Peachtree City Impact Fee Methodology Report*, November 5, 2008.

Exemption Policy

Peachtree City recognizes that certain office, retail trade and industrial development projects provide extraordinary benefit in support of the economic advancement of the city's citizens over and above the access to jobs, goods and services that such uses offer in general. To encourage such development projects, the City Council may consider granting a reduction in the impact fee for such a development project upon the determination and relative to the extent that the business or project represents extraordinary economic development and employment growth of public benefit to Peachtree City, in accordance with adopted exemption criteria. It is also recognized that the cost of system improvements otherwise foregone through exemption of any impact fee must be funded through revenue sources other than impact fees.

Short Term Work Program

(2009–2013) AMENDMENT

Capital Project	Start Year	Responsible Party	Cost Estimate	Anticipated Funding Source(s)
Collection Materials Purchase	2009	City Council, Library Board, State of Georgia	$16,247	State of Georgia, 89% Impact Fees, General Fund
Collection Materials Purchase	2010	City Council, Library Board, State of Georgia	$15,922	State of Georgia, 87% Impact Fees, General Fund
Collection Materials Purchase	2011	City Council, Library Board, State of Georgia	$15,604	State of Georgia, 84% Impact Fees, General Fund
Collection Materials Purchase	2012	City Council, Library Board, State of Georgia	$15,292	State of Georgia, 82% Impact Fees, General Fund
Collection Materials Purchase	2013	City Council, Library Board, State of Georgia	$14,986	State of Georgia, 80% Impact Fees, General Fund
Fire Station 84 expansion	2009	City Council, Fire Department	$221,649	General Fund
New Fire Station 85	2010	City Council, Fire Department	$1,579,161	General Fund
New Fire Station 86	2012	City Council, Fire Department	$1,750,767	73% Impact Fees, General Fund
Heavy Rescue	2009	City Council, Fire Department	$345,769	General Fund
Quint	2010	City Council, Fire Department	$658,750	100% Impact Fees
Ambulance	2011	City Council, Fire Department	$187,800	General Fund
Engine	2012	City Council, Fire Department	$604,748	100% Impact Fees
Ambulance	2013	City Council, Fire Department	$196,145	100% Impact Fees
3 Ball Fields	2013	City Council, Parks Department	$620,615	83% Impact Fees, General Fund
Football Field	2013	City Council, Parks Department	$165,497	20% Impact Fees, General Fund
Concession Stand/Restroom	2013	City Council, Parks Department	$558,554	83% Impact Fees, General Fund

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor & Council Members**

VIA: **City Manager**
City Clerk

FROM: **Interim Community Development Director** David

DATE: **August 25, 2009**

SUBJECT: **Consider amendments to LUR-7 zoning ordinance clarifying conditions of zoning for the Cardiff Park subdivision**
September 3, 2009 City Council Agenda

Recommendation:

Approve amendments to Section 1013A.7 Limited Use Residential zoning district clarifying conditions of zoning for the Cardiff Park subdivision (Attachment "A").

Discussion:

The Cardiff Park subdivision was initially rezoned on October 9, 1998 to permit a 28-lot single-family detached residential subdivision adjacent to the entrance of the Planterra Ridge subdivision. The conditions of zoning were amended on July 17, 2003 to rectify a situation with decks that had been or would be constructed on several of the homes (Attachment "B").

During our review of a variance application for one of the homes within the subdivision, Staff discovered that the conditions of zoning within the ordinance presented to Council for signature following the July 17, 2003 meeting differed from the conditions of zoning identified within Staff's recommendation (Attachment "C"). In addition, the amended ordinance did not include two additional conditions imposed by City Council when they made the motion to adopt Staff's recommendation (Attachment "D").

To rectify this situation, Staff is proposing that we repeal the existing ordinance in its entirety and replace it with an amended ordinance which accurately reflects what was presented to and approved by City Council in 2003.

Staff has notified each of the residents within the Cardiff Park subdivision and advised them this item will be discussed in a Public Hearing. Once the amended ordinance is adopted, we will also send a copy of the new ordinance to each resident for their records.

Budget impacts

There are no budgetary impacts associated with this request.

Ordinance Number _____ (LUR-7 - amended)

AN ORDINANCE TO AMEND THE PEACHTREE CITY ZONING ORDINANCE, AS AMENDED, SPECIFICALLY ARTICLE X, REQUIREMENTS BY DISTRICT, SECTION 1013A.7 LIMITED USE RESIDENTIAL DISTRICT NO. 7, TO CLARIFY CONDITIONS OF REZONING; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO ESTABLISH AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

NOW THEREFORE, BE IT AND IT IS HEREBY ORDAINED by the City Council of the City of Peachtree City that:

Section 1. Article X, Requirements by District, Section 1013A.7 Limited Use Residential District No. 7 of the Peachtree City Zoning Ordinance, be repealed in its entirety and replaced as follows:

(Section 1013A.7) Limited use residential district no. 7

All that tract or parcel of land lying and being in Land Lot 160 of the 7th District of Fayette County, Georgia, and being more particularly described as follows:

> Beginning at the intersection of the northwest right-of-way of Terra Verte (a 50' R/W) and the southwest right-of-way of Planterra Way (a variable R/W); Thence northwest along the southwest R/W of Planterra Way a distance of 411.57' to a point. Thence, leaving the R/W of Planterra Way North 88 degrees 24 minutes 01 seconds West a distance of 169.62 to a 5/8" rebar and the True Point of Beginning; Thence North 88 degrees 24 minutes 01 seconds West a distance of 829.58' to a ½" rebar; Thence North 01 degrees 17 minutes 58 seconds East a distance of 355.96' to a point; Thence South 88 degrees 22 minutes 14 seconds East a distance of 834.77' to a 5/8" rebar; Thence South 2 degrees 8 minutes 10 seconds West a distance of 355.53' to the True Point of Beginning. Said tract containing a total of 6.796 acres more or less.

The above-described tract is further illustrated in Exhibit, "A" which is included with this Ordinance as an attachment. It is intended that the LUR-7 zoning district be established specifically for a 28-lot subdivision for single-family detached homes in accordance with the design presented in Exhibit "A" and consistent with the principles and standards set forth in the rezoning request dated October 9, 1998, revised November 24, 1998, and as amended on July 17, 2003 and September 3, 2009.

In addition to the special conditions stated above, the uses on this property shall be governed by the general conditions contained in Section 1013 of the Peachtree City Zoning Ordinance and the following conditions:

Attachment "A"

(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.

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

Section 2. All ordinances or parts thereof which conflict with the provisions of this ordinance are, to the extent of such conflict and except as hereinafter provided, hereby repealed.

Section 3. Should any provision of this ordinance be declared invalid by a Court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any provision thereof other than the provisions specifically declared to be invalid. The City Council declares that it would have passed this ordinance and each subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more subsections, sentences, clauses or phrases may be declared invalid.

Section 4. This ordinance shall be in full force and effect upon its official adoption by the City Council.

This _________ day of ________________________ 2009.

____
Harold K. Logsdon, Mayor

____

____

____

____

Attest: ______________________________
City Clerk

Ordinance Number 813 (LUR-7 - amended)

AN ORDINANCE TO AMEND THE PEACHTREE CITY ZONING ORDINANCE TO REZONE PROPERTY ADJACENT TO PLANTERRA WAY TO CHANGE THE CONDITIONS OF DEVELOPMENT, AND FOR OTHER PURPOSES

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PEACHTREE CITY, and it is hereby ordained by authority of the same, that all property included in the LUR-7 zoning district be rezoned with the following modified conditions:

Section 1013A.7 Limited Use Residential District No. 7

> **All that tract or parcel of land lying and being in Land Lot 160 of the 7th District of Fayette County, Georgia, and being more particularly described as follows:**
>
> **Beginning at the intersection of the northwest right-of-way of Terra Verte (a 50' R/W) and the southwest right-of-way of Planterra Way (a variable R/W); Thence northwest along the southwest R/W of Planterra Way a distance of 411.57' to a point. Thence, leaving the R/W of Planterra Way North 88 degrees 24 minutes 01 seconds West a distance of 169.62 to a 5/8" rebar and the True Point of Beginning; Thence North 88 degrees 24 minutes 01 seconds West a distance of 829.58' to a ½" rebar; Thence North 01 degrees 17 minutes 58 seconds East a distance of 355.96' to a point; Thence South 88 degrees 22 minutes 14 seconds East a distance of 834.77' to a 5/8" rebar; Thence South 2 degrees 8 minutes 10 seconds West a distance of 355.53' to the True Point of Beginning. Said tract containing a total of 6.796 acres more or less.**

The above-described tract is further illustrated in Exhibit, "A" which is included with this Ordinance as an attachment. It is intended that the LUR-7 zoning district be established specifically for a 28-lot subdivision for single-family detached homes in accordance with the design presented in Exhibit "A" and consistent with the principles and standards set forth in the rezoning request dated October 9, 1998, revised November 24, 1998, and amended July 17, 2003. In addition to the special conditions stated above, the uses on this property shall be governed by the general conditions contained in Section 1013 of the Peachtree City Zoning Ordinance and the following conditions:

(1) Minimum rear building setbacks:
Lots 1-5 and 24-38 - 20 feet
Lots 6-23 – 10 feet

(2) No portion of the foundation for any home within the subdivision shall be located closer than 20 feet to the rear property line.

(3) Wooden decks or raised patios shall be permitted within the rear building setback on Lots 6-23, but in no case shall these structures be permitted closer than 10 feet to the rear property line.

(4) Roofed structures (enclosed patios, decks, sunrooms, etc.) shall not be permitted within the rear building setback on any lot without first securing a variance.

(5) Decks and other outside structures must be identified on all site plans submitted to the Building Department prior to issuance of a Building Permit.

All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed in their entirety.

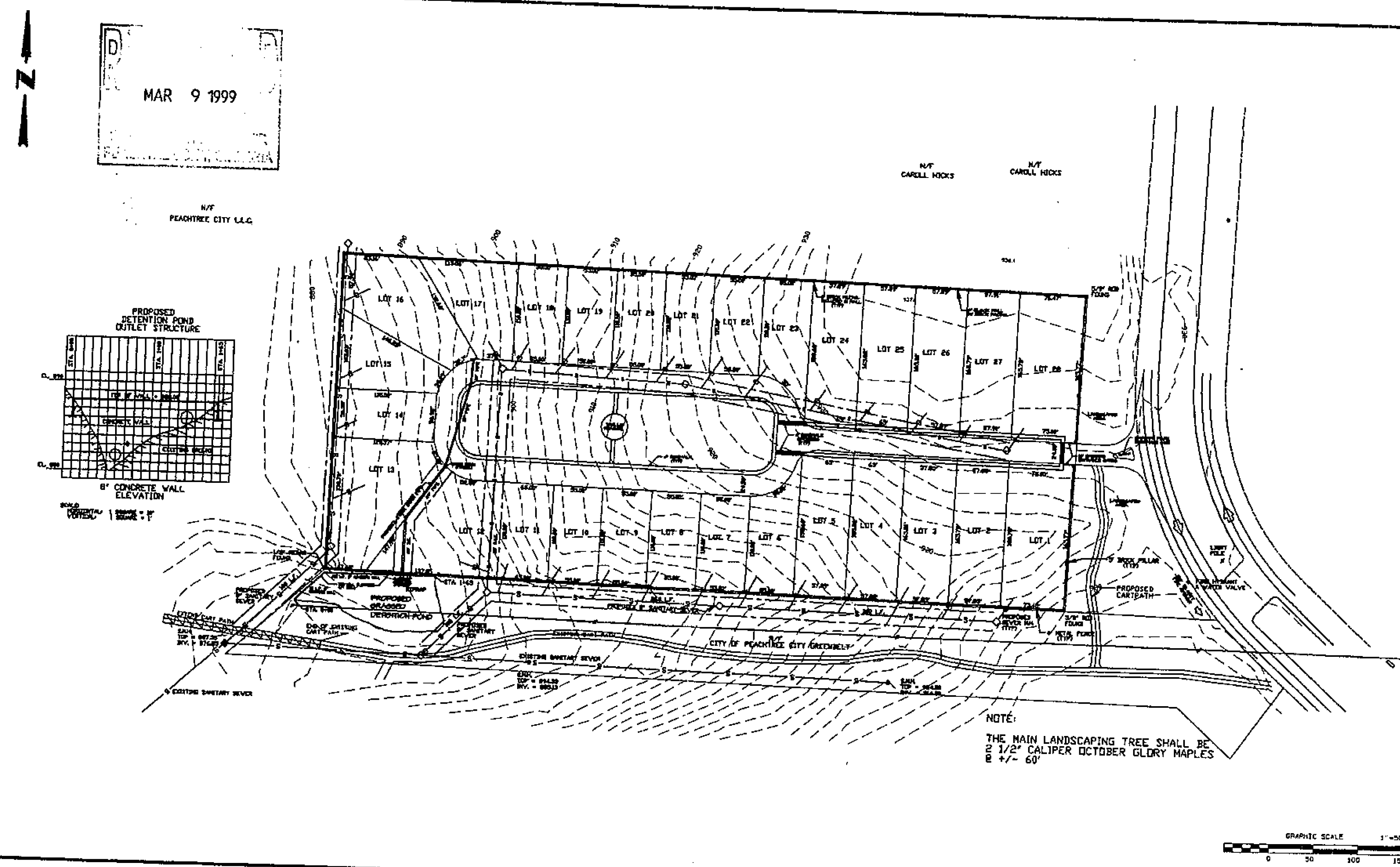
Done, Ratified, and Passed this 17th day of July 2003.

Stephen D. Brown, Mayor

Linnie W. McMenamy

Attest: City Clerk

Attachment "E"



jefferson consultants

consulting engineers - surveyors - planners
P.O. BOX 2627 PEACHTREE CITY
GEORGIA 30269
TEL: (770) 487-9220 FAX: (770) 487-9225

CONCEPT PLAN

CARDIFF PARK AT PLANTERRA

PREPARED FOR:
CROWN DEVELOPMENT
P.O. BOX 2641
PEACHTREE CITY, GA 30269
CONTACT: MUKUT GUPTA
PHONE: 770-487-0220
OWNER & DEVELOPER

SITE LOCATION
LAND LOT 160
7th LAND DISTRICT
PEACHTREE CITY, GEORGIA
PLANTERRA WAY
01/15/99

REVISIONS
SHEET 1
JOB NO. 41200

POSITION PAPER

Proposed Amendment to LUR-7 Zoning District: Cardiff Park Subdivision
Reduction in minimum rear building setback
City Planner/ Zoning Administrator David
July 9, 2003

Situation:

Olde Towne Builders has purchased all of the lots and is building homes within the Cardiff Park Subdivision. While several of these homes were under construction, decks were added on the rear of the homes, and many of these decks encroached into the established rear building setback. When this encroachment was discovered, the Applicant was notified that a variance would be required to correct this problem. The Applicant 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. Rather than seeking variances for many of the lots within the overall subdivision, 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 Applicant has submitted all of the required documentation and has requested that the existing LUR-7 zoning ordinance be amended to reduce the minimum rear-building setback (Attachment "A").

Facts:

1. The Cardiff Park subdivision was rezoned to LUR-7 Limited Use Residential on December 7, 1998. The site plan adopted as a part of this rezoning identified a 20' rear-building setback on all lots within the subdivision (Attachment "B").

2. Building Permits and Certificate of Occupancy permits have been issued for homes on twelve (12) lots within the overall subdivision. Eleven (11) of these homes have been sold and the remaining home serves as the model home and sales center.

3. On July 29, 2002, the Applicant submitted separate variance applications for Lots 7, 10 and 15 to correct the deck encroachment situation. This request was heard at the August 15, 2002, City Council meeting.

4. At that meeting, the Applicant indicated that variances would be necessary for several of the remaining lots within the subdivision to accommodate the rear decks. Another option was to redesign the remaining homes and have two styles of homes within the subdivision. Council voted to table these variance requests and asked the Applicant to work with City Staff to amend the rear building setback requirements within the LUR-7 zoning district from 20' to 10' (Attachment "C").

Attachment "C"

5. As a part of their application to amend the zoning, the Applicant has provided written authorization from all property owners within the subdivision indicating they are aware of and support the request to reduce the rear-building setback.

6. At their meeting on June 23, 2003, the Planning Commission voted unanimously to recommend that the LUR-7 Limited Use Residential District No. 7 zoning classification be amended as requested to reduce the rear building setback requirements from 20' to 10' (Attachment "D").

Recommendation:

Staff recommends that Council amend the LUR-7 Limited Use Residential District No. 7 zoning classification as requested (Attachment "E"). Reducing the rear building setback from 20' to 10' will allow the existing decks to remain in place and will allow the construction of decks on new homes within the subdivision without the need for variances for individual parcels. This will also allow the builder to continue building similar homes within the subdivision rather than changing to a new product.

The rear of many of the lots within the subdivision are enclosed with a 6'-high wrought iron fence with brick pillars while the remainder of the lots are enclosed with a 6'-high solid masonry wall. Lots within the subdivision back up to a City-owned greenbelt or commercial property, and the deck encroachment will not impact these properties.

While Staff is in support of this reduction, the following conditions should also be adopted as a part of this amendment:

1. Decks and other outside structures must be identified on future site plans submitted to the Building Department prior to issuance of a Building Permit.
2. Only wooden decks or raised patios shall be permitted within this reduced setback. Roofed structures (enclosed patios, decks, sunrooms, etc.) shall not be permitted without securing a variance from the City.
3. In no case shall any part of the structure or deck encroach into the 10' building setback.

EXCERPT FROM APPROVED MEETING MINUTES
CITY COUNCIL

July 17, 2003

07-03-07 Public Hearing – Rezoning – Revision to LUR-7 Zoning in Cardiff Park

Attorney Robert Stein represented the applicant. Mark Willie, president of Olde Towne Builders, also attended. Stein said the request was to reduce the rear yard setback from 20 feet to 10 feet. Stein noted that last year Olde Towne Builders appeared before Council and had originally requested several variances in order to reduce the rear yard setback. Council requested Olde Towne look at a rezoning rather than so many variances in the subdivision. Olde Towne was bounded on three sides by greenbelts. When building started, Olde Towne mistakenly put decks on the homes and the mistakes continued as certificates of occupancy were issued, surveyed, and the properties were sold. Stein said the individual owners joined the applicant in requesting the revision to the zoning.

Tim Lydell, a Cardiff Park homeowner, addressed Council. Lydell spoke on behalf of all the residents. He said the homeowners had met several times to discuss the matter and supported the recommendation wholeheartedly. He said the revision would solve a number of issues and make the homes more salable. Lydell asked Council to support the issue. Lydell pointed out the builders still had control of the homeowners association and the homeowners had met on their own.

Rast said this was a good recommendation. He explained that limited use residential zoning allowed the City to set specific guidelines and setbacks within the zoning districts. He said the original developer based the concept on something he had seen in Europe. Rast said Cardiff Park was a great subdivision that was also a nice entrance into Planterra Ridge. Olde Towne later bought all the lots and also came up with a unique plan with front courtyards. With the park located in the center of the subdivision, several of the lots had depth problems. When the decks were built, they encroached into the setback. When it was discovered several variances would be needed, Council directed staff and the builder to come up with another plan. Rast said all the conditions of the LUR-7 zoning remained the same except for the rear building setback. Only decks would be allowed in the setback. Any homeowner who wanted to enclose the deck would have to request a variance from Council. Rast said staff recommended the revision to the zoning ordinance be granted. Three sides of the subdivision backed up to greenbelt and open space and the fourth side backed up to commercial property, which was separated by a masonry fence.

Brown asked where the masonry fence was located and Rast said he thought it was right on the property line. He asked Rast if the decks would be a problem with the neighboring commercial area. Rast answered the setback area between commercial and residential was always increased. He added that they would work with commercial developer to ensure there would be a significant buffer.

Rapson said it appeared the rezoning would change the buffer requirement for the entire subdivision. He said the rezoning should cover just the 12 affected lots and that the applicant should agree to notify the homeowners in writing of the conditions of the rezoning revision. Rast said that could be done, however, he did not have plans for the homes on the larger lots. Rapson continued that he saw no immediate need to lessen the buffers for the homes not affected or tied to the geographic area of the park. Rapson suggested modifying the revision to include lots 6-12 and 17-23. Rast said it would actually be lots 6-23 because there were issues on the other lots.

Weed noted that he attended law school with Robert Stein. Weed said he did not believe that posed a conflict, but he did know him. Meeker said he did not see a conflict of interest.

Phyllis Aquayo addressed Council and said she was concerned that the builder had a plan that had been approved and was now coming back for a change. She continued that had happened before and asked how it could be prevented from becoming a precedent.

Brown pointed out that he had recommended the rezoning. He said that the problem was that the decks had not been included on the site plans. Once the houses and decks had been built, there had been an encroachment problem. Brown said the types of homes in the subdivision were different from other subdivisions and changing the design of the houses could have had a negative impact on the subdivision. From the City's perspective, the City had to be more diligent and vigilant in finding the problems earlier rather than later.

McMenamin recalled that there had also been a blanket variance for McIntosh Corners when it was discovered the chimneys were in the setbacks. The situation had happened before. Aquayo did not return to the microphone and her comments were inaudible.

Brown added that Council had also discussed additional landscaping, but that did not come out in the proposal before Council. Rast explained that about a dozen of the homes shared an easement with a power company. Because of the transmission wires, they had to be careful of what was planted.

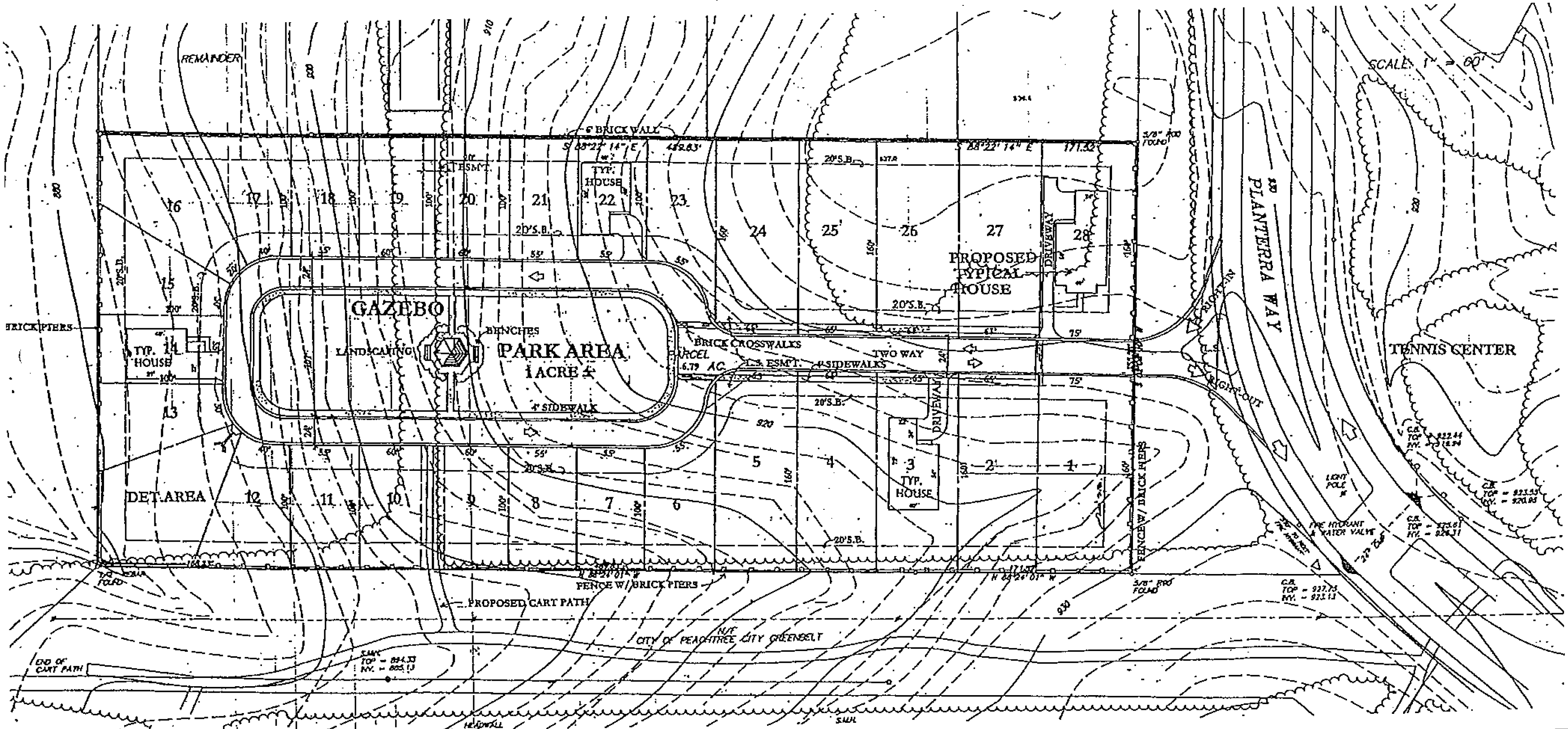
Weed noted that the decks had not been on the plans, but certificates of occupancy were issued. He asked if it was the City that issued those certificates. Rast said yes. Weed asked what could have been done to prevent the situation. Rast said that fortunately such incidents were few and far between. Sometimes things were missed, but changes had already taken place to prevent similar occurrences. Rast added that in cluster subdivisions the builders often built to the setback.

Rapson moved that Council accept staff's recommendation with the following two changes – that condition number four be added that the applicant must provide in writing to each existing and future homeowner the list of the conditions, which included condition number five that lot numbers 6 - 23 on the property, Exhibit B, were the actual lots that fell under this particular rezoning request. Tennant seconded.

The applicant was asked if he accepted conditions and he agreed. The motion carried unanimously.

CARDIFF PARK

A SINGLE FAMILY COMMUNITY
PLANTERRA WAY PARKWAY
PEACHTREE CITY GEORGIA



rson ultants — consulting engineers – surveyors – planners, P.O. BOX 2627, PEACHTREE CITY GEORGIA 30269, PH. 770-487-9220, FAX 770-487-9225	PREPARED FOR: CROWN DEVELOPMENT	CARDIFF PARK	A SINGLE FAMILY COMMUNITY PLANTERRA WAY PARKWAY PEACHTREE CITY GEORGIA	LAND LOT 160; 7th DISTRICT; FAYETTE COUNTY, GA; SCALE: 1" = 60'; DATE: 9/10/98; REV.; REF.; JOB NO. 971208

Exhibit "A"

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: City Manager

FROM: Financial Services Director P.S.

DATE: August 28, 2009

SUBJECT: FY 2010 Budget Resolution

September 3, 2009 City Council Meeting

Recommendation:
Adopt the attached FY 2010 Budget Resolution, and confirm the supporting budget summaries.

Discussion:
Council has already conducted several budget workshop meetings and held a public hearing on the proposed FY 2010 Budget, pursuant to O.C.G.A. 36-81-5, and is now ready to adopt the budget. The resolution and supporting documents for the FY 2010 budget are consistent with the information presented at the August 27 special-called meeting. The attached General Fund revenue schedules include ad valorem tax revenues that are based on a combined (Maintenance & Operation and Bond) millage rate of 5.533 mills – the same as our current total millage rate.

Budgetary Impact:
Upon adoption of the budget resolution, staff will be authorized to implement the FY 2010 budget on October 1, 2009 based upon the budget summaries attached to the resolution.

BUDGET RESOLUTION

A RESOLUTION ADOPTING A BUDGET FOR THE FISCAL YEAR 2010 FOR EACH FUND OF PEACHTREE CITY, APPROPRIATING THE AMOUNTS SHOWN IN EACH BUDGET AS EXPENDITURES, ADOPTING THE ITEMS OF ANTICIPATED FUNDING SOURCES, PROHIBITING EXPENDITURES TO EXCEED APPROPRIATIONS, AND PROHIBITING EXPENDITURES FROM EXCEEDING ACTUAL FUNDING SOURCES.

WHEREAS, a proposed budget for each of the various funds of the City has been presented to the City Council and,

WHEREAS, appropriate advertised public hearings have been held on the FY 2010 Proposed Budget, as required by Federal, State and Local Laws and Regulations; and,

WHEREAS, the City Council has reviewed the proposed budget and has made certain amendments to funding sources and appropriations; and,

WHEREAS, the budget for each fund includes appropriations for Fiscal Year 2010, incorporates certain levies, assessments, fees and charges to finance these expenditures and fits the anticipated funding sources; and

WHEREAS, each of the funds has a balanced budget, such that anticipated funding sources equal proposed expenditures; and,

WHEREAS, there are adequate funds available in cash reserves to cover any unanticipated revenue shortfall;

NOW, THEREFORE, BE IT RESOLVED that this budget, a summary of which is hereto attached, is hereby adopted specifying the anticipated funding sources for each fund and making appropriations for proposed expenditures to the Divisions named in each fund.

SO RESOLVED, in open session assembled pursuant to law. This ___ day of ________, 2009.

____
Mayor

____

____

____

____

ATTEST: ______________________________
Betsy Tyler, City Clerk

General Fund
FY 2010 Budget Summary

Sources of Funds:

Estimated Revenues		
Taxes	$21,918,883	
Licenses & Permits	$767,569	
Intergovernmental (Grants)	$434,801	
Charges for Services	$1,309,544	
Fines & Forfeitures	$1,127,852	
Investment Income	$198,513	
Miscellaneous	$65,234	
Total Estimated Revenues:		**$25,822,396**
Other Sources (Transfer from Hotel/Motel Tax Fund)		**$256,054**
Surplus Carryover:		**$451,181**
Total Sources of Funds:		**$26,529,631**

Uses of Funds:

Appropriations		
Departmental Operating Expenses		
Administrative Services	$1,481,218	
Financial Services/ I.T.	$1,074,015	
Public Safety	$12,763,528	
Public Works	$3,257,420	
Culture & Recreation	$4,378,576	
Developmental Services	$1,099,709	
Total Departmental Appropriations:		**$24,054,466**
Salary Vacancy/ Other Savings		**-$481,089**
General Administration		
Council Contingency	$50,000	
Not-for-Profit Organizations	$28,130	
General Liability Insurance	$91,610	
Development Authority Bond	$140,109	
Miscellaneous Legal Fees/Claims	$125,675	
Other Expenses	$36,958	
Administrative/Technical Contingencies	$75,000	
Total General Administration:		**$547,482**
Transfers to Other Funds/Authorities		
Transfer to PIP	$23,480	
Transfer to Debt Service	$2,325,292	
Development Authority of Peachtree City	$35,000	
Transfer to Amphitheater Fund	$25,000	
Total Transfers:		**$2,408,772**
Total Uses of Funds		**$26,529,631**

General Fund - Sources of Funds

08/28/2009

Account Title	Proposed FY 2010 Budget
Taxes	
Ad Valorem (Real) Property - Current	$9,156,713
Ad Valorem (Real) Property - Prior Yrs.	$148,049
Motor Vehicle	$575,909
Real Estate Transfer Tax	$39,237
Recording Intangible Tax	$113,239
GA Power Franchise Tax	$954,233
Coweta Fayette EMC	$863,030
Atlanta Gas Franchise Tax	$237,823
Comcast	$277,129
NuLink	$7,970
Communications Franchise Tax	$195,895
Local Option Sales Tax	$6,350,841
Alcoholic Beverage Tax	$602,804
Mixed Drink Tax	$82,690
Business/Occupational Tax	$408,804
Insurance Premium Tax	$1,820,500
Financial Institutions	$84,017
Total Taxes:	**$21,918,883**
Licenses & Permits	
Alcoholic Beverage Licenses	$262,319
Alcohol Server Registration Fees	$33,225
Golf Cart Registration	$51,701
Building Permits	$209,720
Plan Review Fees	$43,182
Resubmittal Fees	$3,000
Plumbing Permits	$24,170
Electrical Permits	$36,139
HVAC Permits	$22,137
Temporary Sign/Use	$500
Soil Erosion Permits	$5,000
Notice of Intent - EPD	$1,700
Land Disturbance Fees	$15,000
Application Fees	$15,639
Zoning/Subdivision Fees	$8,347
Sign Permits	$8,500
Kedron Development Fees	$0
Burn Permits	$0
Blasting Permits	$500
Miscellaneous Fire Permits	$0
Certificates of Occupancy	$4,000
Certificates of Completion	$1,000
Certificates of Compliance- Fire	$2,500
Site Follow Up - Fire	$500
Site Plan Review Fees	$1,500

General Fund - Sources of Funds

Account Title	Proposed FY 2010 Budget
Conceptual Plan Fees	$0
Final Site Plan Fees	$845
Reinspection Fee	$100
New Construction Plan Review	$13,845
Fire Sprinkler Plan Review	$2,500
Subdivision- Plan Review Fees	$0
Total Licenses & Permits:	**$767,569**
<u>Intergovernmental</u>	
Matching Grants	$6,711
L.A.R.P Grants - GA DOT	$0
FCBOE Reimb.- Resource Officers	$44,000
Fayette County Recreation Grant	$150,000
Federal Grants	$234,090
Police FAST Grants	$0
Total Intergovernmental:	**$434,801**
<u>Charges for Services</u>	
Development Fee Collected	$2,500
Fire Report Copy Revenue	$0
Sale of Merchandise	$500
Donations	$2,000
EMS Revenues (Ambulance Fees)	$376,200
Tower Lease	$158,759
Recycling Revenues	$0
Facility Rentals	$22,103
Tourism Events/Activities/Energy Prog.	$0
Recreation Program Fees	$706,421
TAG Program Revenues	$0
Tournament Fees	$3,000
Other Charges for Services	$25,750
Youth Council - Ticket Sales	$0
Amphitheater Reimbursements	$0
DAPC/WASA Reimbursements	$10,311
Charges for Services - PCTA	$2,000
Total Charges for Services:	**$1,309,544**
<u>Fines & Forfeitures</u>	
Municipal Court Fines	$978,500
Security Forfeitures	$5,722
Court Fees	$37,630
Court Restitution	$15,000
Court Administrative Fees	$46,000
Library Fines	$45,000
Total Fines & Forfeitures:	**$1,127,852**

General Fund - Sources of Funds

08/28/2009

Account Title	Proposed FY 2010 Budget
Investment Income	
Interest Earnings	$198,513
Total Investment Income:	**$198,513**
Miscellaneous	
Other Revenues	$5,403
Insurance Reimbursements	$9,666
Merchandise Sales - Other	$165
Sale of Fixed Assets	$50,000
Total Miscellaneous:	**$65,234**
Other Financing Sources	
Operating transfer from H/M Tax Fund	$256,054
Operating transfer from PIP Fund	$0
Total Other Financing Sources:	**$256,054**
General Fund Totals	**$26,078,450**
Surplus Carryover/ (Reserve Increase)	**$451,181**
Total Sources of Funds	**$26,529,631**

General Fund Expenditures

	Proposed FY 2010 Budget
Departmental Operating Budgets	
Mayor & Council	$119,195
City Manager	$247,519
Human Resources	$218,299
Public Information	$178,837
City Clerk	$321,058
Municipal Court	$396,310
Total Administrative Services	$1,481,218
Finance Department	$596,178
Purchasing Department	$148,777
Information Technology	$329,060
Total Financial Services/ I.T.	$1,074,015
Police Department/Communications	$6,482,919
Fire Department	$5,994,063
Emergency Medical Services	$286,546
Total Public Safety	$12,763,528
Public Works	$2,901,287
Mosquito Control	$1,000
Stormwater Management	$355,133
Total Public Works	$3,257,420
Recreation Administration	$2,405,838
Kedron Fieldhouse	$785,321
Gathering Place Senior Center	$166,742
Library Administration	$1,020,675
Total Culture & Recreation	$4,378,576
Engineering	$271,619
Planning & Zoning	$285,734
Code Enforcement	$253,467
Building Department (Inspections)	$288,889
Total Developmental Services	$1,099,709
Total Departmental Budgets:	**$24,054,466**

08/28/2009

General Fund Expenditures

	Proposed FY 2010 Budget
Total Departmental Budgets:	**$24,054,466**
General Administration Budget	
Liability Insurance (GIRMA)	$91,610
Unemployment Insurance	$35,640
Pooled Vehicle Expenses	$1,318
Tourism Association	$0
Development Authority Debt Service	$140,109
Not-for-Profit Organizations	$28,130
Bad Debt Expense	$0
Council Contingency	$50,000
Contingency - Legal Sevices	$125,675
Contingency - Technology	$25,000
Contingency - General Administration	$50,000
Total General Administration:	**$547,482**
Operating Transfers	
Transfer to PIP Fund	$23,480
Transfer to Debt Service Fund	$2,325,292
Transfer to Amphitheater Fund	$25,000
Development Authority	$35,000
Total Interfund Transfers:	**$2,408,772**
General Fund Totals:	**$27,010,720**
Salary Vacancy/ Other Savings:	**-$481,089**
Total Uses of Funds:	**$26,529,631**

Public Improvement Program Fund
FY 2010 Budget Summary

Revenues:

Transfer from General Fund	$23,480	
Equipment/Lease-Purchase Loans	$539,000	
Bricks & Mortar Loans	$0	
State Grants	$0	
Interest/Other Revenue	$2,520	
Developer Contributions	$0	
Citywide Development Impact Fees	$100,000	
Total Revenues:		**$665,000**

Appropriations:

Public Works	$160,000	
Leisure Services	$21,000	
Public Safety	$434,000	
Administration	$0	
Contingency	$50,000	
Total Appropriations:		**$665,000**

2010 Public Improvement Program

Expenditures		5 Year Plan	Debt Svce.	Term	Grant Amount	Local Share
Division: Public Services						
	Gasoline/Diesel Fuel System	$105,000	$18,146	7 yrs.		
	'821' Radios & Chargers (20 @ $1,500)	$30,000				
	Flat Creek/Northlake Dr. Bridge Guardrail	$25,000				
	Cart Path Extensions					
	None					
	Public Services Total	$160,000				
Division: Leisure Services Services						
						$0
	821' Radios & Chargers (14 @ $1,500)	$21,000				
	Leisure Services Total	$21,000				
Division: Public Safety Services						
F.D.	SCBA's Upgrade/Replacements/Ultrox System	$167,000	$38,573	5 yrs.		
P.D.	Vehicle Fleet Replacements (6 @ $44,500)	$267,000	$61,670	5 yrs.		
	Police Motorcycle Lease (2)		$11,400	2 yrs.		
	Public Safety Services Total	$434,000				
Contingency Funds						
	PIP Contingency	$50,000				
	Total Expenditures	$665,000				
Revenue Sources						
General Fund Transfer			$23,480			
Equipment Lease Loan Proceeds		$539,000				
Bricks & Mortar Loan Proceeds						
State Grants						
Interest Revenue		$2,520				
Developer Contributions						
Citywide Development Impact Fees (Somerby)		$100,000				
	Total Revenues		$641,520			
	Total Revenues & Transfers		$665,000			

Equipment Lease/Purchase Program
Bricks & Mortar Loans

Stormwater Utility Fund
Operating & Capital Budget
Fiscal Year 2010

Revenues

Fund 521	Description	Amount	
	Charges for Services	$ 1,319,044	
	Investment Income	9,730	
	Miscellaneous Revenue	4,200	
	Total Stormwater Revenues:		**$ 1,332,974**

Appropriations

Fund 521	Description	Amount	
	Personnel Services & Benefits	$ 615,113	
	Purchased/Contracted Services	287,514	
	Supplies	79,146	
	Capital Outlay	-	
	Depreciation & Amortization	-	
	Other Costs (Bad Debt Expense)	15,000	
	Debt Service	274,296	
	Other Financing Uses	-	
	Total Stormwater Appropriations:		**$ 1,271,069**
	Available for Renewal & Extension Fund		**$ 61,905**

City of Peachtree City
Stormwater Utility Fund
Sources Uses of Cash for Bond Coverage
Fiscal Year 2009 and 2010

	2009 Current Budget	2009 Projected Year-End	2010 Department Requested
Sources of Operating Cash:			
Stormwater Billings	$ 1,317,869	1,332,563	1,334,352
Bad Debt Expense	(15,000)	(15,000)	(15,000)
Stormwater Credits	(13,778)	(15,012)	(15,308)
Miscellaneous Revenue	1,000	6,400	4,200
Interest Earnings (1)	7,200	6,000	6,000
Sources of Cash	1,297,291	1,314,951	1,314,244
Use of Operating Cash			
Salaries and Benefits	623,900	532,990	615,113
Other - Operating (2)	327,280	323,720	366,660
Debt Service	274,689	274,689	274,296
	1,225,869	1,131,399	1,256,069
Net Increase (Decrease) in Cash before Capital Items	71,422	183,552	58,175
Capital Items (3)	105,525	102,650	-
Net Increase (Decrease) in Cash after Capital Items	$ (34,103)	$ 80,902	$ 58,175
Net Revenue Available for Debt Service	$ 346,111	$ 458,241	$ 332,471
2009/2010 Debt Service Payments	274,689	274,689	274,296
Coverage (4)	1.26	1.67	1.21

(1) Only includes interest earnings on operations, not on bond proceeds investments.
(2) Does not include $181,907 in professional services from bond proceed - 2009 budget.
(3) Only includes those items not reimbursed by bond proceeds.
(4) Bond covenants require minimum debt service coverage ratio of 1.15

Amphitheater Fund Summary
FY 2010

Revenues:

Charges For Services	$ 777,000	
Transfer from General Fund	25,000	
Transfer from Tourism Association	44,700	
Total Revenues:		**$ 846,700**

Expenses:

Personnel Services	$ 141,459	
Contractual Services	180,201	
Supplies	42,140	
Program Expenses	482,900	
Capital Outlay	-	
Reserve Fund Increase	-	
Total Expenses:		**$ 846,700**

City of Peachtree City
Special Revenue Funds

	FY 2007 Actual	FY 2008 Actual	FY 2009 Amended Budget	FY 2009 Actual 04/30/2009	FY 2009 Estimated Year End	FY 2010 Proposed Budget
Hotel/Motel Tax Fund						
Beginning Cash/Fund Balance	$ -	$ -	$ -	$ -	$ -	$ -
Revenues - Hotel/Motel Taxes	932,868	1,066,460	967,621	443,039	753,101	768,163
Operating Transfers Out:						
Peachtree City Tourism Association	(621,912)	(710,973)	(645,081)	(295,360)	(502,067)	(512,109)
City General Fund	(310,956)	(355,487)	(322,540)	(147,679)	(251,034)	(256,054)
Ending Cash/Fund Balance	$ -	$ -	$ -	$ -	$ -	$ -
Neighborhood Parks Fund						
Beginning Cash/Fund Balance	$ 3,308	$ 3,904	$ 4,096	$ 4,096	$ 4,096	$ 2,606
Revenues	973	953	-	4	10	-
Expenditures	(377)	(761)	(4,096)	(1,032)	(1,500)	-
Ending Cash/Fund Balance	$ 3,904	$ 4,096	$ -	$ 3,068	$ 2,606	$ 2,606
D.A.R.E. Program Fund						
Beginning Cash/Fund Balance	$ 1,411	$ 5,850	$ 1,539	$ 1,539	$ 1,539	$ 1,205
Revenues	8,907	5,086	-	1	4,100	-
Expenditures	(4,468)	(9,397)	(1,539)	(1,068)	(4,434)	-
Ending Cash/Fund Balance	$ 5,850	$ 1,539	$ -	$ 472	$ 1,205	$ 1,205
State Seizure Fund						
Beginning Cash/Fund Balance	$ 10,485	$ 12,378	$ 13,736	$ 13,736	$ 13,736	$ 7,894
Revenues	1,893	1,358	-	14	25	-
Expenditures	-	-	(13,736)	(5,867)	(5,867)	-
Ending Cash/Fund Balance	$ 12,378	$ 13,736	$ -	$ 7,883	$ 7,894	$ 7,894
HAZMAT Fund						
Beginning Cash/Fund Balance	$ 905	$ 1,220	$ 28	$ 28	$ 28	$ -
Revenues	1,385	3,679	5,000	5,151	5,160	-
Expenditures	(1,070)	(4,871)	(5,028)	(1,097)	(5,188)	
Ending Cash/Fund Balance	$ 1,220	$ 28	$ -	$ 4,082	$ -	$ -
Library Sales Tax Fund						
Beginning Cash/Fund Balance	$ 8,434	$ 5,417	$ 4,696	$ 4,696	$ 4,696	$ -
Revenues	82	155	-	5	10	-
Expenditures	(3,099)	(876)	(4,696)	-	(4,706)	-
Ending Cash/Fund Balance	$ 5,417	$ 4,696	$ -	$ 4,701	$ -	$ -
Police Department Tuition Fund						
Beginning Cash/Fund Balance	$ 4,038	$ 4,410	$ 4,251	$ 4,251	$ 4,251	$ 3,961
Revenues	372	127	-	4	10	-
Expenditures	-	(286)	(4,251)	-	(300)	-
Ending Cash/Fund Balance	$ 4,410	$ 4,251	$ -	$ 4,255	$ 3,961	$ 3,961
Youth Council Fund						
Beginning Cash/Fund Balance	$ 1,155	$ 1,027	$ 1,056	$ 1,056	$ 1,056	$ -
Revenues	698	29	3,584	4,118	5,500	-
Expenditures	(826)	-	(4,640)	(6,097)	(6,556)	-
Ending Cash/Fund Balance	$ 1,027	$ 1,056	$ -	$ (923)	$ -	$ -

City of Peachtree City
Special Revenue Funds

	FY 2007 Actual	FY 2008 Actual	FY 2009 Amended Budget	FY 2009 Actual 04/30/2009	FY 2009 Estimated Year End	FY 2010 Proposed Budget
Fire/EMS Grants Fund						
Beginning Cash/Fund Balance	$ -	$ -	$ -	$ -	$ -	$ -
Revenues	-	-	4,037	4,087	4,087	-
Expenditures	-	-	(4,037)	(4,037)	(4,087)	-
Ending Cash/Fund Balance	$ -	$ -	$ -	$ 50	$ -	$ -
Police CERT Grants/Donations Fund						
Beginning Cash/Fund Balance	$ 5,918	$ 2,488	$ 4,313	$ 4,313	$ 4,313	$ 3,644
Revenues	24,075	21,508	23,231	12,008	23,775	-
Expenditures	(26,452)	(19,683)	(27,544)	(14,746)	(24,444)	-
Equity Transfer Out	(1,053)	-	-	-	-	-
Ending Cash/Fund Balance	$ 2,488	$ 4,313	$ -	$ 1,575	$ 3,644	$ 3,644
Police Grants/Donations Fund						
Beginning Cash/Fund Balance	$ -	$ -	$ 42,271	$ 42,271	$ 42,271	$ -
Revenues	-	42,271	1,625	1,857	2,000	-
Expenditures	-	-	(43,896)	(41,224)	(44,271)	-
Ending Cash/Fund Balance	$ -	$ 42,271	$ -	$ 2,904	$ -	$ -
Explorer Troop Fund						
Beginning Cash/Fund Balance	$ -	$ 587	$ 71	$ 71	$ 71	$ -
Revenues	587	31	-	-	-	-
Expenditures	-	(547)	(71)	-	(71)	-
Ending Cash/Fund Balance	$ 587	$ 71	$ -	$ 71	$ -	$ -
Athletic Association Funds						
Beginning Cash/Fund Balance	$ 58,542	$ 65,575	$ 71,011	$ 71,011	$ 71,011	$ 76,827
Revenues	43,120	51,484	15,249	19,676	49,610	-
Expenditures	(36,087)	(46,048)	(86,260)	(13,903)	(43,794)	-
Ending Cash/Fund Balance	$ 65,575	$ 71,011	$ -	$ 76,784	$ 76,827	$ 76,827
Special Events Fund (KPTCB)						
Beginning Cash/Fund Balance	$ -	$ 1,107	$ -	$ -	$ -	$ -
Revenues	54	4,212	-	-	-	41,125
Equity Transfer In	1,053	-	-	-	-	-
Expenditures	-	(5,319)	-	-	-	(41,125)
Ending Cash/Fund Balance	$ 1,107	$ -	$ -	$ -	$ -	$ -
Special Events Fund (50th Anniversary)						
Beginning Cash/Fund Balance	$ -	$ -	$ -	$ -	$ -	$ -
Revenues	-	-	2,000	2,002	2,002	-
Expenditures	-	-	(2,000)	-	(2,002)	-
Ending Cash/Fund Balance	$ -	$ -	$ -	$ 2,002	$ -	$ -
Total Special Revenue Funds						
Beginning Cash/Fund Balance	$ 94,196	$ 103,963	$ 147,068	$ 147,068	$ 147,068	$ 96,137
Revenues	1,015,014	1,197,353	1,022,347	491,966	849,390	809,288
Operating/Equity Transfers In	1,053	-	-	-	-	-
Expenditures	(72,379)	(87,788)	(201,794)	(89,071)	(147,220)	(41,125)
Operating/Equity Transfers Out	(933,921)	(1,066,460)	(967,621)	(443,039)	(753,101)	(768,163)
Ending Cash/Fund Balance	$ 103,963	$ 147,068	$ -	$ 106,924	$ 96,137	$ 96,137

Debt Service Funds
FY 2010 Budget Summary

	Fund 410 G.O Bonds	Fund 400 Other Debt	Total
Revenues:			
Ad Valorem Taxes	$768,510		$768,510
Surplus Carryover			
Transfer from Impact Fee Fund			
Transfer from General Fund		$2,325,292	$2,325,292
Total Revenues	**$768,510**	**$2,325,292**	**$3,093,802**
Appropriations:			
General Obligation Bond Expenses	$768,510		$768,510
GMA Bricks & Mortar Loans		$1,159,850	$1,159,850
Equipment Lease-Purchase Loans		$1,165,442	$1,165,442
Total Appropriations	**$768,510**	**$2,325,292**	**$3,093,802**

Debt Service Detail
FY 2010 - 2014

Description/Budget Year	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
GMA Bricks & Mortar Loans:					
Police Station Construction (2000)	228,525	228,525	228,525	228,525	228,525
City-wide Capital Improv. (2001)	169,567	169,567	169,567	169,567	169,567
Tennis Center/Amph. Improv. (2001)	247,367	247,367	247,367	247,367	247,367
Land - Hwy 54W/Wynnmeade (2002)	86,880	86,880	86,880	86,880	86,880
Satellite Auto & Citywide Improv (2007)	208,643	208,643	208,643	208,643	208,643
Police Station Renovations (2009)	76,128	76,128	76,128	76,128	76,128
City Hall Renovations (2009)	47,580	47,580	47,580	47,580	47,580
Fire Station Improvements (2009)	95,160	95,160	95,160	95,160	95,160
Total B & M Loans:	1,159,850	1,159,850	1,159,850	1,159,850	1,159,850
Equipment Lease-Purchase Loans:					
Public Works Department					
(2) F-650 Dump Trucks (2004)	19,884				
(6) 40 H.P. Tractors (repl.) (2004)	8,654				
Skid Loader (2005)	5,160	5,160			
Asphalt Paver (2005)	10,391	10,391			
Gasoline/Diesel Fuel System (2010)	18,146	18,146	18,146	18,146	18,146
555G Track Loader (2012)			40,911	40,911	40,911
Tandem Dump Truck (repl.) (2013)				22,729	22,729
Front End Wheel Loader (2013)				22,729	22,729
C80A Motor Grader (2013)				22,729	22,729
Total Public Works:	62,235	33,697	59,057	127,244	127,244
Recreation Department					
Replace 3 Ford Pickup Trucks (2009)	$18,088	$18,088	$18,088	$18,088	$18,088
Kedron Pool Bubble Replacement			$43,205	$43,205	$43,205
Recreation Department Totals:	18,088	18,088	61,293	61,293	61,293
Police Department					
10 P.D. Vehicle Replacements (2006)	89,184				
11 P.D. Vehicles (7 repl., 4 new) (2007)	90,335	90,335	67,751		
Mobile Data Terminals (2007)	33,478	33,478	33,478	33,478	33,478
6 Cr Vics, 3 Explorers, 1 F-250, 1 ATV	88,270	88,270	88,270	88,270	88,270
10 P.D. Vehicle Replacements (2009)	48,866	48,866	48,866	48,866	48,866
1 Ford Explorer (2009)	4,188	4,188	4,188	4,188	4,188
Vehicle Replacements for FY 2010	61,670	61,670	61,670	61,670	61,670
Police Motorcycle Lease (2010-2011)	11,400	11,400			
Vehicle Replacements for FY 2011		84,999	84,999	84,999	84,999
Automated Fingerprint System (2011)		14,551	14,551	14,551	14,551
Vehicle Replacements for FY 2012			119,414	119,414	119,414
Police Motorcycle Lease (2012)			11,280	11,280	11,280
Special Response Team Vehicle (2012)			9,239	9,239	9,239
Firearms Training Equipment (2012)			32,336	32,336	32,336
Mobile Data Upgrade (2012)			45,040	45,040	45,040

Debt Service Detail
FY 2010 - 2014

Description/Budget Year	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
Vehicle Replacements for FY 2013				121,955	121,955
Vehicle Replacements for FY 2014					101,860
F-250 Truck Replacement (2014)					9,701
Police Department Totals:	427,391	437,757	621,082	675,286	786,847
Fire Department					
Technical Rescue Vehicle (2003)	6,919				
Ambulance Repl. Medic 84 (2004)	20,310				
Life Pac 12 (2004)	5,816				
Quint 83 & Equipment (2004) (2005)	111,202				
Spartan Rescue/ Pumper (2005)	89,289	89,289			
LifePak 12 (2005)	5,778	5,778			
Replace Fire Engine 85 (2006)	86,539	86,539	86,539		
Emergency Pre-Plans Software (2007)	23,761	23,761	23,761	23,761	23,761
Replace Fire Engine 82 (2008)	70,263	70,263	70,263	70,263	70,263
Replace Cr Vic w/SUV (2009)	10,716	10,716	10,716	10,716	10,716
SCBA's Upgrade/Replacement (2009-10)	71,302	71,302	71,302	71,302	65,458
Replace Expedition- EMS (2011)		10,790	10,790	10,790	10,790
Replace Medic 84 (2011)		27,890	27,890	27,890	27,890
Rescue 8 Replace/Surplus (2011)		88,734	88,734	88,734	88,734
Repl. F-150 - Fire Marshal (2012)			6,551	6,551	6,551
Repl. Expedition - Fire Chief (2012)			11,330	11,330	11,330
Repl. Expedition - Asst. Chief/Ops (12)			11,330	11,330	11,330
Replace TACV F-350 (2012)			10,142	10,142	10,142
Replace Expedition-Training (2013)				11,896	11,896
Medic Remount				30,749	30,749
Replace F-150-Asst. Marsh. (2014)					7,223
Fire Department Totals:	501,895	485,062	429,348	385,454	386,833
General Administration					
Energy Performance Contract	155,833	155,833	155,833	155,833	155,833
Relplace/Upgrade C.H. Phone System		34,092	34,092	34,092	34,092
Total General Administration:	155,833	189,925	189,925	189,925	189,925
Total Equipment Lease:	1,165,442	1,164,529	1,360,705	1,439,202	1,552,142
Grand Totals:	2,325,292	2,324,379	2,520,555	2,599,052	2,711,992

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor & Council Members**

VIA: **City Manager**
Administrative Services Director NV

FROM: **Public Information Officer/ City Clerk**

DATE: **August 27, 2009**

SUBJECT: **Consider Ethics Resolution**
September 3, 2009, City Council Meeting

Recommendation:

That Council adopt the attached resolution reconfirming the ethics principles for the conduct of the government of Peachtree City.

Discussion:

In 2000, Peachtree City adopted an Ethics Resolution and Ethics Ordinance to attain Certification as a City of Ethics under the program established by the Georgia Municipal Association (GMA). This year, GMA modified its requirements for certification to mandate that participating jurisdictions become recertified every four years. To maintain certification, Council must adopt the attached resolution to be forwarded to GMA with the City's current Ethics Ordinance by January of 2010.

The resolution reconfirms the City's existing principles under which the City continues to operate.

Budget Impact:

This item has no budgetary impact.

FAYETTE COUNTY
CITY OF PEACHTREE CITY

ETHICS RESOLUTION

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

WHEREAS the City of Peachtree City wishes to continue to be certified as a Certified City of Ethics under the GMA Program; and,

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

NOW THEREFORE BE IT RESOLVED by the governing authority of the City of Peachtree City, Georgia, that as a group and as individuals, the governing authority subscribes to the following ethics principles and pledges to conduct its affairs accordingly:

- Serve others, not ourselves.
- Use resources with efficiency and economy
- Treat all people fairly
- Use the power of our position for the well being of our constituents
- Create an environment of honesty, openness and integrity

Resolved this _____ day ay of __________ 2009.

____
Mayor Harold K. Logsdon

____
Don Haddix

____
Doug Sturbaum

____
Steve Boone

____
Cyndi Plunkett

ATTEST: ______________________
Betsy Tyler, City Clerk

09-09-03

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor and Council**

VIA: **City Manager**

FROM: **City Clerk**

DATE: **September 2, 2009**

SUBJECT: **Resolution to Call for Special Election for Post 1 and Establish Qualifying Fees**
September 3, 2009, Council Agenda

Recommendation:

Staff recommends Council adopt the attached resolution calling for a special election to be held in conjunction with the general election on November 3, 2009, for the purpose of electing a council member for Post 1. As you know, the vacancy was created when Council Member Haddix qualified to run for Mayor.

Discussion:

The State Election Code governing municipal special elections requires that Council set and publish qualifying fees for the position for which the special election is to be held. The law requires a fee of three percent of the total gross salary paid for the elected position and also requires that the fees be published in the City's legal organ. The resolution to call for this special election and establish qualifying fees is attached for your adoption.

Budgetary Impact:

An increase in revenue based on the number of those qualifying to run for office.

Attachment

RESOLUTION ESTABLISHING DATE FOR A SPECIAL ELECTION FOR PURPOSE OF ELECTING A COUNCIL MEMBER FOR POST 1; ESTABLISHING FEES AND DATE FOR QUALIFYING OF CANDIDATES; ESTABLISHING DATES FOR VOTER REGISTRATION; AND FOR OTHER PURPOSES

WHEREAS: A special election shall be conducted in conjunction with the general election on November 3, 2009, for the purpose of electing a council member for Post 1 due to the vacancy created when the council member qualified to run for Mayor; and,

WHEREAS: The candidate elected in said election shall serve the remainder of the term for Post 1, which ends December 31, 2011; and,

WHEREAS: Persons eligible to become candidates for said election shall be at least 21 years of age and be a qualified elector of the City who shall have continuously resided and maintained his or her domicile in Peachtree City for at least six months immediately preceding the election; and,

WHEREAS: Candidates for said special election shall qualify with the City Clerk in City Hall. Qualifying shall open at 8:30 a.m. on the 21st day of September, 2009, and shall close at 12:00 p.m. (noon) on the 23rd day of September, 2009; and,

WHEREAS: Voter Registration for said election shall close at 5 p.m. on the 5th day of October 2009; and,

WHEREAS: The date for a run-off election, if required, shall be December 1, 2009; and

WHEREAS: The City Council does hereby declare that the qualifying fee for Council Post 1 shall be $180.00.

NOW, THEREFORE BE IT RESOLVED by the Mayor and City Council of Peachtree City that the special election is hereby authorized pursuant to the rules and regulations set out in this Resolution and pursuant to the Georgia Municipal Election Code as amended.

FURTHER, the Superintendent of Elections and Absentee Ballot Clerk shall be the Fayette County Board of Elections who is hereby authorized to provide an appropriate number of poll workers to conduct said election. Polling places within Peachtree City shall be open from 7:00 a.m. to 7:00 p.m. on the day of the special election and on the day of the run-off election, if required.

Adopted this 3rd day of September 2009.

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Harold K. Logsdon, Mayor

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Doug Sturbaum, Councilmember

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Steve Boone, Councilmember

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Cynthia Harper-Plunkett, Councilmember

______________________________ Attest
Betsy Tyler, City Clerk

09-09-04

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor and Council Members**

VIA: **Bernard McMullen, City Manager**
Paul Salvatore, Financial Services Director PS
Janet Camburn, Assistant Financial Services Director JC

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

DATE: **September 2, 2009**

SUBJECT: **Replacement Patrol Vehicle P-52**
September 3, 2009, City Council Meeting

Recommendation:

Staff recommends the purchase of a new 2009 Ford Crown Victoria Police Interceptor from dealers stock from Allan Vigil Ford for the purchase price of $21,860.00

Discussion:

This vehicle will replace patrol vehicle P-52, which was declared totaled by State Farm Insurance. In addition, funding in the amount of $2,200.00 and $600.00 is needed for the transition of equipment and graphics, respectively. Ford has stopped producing the 2009 Crown Vic and has not put into production the 2010 model. Quotes have been obtained from the following dealerships for a new 2009 Ford Crown Victoria:

Dealership	Price
Allan Vigil Ford (1)	$21,860.00
Allan Vigil Ford (2)	$21,710.00
Akins Ford	$21,283.00
Wade Ford	would have to obtain from Allan Vigil

Allan Vigil Ford and Akins Ford both have Ford Crown Vics in stock. Wade ford does not have a vehicle in stock and would have to transfer from another dealership. Akins Ford's quote was for a Crown Vic with a 3:27 rear axle. Allan Vigil Ford's quote (1) was for a Crown Vic with a 3:55 rear axle, the same option as the rest of the fleet. Allan Vigil Ford's quote (2) also contained a 3:27 rear axle. The Ford Crown Vic is a relatively heavy vehicle once equipped with all accessories. The 3:55 helps compensate for that weight by increasing acceleration, yet decreasing top end speed. The department has a need for quicker acceleration and not necessarily the need for top end speed. In practice, the fuel economy rating has remained the same.

If the department were to place the purchase for a 2009 Ford Crown Vic out for bid we would not expect to take delivery of the vehicle until mid October due the time associated with generating a bid proposal, putting it out for bid, receiving council approval, and re-installing the equipment. Since the 2010 Ford Crown Vic has not been put into production we would not expect to take delivery until mid to late November. P-52 was a low mileage patrol vehicle that was assigned as a take home vehicle. With the loss of this vehicle the department has been forced to use high mileage pool vehicles for routine patrol. The daily use of these pool vehicles will prematurely force them towards their 100K mileage decommission dates.

Budget Impact:

Due to the delay in obtaining clear Title for the vehicle to obtain the insurance reimbursement, we request funds to be used from this year's Machinery & Equipment budget which will then be offset by the future insurance settlement.

Description	Expense
2009 Ford Crown Vic	-$21,860.00
Equipment transition	-$ 2,200.00
Graphics	-$ 600.00
Expected insurance settlement	$14,000.00
Net cost	$10,660.00