



## CITY OF FOREST PARK MAYOR & COUNCIL CITY COUNCIL WORK SESSION

Monday, August 16, 2021 at 6:00 PM  
Council Chambers and YouTube Livestream

Website: [www.forestparkga.gov](http://www.forestparkga.gov)  
YouTube: <https://bit.ly/3c28p0A>  
Phone Number: (404) 366.1555

**FOREST PARK CITY HALL**  
745 Forest Parkway  
Forest Park, GA 30297

### AGENDA

The Honorable Mayor Angelyne Butler, MPA

The Honorable Kimberly James      The Honorable Dabouze Antoine  
The Honorable Hector Gutierrez      The Honorable Latresa Akins-Wells  
The Honorable Allan Mears

Dr. Marc-Antonie Cooper, City Manager  
S. Diane White, City Clerk  
Mike Williams, City Attorney

### VIRTUAL MEETING NOTICE

**DISCLAIMER:** For in person attendance CDC requirements of Masks and Social Distancing is recommended.

**To watch the meeting via YouTube:** <https://bit.ly/3c28p0A>

The Council Meetings will be livestream and available on  
the City's YouTube page "City of Forest Park GA".  
*Please Subscribe to our YouTube page for notifications!*

**CALL TO ORDER/WELCOME:**

**ROLL CALL - CITY CLERK:**

**CITY MANAGER'S REPORT:** Dr. Marc-Antonie Cooper, City Manager

**PRESENTATION(S):**

- 1. Waste Management Presentation – Executive Offices**

**Background/History:**

Waste Management has been operating a solid waste transfer facility in the City of Forest Park for over 30 years. Mr. Allan Owen, Public Sector Manager for Waste Management will be providing updated information regarding steps taken to mitigate resident issues at or near the transfer facility.

## OLD BUSINESS:

- [2.](#) Discussion and approval Resolution 2021-29 of Cemetery Initiative – City Attorney

### **Background/History:**

The City Manager is seeking direction from the City Council regarding certain abandoned cemeteries and burial grounds in the city and the maintenance of these sites.

The attached resolution would declare certain cemetery sites as abandoned and authorize the city manager to direct staff to maintain by cutting grass at the entrance ways of said sites and take steps to acquire them by eminent domain pursuant to the authority established in O.C.G.A. 36-72-3.

## NEW BUSINESS:

- [3.](#) **Discussion and Approval of Resolution 2021-27 LCI-Transportation Grant - Economic Development**

### **Background/History:**

The Atlanta Regional Commission announced a call for funding for Livable Centers Initiative (LCI)-Transportation projects for Preliminary Engineering (PE) proposals only. The LCI grant program exists to empower communities across metro Atlanta to become more livable, walkable, and sustainable through federal transportation dollars for planning in local communities. LCI funds are designed to help communities by offering more walkable places and mobility options. LCI grants require a local 20% match.

- [4.](#) **Discussion Regarding Homelessness in Forest Park – Legislative**

### **Background/History:**

Councilman Gutierrez would like to discuss the issue of homelessness in the City of Forest Park.

- [5.](#) **Discussion and Approval of Budget Amendment - Darquita Williams, Interim Finance Director**

### **Background/History:**

In the August 2, 2021 Regular Council Meeting, the governing body approved a payment of \$14,000 to the Clayton County Water Authority for a custom logo on one of the three Forest Avenue Water Tanks. An additional approval is needed to amend the budget for this expense. \$14,000 will be removed from the Reserve for Contingency and added to the Capital Outlay for Public Works.

- [6.](#) **Discussion and Approval of Budget Amendment - Darquita Williams, Interim Finance Director**

### **Background/History:**

The Approved FY22 budget contains a typographical error. The Federal Contribution Act line states \$94,000. The correct amount for this line item should be \$9,400. A budget amendment is needed to correct this error. The difference of \$84,600 will be transferred to the Reserve for Contingency.

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7. **Discussion and Approval of Resolution 2021-28 & IGA** - S. Diane White, City Clerk

**Background/History:**

Clayton County Board of Elections has agreed to enter into an Intergovernmental Agreement with the City of Forest Park for election equipment for the November 2, 2021, Municipal Elections. By entering into an IGA with Clayton County Board of Elections the City of Forest Park will save \$16,000.00.

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

**ADJOURNMENT:**

In compliance with the Americans with Disabilities Act, those requiring accommodation for Council meetings should notify the City Clerk's Office at least 24 hours prior to the meeting at 404-366-1555.

**File Attachments for Item:**

**1. Waste Management Presentation – Executive Offices**

**Background/History:**

Waste Management has been operating a solid waste transfer facility in the City of Forest Park for over 30 years. Mr. Allan Owen, Public Sector Manager for Waste Management will be providing updated information regarding steps taken to mitigate resident issues at or near the transfer facility.

CITY OF  
**FORESTPARK**

## City Council Agenda Item

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**Subject:** Waste Management Presentation – Executive Offices

**Submitted By:** Dr. Marc-Antonie Cooper

**Date Submitted:** August 04, 2021

**Work Session Date:** August 16, 2021

**Council Meeting Date:** August 16, 2021

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**Background/History:**

Waste Management has been operating a solid waste transfer facility in the City of Forest Park for over 30 years. Mr. Allan Owen, Public Sector Manager for Waste Management will be providing information regarding mitigation steps in addressing residential issues at or near the transfer facility.

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**Cost: \$ 0**

**Budgeted for:** \_\_\_\_\_ **Yes**   X   **No**

**Financial Impact:**

None

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**Action Requested from Council:**

None

# Waste Management's Forest Park Transfer Station: Informational Response

Alan Owens  
SA Public Sector Manager  
**August 2021**



# Transfer Station Operation

Item #1.

<https://youtu.be/RhR7WiAOVJ0>

# Signage at the Transfer Station

Item #1.





- Investigate and establish causes and effects
  - Determine and identify source(s) of reported issues including:
    - Odor
    - Rodents
    - Noise



**CHEMSTATION**

## ODOR CONTROL

### SINGLE SOURCE SUPPLIER FOR TOTAL ODOR CONTROL

- Custom-formulated products
- Improve work environments and reduce complaints from surrounding communities
- Product application techniques designed for each site
- Inventory management system
- Sales/service of fogging equipment
- Innovative technology to develop the right odor control program

### ODOR CONTROL PRODUCTS

- Encapsulate or counteract nearly any type of malodors immediately and effectively
- Available in ready-to-use formulations or concentrated strengths
- Deodorizers used alone as odor eliminators or with a variety of fragrances available

### WASTEWATER

Wastewater treatment facilities are offered a choice of products to control wastewater odors

- Odor control product can be injected directly into the waste stream
- Product can be misted above open areas for effective odor control

### ODOR ELIMINATION

To meet your odor elimination needs, ChemStation will customize your solution with

- Choice of fragrances
- Variety of biocides
- Adjustable dilutions for climate/situations

### EFFICIENT SOLUTIONS IN THE PORTABLE SANITATION INDUSTRY

Custom blended concentrates, specially formulated by our staff of chemists, and manufactured by our patented system

- Formaldehyde-free
- Blended and delivered fresh
- Where you need it – when you need it
- Stored in environmentally friendly refillable containers
- Filled by metered delivery pump

Products are also available to clean the interior and exterior of the portable restrooms and delivery truck.



### PRODUCT APPLICATION

- Misted or fogged into the air through line sprayer or misting system for maximum odor elimination

• Equipment systems designed, installed, inspected and serviced by ChemStation technicians



Item #1.



# TRANSFER STATION

Item #1.



Sprayers are located inside of the Forest Park Transfer Station and spray down onto trash pile.

# RODENTS - Ehrlich Pest Control

Charles Courington,  
Solutions Expert



- Ehrlich Pest Control performed a thorough inspection June 2021 at the Forest Park Transfer Station site
- Rodent activity present, but no rodent infestation was found
- Ehrlich Pest Control in partnership with WM has begun implementing a proactive pest management program to assist in control of rodent activity
- Rodent bait station barrier systems have been set up at the rear of the property between building and adjacent subdivision
- Efforts will proactively assist in the control of any off-property foraging

# Pest Equipment

Item #1.





# New Pest Equipment

Item #1.



In an effort to be the best possible partner, Waste Management will incorporate more proactive efforts to reduce Noise and any impact it has on the surrounding community

- \* At the City of Forest Park's request, since 2019 the start time has been modified to 6 a.m.
- \* No equipment operates within the transfer station prior to 6 a.m.
- \* WM has received quotes and intends to plant Cyprus Trees (when weather permits) to serve as an addition noise buffer



# Waste Management Community Mission

Item #1.

Waste Management prides itself on preserving the environment through the cultivation of goodwill, education, open communication and the development of strategic relationships within the communities where we operate and serve.

## Some Community Activities:

- Team is always available for Town Halls in your Ward
- Provide Annual Funding to Improve Community Recycling Education



Thank you for your time

# Questions?

Alan Owens, SA Public Sector

**THINK GREEN.®**

August 2021



**File Attachments for Item:**

2. Discussion and approval Resolution 2021-29 of Cemetery Initiative – City Attorney

**Background/History:**

The City Manager is seeking direction from the City Council regarding certain abandoned cemeteries and burial grounds in the city and the maintenance of these sites.

The attached resolution would declare certain cemetery sites as abandoned and authorize the city manager to direct staff to maintain by cutting grass at the entrance ways of said sites and take steps to acquire them by eminent domain pursuant to the authority established in O.C.G.A. 36-72-3.



CITY OF  
**FORESTPARK**

## City Council Agenda Item

**Subject:** Discussion and approval of Cemetery Initiative – City Attorney

**Submitted By:** Mike Williams

**Date Submitted:** August 03, 2021

**Work Session Date:** August 16, 2021

**Council Meeting Date:** August 16, 2021

### Background/History:

The City Manager is seeking direction from the City Council regarding certain abandoned cemeteries and burial grounds in the city and the maintenance of these sites.

The attached resolution would declare certain cemetery sites as abandoned and authorize the city manager to direct staff to maintain by cutting grass at the entrance ways of said sites and take steps to acquire them by eminent domain pursuant to the authority established in O.C.G.A. 36-72-3.

**Cost: \$ 40,000**

**Budgeted for:** \_\_\_\_\_ **Yes**   X   **No**

### **Financial Impact:**

This is an unbudgeted item that we could utilize American Rescue Funds to facilitate.

### **Action Requested from Council:**

Discuss and approve an action to move forward with these properties.

**RESOLUTION NO. 2021-29**

**A RESOLUTION TO AUTHORIZE MAINTENANCE OF CERTAIN  
CEMETERIES WITH THE CITY LIMITS OF FOREST PARK**

WHEREAS, the City of Forest Park (“City”) is a municipal corporation duly organized and existing under the laws of the State of Georgia and is charged with being fiscally responsible concerning the use and expenditure of all public funds; and

WHEREAS, there exist certain cemeteries within the corporate limits of the City that are not being maintained and appear to be abandoned inasmuch as they show signs of neglect including, without limitation, the unchecked growth of vegetation, repeated and unchecked acts of vandalism, or the disintegration of grave markers or boundaries and for which no person can be found who is legally responsible and financially capable of the upkeep of such cemeteries;

WHEREAS, O.C.G.A. § 36-72-3 authorizes counties and municipalities to preserve and protect any abandoned cemetery or any burial ground which the county or municipality determines has been abandoned or is not being maintained by the person who is legally responsible for its upkeep, whether or not that person is financially capable of doing so, to expend public money in connection therewith, to provide for reimbursement of such funds by billing any legally responsible person or levying upon any of his property as authorized by local ordinance, and to exercise the power of eminent domain to acquire any interest in land necessary for that purpose; and

WHEREAS, it is proposed that the City take certain steps (i) to declare such cemeteries abandoned, (ii) to begin maintaining such cemeteries by keeping them clean and free from unchecked growth of vegetation, and (iii) to exercise the power of eminent domain for such purposes;

THEREFORE, THE CITY COUNCIL OF THE CITY OF FOREST PARK HEREBY RESOLVES:

**SECTION 1. Declaration of Abandonment.** The cemeteries listed on the attached Exhibit “A” are hereby declared abandoned.

**SECTION 2. Authorization of Maintenance.** The City Manager is authorized to direct the Public Works staff and/or the City’s on-call landscape maintenance vendors to maintain said cemeteries by keeping them clear of unchecked vegetation, trash, and debris.

**SECTION 3. Eminent Domain.** The City Manager is authorized to initiate such steps as are necessary to provide for the acquisition of the abandoned cemeteries by eminent domain. The City Manager and the City’s outside legal counsel are further authorized to identify and engage appraisers, surveyors, and other consultants to provide appraisal reports, trade fixture reports, sign appraisals, title reports, surveys, legal descriptions, environmental assessments, moving estimates and any other reports (collectively “Reports”) that are necessary or desirable to quantify the nature

and extent of the potential acquisition the abandoned cemeteries. Any engaged Consultants are authorized to enter private property on the City's behalf to survey, inspect and appraisal such property for the purpose of quantifying the nature and extent of the potential acquisition of private property rights and to determine just and adequate compensation for such potential acquisition.

**SECTION 3. Public Record.** This document shall be maintained as a public record by the City Clerk and shall be accessible to the public during all normal business hours of the City of Forest Park.

**SECTION 4. Authorization of Execution.** The mayor or is hereby authorized to sign all documents necessary to effectuate this Resolution.

**SECTION 5. Attestation.** The City Clerk is authorized to execute, attest to, and seal any documents which may be necessary to effectuate this ordinance, subject to approval as to form by the City Attorney.

**SECTION 6. Effective Date.** This resolution shall become effective immediately upon its adoption by the Mayor and City Council of the City of Forest Park as provided in the City Charter.

[SIGNATURE APPEAR ON FOLLOWING PAGE]

SO REOLVED this 16<sup>th</sup> day of August 2021.

\_\_\_\_\_  
Mayor Angelyne Butler

\_\_\_\_\_  
Council Member Kimberly James, Ward 1

\_\_\_\_\_  
Council Member Dabouze Antoine, Ward 2

\_\_\_\_\_  
Council Member Hector Gutierrez, Ward 3

\_\_\_\_\_  
Council Member Latresa Wells, Ward 4

\_\_\_\_\_  
Council Member Allan Mears, Ward 5

ATTEST:

\_\_\_\_\_  
City Clerk (SEAL)

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

EXHIBIT A

**Listing of Abandoned Cemeteries**

1. Rock Springs Church Cemetery located at 730 Conley Road
2. Forest Park Lodge of Odd Fellows Cemetery located at 732 Conley Road
3. Macedonia Cemetery located at 734 Conley Road



**File Attachments for Item:****3. Discussion and Approval of Resolution 2021-27 LCI-Transportation Grant - Economic Development****Background/History:**

The Atlanta Regional Commission announced a call for funding for Livable Centers Initiative (LCI)-Transportation projects for Preliminary Engineering (PE) proposals only. The LCI grant program exists to empower communities across metro Atlanta to become more livable, walkable, and sustainable through federal transportation dollars for planning in local communities. LCI funds are designed to help communities by offering more walkable places and mobility options. LCI grants require a local 20% match.

CITY OF  
**FORESTPARK**

## City Council Agenda Item

**Subject:** LCI-Transportation Grant-Economic Development

**Submitted By:** LaShawn Gardiner

**Date Submitted:** July 30, 2021

**Work Session Date:** August 16, 2021

**Council Meeting Date:** August 16, 2021

### Background/History:

The Atlanta Regional Commission announced a call for funding for Livable Centers Initiative (LCI)-Transportation projects for Preliminary Engineering (PE) proposals only. The LCI grant program exists to empower communities across metro Atlanta to become more livable, walkable, and sustainable through federal transportation dollars for planning in local communities. LCI funds are designed to help communities by offering more walkable places and mobility options. LCI grants require a local 20% match.

**Cost:** \$ 200,000.00

**Budgeted for:** ☒ Yes ☐ No

### **Financial Impact:**

\$40,000.00 (20%) local match from the DA, DDA, or URA. The particular authority board is still to be determined.

### **Action Requested from Council:**

Authorization to submit application.

**STATE OF GEORGIA  
COUNTY OF CLAYTON**

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

**A RESOLUTION BY MAYOR AND CITY COUNCIL OF FOREST PARK, GEORGIA TO SUPPORT THE SUBMISSION OF A LIVABLE CENTERS INITIATIVE-TRANSPORTATION PROGRAM GRANT APPLICATION FOR PRELIMINARY ENGINEERING TO THE ATLANTA REGIONAL COMMISSION WHICH REQUIRES A 20% LOCAL MATCH, FOR THE FOREST PARKWAY-STATE ROUTE 331 PEDESTRIAN OVERPASS BRIDGE, CROSSING FROM STARR PARK TO THE MAIN STREET MODEL MILE GREENWAY TRAIL IN AN AMOUNT NOT TO EXCEED \$200,000.00: AND FOR OTHER PURPOSES.**

**WHEREAS**, the Atlanta Regional Commission (ARC) announced a call for funding for Livable Centers Initiative (LCI)-Transportation projects for Preliminary Engineering (PE) proposals only and requires a 20% local match; and

**WHEREAS**, applications are due by August 27, 2021, and will be competitively selected for awards based on predetermined selection criteria; and

**WHEREAS**, the LCI grant program has existed to empower communities across Metro Atlanta to become more livable, walkable, and sustainable; and

**WHEREAS**, the LCI program was created to allocate federal transportation dollars for planning in local communities; and

**WHEREAS**, the grants are designed to help communities become more vibrant, walkable places that offer increased mobility options, encourage healthy lifestyles, and provide improved access to jobs and services; and

**WHEREAS**, the submission of an application for funding assistance, if awarded, will aid in preliminary costs associated with engineering and design of the pedestrian overpass bridge; and

**WHEREAS**, if awarded, the grant agreement will impose certain oversight conditions upon the City of Forest Park.

**NOW THEREFORE, BE IT RESOLVED** that the City of Forest Park City Council supports the submission of an LCI-Transportation grant application to the ARC for the aforementioned project in an amount not to exceed \$200,000.00.

**Section 1.** The Mayor and City Council of Forest Park, Georgia hereby authorizes the submittal of appropriate documents to the Atlanta Regional Commission to apply for the LCI-Transportation grant. Furthermore, approval is hereby granted for the acceptance of funding from the ARC for the purposes as specified if funding is awarded to the City of Forest Park.

**Section 2.** If any section, sentence, clause, or phrase of this Resolution is for any reason held to be invalid or unconstitutional by a decision of the court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Resolution, and such remainder shall remain in full force and effect.

**Section 3.** This resolution shall be in full force and effect immediately upon and after its final passage.

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

**CITY OF FOREST PARK**

\_\_\_\_\_  
Angelyne Butler, Mayor

\_\_\_\_\_  
Kimberly James, (Ward 1)

\_\_\_\_\_  
Antoine Dabouze, (Ward 2)

\_\_\_\_\_  
Hector Gutierrez, (Ward 3)

\_\_\_\_\_  
Latresa Akins-Wells, (Ward 4)

\_\_\_\_\_  
Alan Mears, (Ward 5)

ATTEST:

\_\_\_\_\_  
CITY CLERK

(THE SEAL)

Approved as to form:

\_\_\_\_\_  
CITY ATTORNEY

**File Attachments for Item:**

**4. Discussion Regarding Homelessness in Forest Park – Legislative**

**Background/History:**

Councilman Gutierrez would like to discuss the issue of homelessness in the City of Forest Park.

CITY OF  
**FOREST PARK**

## City Council Agenda Item

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**Subject:** Discussion regarding homelessness in Forest Park – Legislative

**Submitted By:** Dr. Marc-Antonie Cooper

**Date Submitted:** August 03, 2021

**Work Session Date:** August 16, 2021

**Council Meeting Date:** August 16, 2021

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**Background/History:**

Councilman Guterrez asked that we discuss the issue of homelessness in the City of Forest Park.

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**Cost: \$** Budgeted for: \_\_\_\_\_ Yes ☒ No

**Financial Impact:**

This is just for discussion purposes only.

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**Action Requested from Council:**

This is just for discussion purposes only.

**File Attachments for Item:****5. Discussion and Approval of Budget Amendment - Darquita Williams, Interim Finance Director****Background/History:**

In the August 2, 2021 Regular Council Meeting, the governing body approved a payment of \$14,000 to the Clayton County Water Authority for a custom logo on one of the three Forest Avenue Water Tanks. An additional approval is needed to amend the budget for this expense. \$14,000 will be removed from the Reserve for Contingency and added to the Capital Outlay for Public Works.





**File Attachments for Item:****6. Discussion and Approval of Budget Amendment - Darquita Williams, Interim Finance Director****Background/History:**

The Approved FY22 budget contains a typographical error. The Federal Contribution Act line states \$94,000. The correct amount for this line item should be \$9,400. A budget amendment is needed to correct this error. The difference of \$84,600 will be transferred to the Reserve for Contingency.



CITY OF  
**FORESTPARK**

## City Council Agenda Item

**Subject:** APPROVAL OF BUDGET AMENDMENT

**Submitted By:** Darquita Williams

**Date Submitted:** August 11, 2021

**Work Session Date:** August 16, 2021

**Council Meeting Date:** August 16, 2021

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**Background/History:**

The Approved FY22 budget contains a typing error. The Federal Contribution Act line states \$94,000. The correct amount for this line item should be \$9,400. A budget amendment is needed to correct this error. The difference of \$84,600 will be transferred to the Reserve for Contingency.

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**Cost: \$ 84,600**

**Budgeted for:** \_\_\_\_\_ **Yes** \_\_\_\_\_ **No**

**Financial Impact:** \$84,600 will be removed from the Economic Development FICA (100-26-7520-51-2201) and added to the Reserve for Contingency (100-22-1510-57-9000).

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**Action Requested from Council:**

**File Attachments for Item:**

**7. Discussion and Approval of Resolution 2021-28 & IGA - S. Diane White, City Clerk**

**Background/History:**

Clayton County Board of Elections has agreed to enter into an Intergovernmental Agreement with the City of Forest Park for election equipment for the November 2, 2021, Municipal Elections. By entering into an IGA with Clayton County Board of Elections the City of Forest Park will save \$16,000.00.

CITY OF  
**FORESTPARK**

## City Council Agenda Item

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**Subject:** Discussion and Approval of Resolution 2021-28 & IGA

**Submitted By:** S. Diane White

**Date Submitted:** Aug. 5, 2021

**Work Session Date:** Aug. 16, 2021

**Council Meeting Date:** Aug. 16, 2021

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**Background/History:**

Clayton County Board of Elections has agreed to enter into an Intergovernmental Agreement with the City of Forest Park for election equipment for the November 2, 2021, Municipal Elections. By entering into an IGA with Clayton County Board of Elections the City of Forest Park will save \$16,000.00.

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**Cost: \$** None

**Budgeted for:** \_\_\_\_\_ **Yes** \_\_\_\_\_ **No**

**Financial Impact:**

There is no financial impact to the City of Forest Park

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**Action Requested from Council:**

Approval of Resolution and IGA with Clayton County Board of Elections

STATE OF GEORGIA  
COUNTY OF CLAYTON  
CITY OF FOREST PARK

Adopted by the Forest Park Mayor and Council on this \_\_\_\_ day of \_\_\_\_\_, 2021.

**Resolution No. 2021-28**

**A RESOLUTION CALLING FOR THE CITY COUNCIL OF THE CITY OF FOREST PARK, GEORGIA, TO AUTHORIZE CITY OFFICIALS TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE CLAYTON COUNTY BOARD OF ELECTIONS AND REGISTRATION FOR ELECTION EQUIPMENT AND TO PROVIDE FOR AN EFFECTIVE DATE.**

**WHEREAS**, Forest Park is permitted to conduct municipal elections; and

**WHEREAS**, the City of Forest Park has its own Electronic Voting Units and requests the use of the Board's equipment to accommodate the electors of the city; and

**WHEREAS**, the Constitution of the State of Georgia provides that governments and public agencies may contract with one another to provide services, facilities, or equipment pursuant to Article IX, Section 3, Paragraph 1(a) and (b); and

**WHEREAS**, the Clayton County Board of Elections and Registration is the custodian of certain State owned election equipment that can be loaned to various municipalities in Clayton County to conduct elections.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council authorize the entry of the attached Intergovernmental Agreement with Clayton County Board of Elections and Registration for Election equipment; authorize the Mayor to execute the document on behalf of the City; and provide for an effective date.

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

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Mayor Angelyne Butler

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Council Member Kimberly James, Ward 1

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Council Member Dabouze Antoine, Ward 2

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Council Member Hector Gutierrez, Ward 3

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Council Member Latresa Wells, Ward 4

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Council Member Allan Mears, Ward 5

ATTEST:

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(SEAL)  
City Clerk

APPROVED AS TO FORM:

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City Attorney

## INTERGOVERNMENTAL AGREEMENT

This agreement made and entered into this \_\_\_\_\_ by and between Clayton County Board of Elections and Registration (hereinafter referred to as “the Board”) and the City of Forest Park, a political subdivision of the State of Georgia (hereinafter referred to as “Forest Park”).

### ARTICLE 1

#### PURPOSE OF AGREEMENT

The purpose of Intergovernmental Agreement is to provide the City of Forest Park with equipment to conduct its municipal election with State owned equipment on loan from the Clayton County Board of Elections. In order to facilitate the City of Forest Park’s municipal election process the parties have agreed as follows:

#### 1. Responsibilities of Parties

##### A. The County Election Superintendent shall supply the following equipment to the City of Forest Park:

1. (8) Image Cast X (ICX)
2. (8) Ballot Marking Printer
3. (4) Uninterrupted Power Supply (UPS)
4. (4) Memory Cards (2 per ICP)
5. (2) Poll Worker Smart Cards
6. (1) Audio Tactile Interface Kit (ATI) which includes the following:
  - ATI USB,
  - ATI cable
  - ATI headphones
8. (2) Technician Smart Cards
9. (40) Voter Smart Cards
10. (2) Image Cast Precinct Scanner (ICP)
11. (2) Ballot Plastic Box for ICP
12. (1) USB Flash Drive
13. (10) Privacy Screen
14. (2) ICP Scanner Paper Roll
15. And other peripherals associated with the ICX Voting System (Dominion Voting System)

##### B. The County Election Superintendent shall supply to the City of Forest Park one (1) Ballot Marking Device and all equipment needed to be used as a Demonstrator Unit.

- C. The County Election Superintendent shall designate a date, time and place for the City of Forest Park to retrieve and return the items listed under Section 1(A) of this agreement.
- D. A state Election Equipment Log, attached herein as “Exhibit A” shall be maintained by both parties of this agreement.
- E. \_\_\_\_\_ will be the contractor for the City of Forest Park to supply the following:
  - 1. Provide programming services.
  - 2. Training of Election Superintendent, Deputy Election Superintendent, Poll Manager, two (2) Assistant Managers and two (2) Clerks.
  - 3. Conducting the Logic and Accuracy Testing.
  - 4. Technical Support on Election Day.
  - 5. Chain of Custody report, attached herein as “Exhibit B” shall be executed.
- F. The City of Forest Park shall be responsible for retrieving and returning voting equipment.
- G. The City of Forest Park shall be responsible for the printing of Absentee Ballots.
- H. The City of Forest Park shall hire an experienced poll manager and two assistant managers
- I. The City Election Superintendent shall train the Poll Clerks.
- J. The Elections Superintendent and staff shall attend the state mandated training prior to the election.
- K. All City of Forest Park election’s staff shall sign an Oath of Custodians and Deputy custodians of Ballot Marking Devices as required by the Georgia Elections Code, attached herein as “Exhibit C.”

2. Costs to the City of Forest Park:

- A. There is no charge to Forest Park for actual use of the state owned voting systems.
- B. Forest Park is responsible for any damage to the voting units and peripherals in its possession that is not covered under the State of Georgia’s warranty. (Note: The voting machines are no longer under warranty with the State)

## ARTICLE II

### DURATION OF AGREEMENT

This Agreement shall be effective from \_\_\_\_\_, 2021 to December 31, 2021. This Agreement shall terminate absolutely and without further obligation on the part of either party upon expiration of aforementioned period.

## ARTICLE III

- 1. This Agreement in no way is deemed to create a debt incurred by the City of Forest Park for the payment of any sum.



2. This Agreement constitutes the entire Agreement and understanding among the parties hereto and supersedes and revokes any prior agreement or understanding relating to the subject matter of this Agreement. No change, amendment, termination, or attempted waiver of any of the provisions herein shall be binding upon the other parties unless reduced to writing and signed by all parties hereon.
3. Nothing contained in the Agreement shall create a contractual relationship with or a cause of action in favor of a third party against Forest Park.
4. This Agreement may not be assigned by either party hereto without written agreement by both parties. This Agreement and the rights of the parties hereunder shall be binding upon and inure to the benefit of the parties hereto and their respective successors and, if applicable, or assigns.
5. Any notices or communications required or permitted hereunder shall be sufficiently given if sent by Registered or Certified Mail, Return Receipt Requested, Prepaid Postage, and addressed as follows:

As to the Clayton County Board of Elections and Registration:

Shauna Dozier, Director of Elections and Registration  
 Jonesboro Historical Courthouse  
 Main Floor  
 121 South McDonough Street  
 Jonesboro, Georgia 30236

As to the City of Forest Park, Georgia:

Dr. Marc-Antonie Cooper, City Manager  
 745 Forest Parkway  
 Forest Park, Georgia 30297

S. Diane White, City Clerk  
 745 Forest Parkway  
 Forest Park, Georgia 30297

6. The captions used in this Agreement are inserted for convenience only and shall not constitute a part hereof.
7. No waiver by either party of any default by the other party in the performance of any provision of this Agreement shall operate as to be construed as a waiver of any future default, whether like or difference in character.
8. This Agreement shall be governed and construed in accordance with the laws of the State of Georgia.

9. If any provision of this Agreement, or application thereof to any person or circumstance, shall to any extent be invalid, then such provision shall be modified if possible, to fulfill the intent of the parties as reflected in the original provision, the remainder of this Agreement or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby, and each provision of this Agreement shall be valid and enforced to the fullest extent permitted by law.

IN WITNESS WHEREOF, the parties hereto have each executed and delivered this Agreement on this \_\_\_\_\_ day of \_\_\_\_\_ 2021.

### **CITY OF FOREST PARK**

By: \_\_\_\_\_  
Angelyne Butler, Mayor

Attested by: \_\_\_\_\_  
S. Diane White, City Clerk

Approved as to form: \_\_\_\_\_  
Mike Williams, City Attorney

### **CLAYTON COUNTY BOARD OF ELECTIONS AND REGISTRATIONS**

By: \_\_\_\_\_  
Clayton County Board of Elections and Registration

Attested by: \_\_\_\_\_  
Shauna Dozier, Director

Approved as to form: \_\_\_\_\_  
E. Charles Reed, Jr., Chief Staff Attorney