



**CITY OF FOREST PARK MAYOR & COUNCIL  
CITY COUNCIL REGULAR SESSION**

Monday, March 15, 2021 at 7:00 PM  
Virtual Meeting Via Zoom 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

Shalonda Brown, Interim City Manager  
Sharee Steed, City Clerk  
Mike Williams, City Attorney

### VIRTUAL MEETING NOTICE

**DISCLAIMER:** Due to COVID-19 Mayor and Council Meeting is only accessible to the public or media through web or teleconference until further notice. Please refer to the zoom information located below.

To join the meeting via Zoom:

<https://us02web.zoom.us/j/83515387991?pwd=OHO5NnhzbCtSeTU4dUpWRzM3UnFIQT09>

**Meeting ID:** 835 1538 7991

**Passcode:** 204090

**Join Zoom by Phone (One Tap Mobile):** Please dial 1 301 715 8592

*Meeting ID and Password are above*

**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:****PRESENTATIONS:**

1. **Presentation of the Yard for the Quarter in Ward 3** - Councilmember Gutierrez

Councilmen Gutierrez would like to present the Yard of the Quarter Award to the residents' of 4457 Berkshire Road.

**PUBLIC COMMENTS: (3 MINUTE LIMIT)****ADOPTION OF THE AGENDA WITH ANY ADDITIONS / DELETIONS:****APPROVAL OF MINUTES:**

2. Approval of Council Work Session and Regular Meeting Minutes from March 1, 2021

**NEW BUSINESS:**

3. **Approve an Agreement Between Georgia Power Company and the City of Forest Park to Provide Engineering and Design Services Related to Street Lighting Poles for Main Street Phase 2**- Director of Planning, James Shelby, Interim City Manager, Shalonda Brown
4. **Approval of Resolution 2021-13 for a Community Garden** – Tarick Maxwell, Recreation & Leisure Director and LaShawn Gardiner, Financial Analyst
5. **Approval to Adopt Ord. 2021-08 Records Management and Retention Policy** - Sharee Steed, City Clerk
6. **Approval of Recruitment Police/Fire Initiatives** - Nathaniel Clark, Public Safety Director

**CLOSING COMMENTS BY GOVERNING BODY:**

**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 706-864-6133.

**File Attachments for Item:**

2. Approval of Council Work Session and Regular Meeting Minutes from March 1, 2021

**CITY OF FOREST PARK MAYOR & COUNCIL**  
**WORK SESSION MEETING MINUTES**  
**Monday, March 1, 2021 | 6:00 PM**

The Honorable Mayor Angelyne Butler, MPA

The Honorable Kimberly James  
The Honorable Hector Gutierrez  
The Honorable Allan Mears

The Honorable Dabouze Antoine  
The Honorable Latresa Akins-Wells

Interim City Manager:  
City Clerk:  
City Attorney:

Shalonda Brown  
Sharee Steed  
Mike Williams

- I. CALL TO ORDER/WELCOME:** The meeting was called to order at 6:00pm by Mayor Butler.
- II. ROLL CALL- CITY CLERK:** Roll Called was done and a quorum was established

Attendee's Name	Title	Absent	Present
Angelyne Butler, MPA	Mayor, At-Large		✓
Kimberly James	Council Member, Ward 1		✓
Dabouze Antoine	Council Member, Ward 2, Mayor Pro-Tem		✓
Hector Gutierrez	Council Member, Ward 3		✓
Latresa Akins-Wells	Council Member, Ward 4 ( <i>via telephone</i> )		✓
Allan Mears	Council Member, Ward 5		✓

**III. CITY MANAGER'S REPORT:** Shalonda Brown

Interim City Manager reported on the following: Fri., Feb. 26<sup>th</sup> Mr. Greg Fevet of Cookiegrams received his Proclamation from Mayor and Councilmembers; Mayor and Councilmembers participated in the Ribbon Cutting ceremony honoring the Community's New Vietnam War Memorial in Morrow on Sat., Feb. 27<sup>th</sup>. Upcoming Events - Clayton County Community Services Authority is offering COVID-19 Care Community Emergency Assistance services on gas and electric bills for residents, Henry, Fayette and Clayton Counties; A virtual Unity & Healing in the Community is schedule for Mar. 4<sup>th</sup> at 6pm, sponsored by Councilmember James; Virtual Hunger Walk/Run on Sun., Mar. 7<sup>th</sup> to benefit Forest Park High School Team; Ward 1 monthly Virtual Neighborhood Meeting with Councilmember James is Thurs., Mar. 18<sup>th</sup> at 5pm; the Development Authority, Downtown Development Authority and the Urban Redevelopment Authority meetings will be held on Wed., March 24<sup>th</sup>. Detailed information about all upcoming events is posted on the City's website.

**IV. COVID-19 UPDATE:** Division Chief, Joel Turner

There are general improvements in positive case numbers over the past two weeks. The current average rate of daily positives among those tested statewide is 7.4% for the past two weeks; 2.5% lower than at Council's last meeting mid-February.

As of today, 3/1/2021:

- Clayton County's 2-week average rate of daily positives is 9.4%, 1.9% reduction since last reported

As reported by Clayton Co Health District this afternoon: 3/1/2021

- Forest Park currently has 2036 cumulative cases: 9.7% of county cases on the 30297 zip. This remains consistent with the numbers we have seen for the area over the past several weeks.

Everyone is still highly encouraged to follow good personal hygiene practices

- wash hands frequently,
- use hand sanitizer,
- maintain physical distancing,
- and use masks.

We still encourage those who can get a flu shot. As a reminder, the general recommendation is to allow 3-4 weeks after receiving the influenza vaccine before receiving the COVID vaccination. Getting the Flu Vaccine now will help to further reduce the number of respiratory infections throughout the winter. Again, this vaccination is covered by most major insurance providers, including Medicare & Medicaid, and is available through most pharmacies and professional medical providers.

COVID Vaccinations continue for Tier1A individuals. Last week the Governor expanded the group of those eligible to receive the vaccine to include teachers and K-12 school employees, including private school, preschool, and daycare employees. Eligibility for this new group will begin Monday, March 8<sup>th</sup>. The Clayton County Health District is offering free vaccines and you may register for those vaccination appointments by going to [www.claytoncountypublichealth.org](http://www.claytoncountypublichealth.org). Continue to check the website as appointment slots are based on vaccine availability.

## I. PRESENTATION(S):

- The CROWN Act- Representative Kim Schofield  
Representative Schofield informed Mayor and Council that the House passed the Voter Bill HB531 today, this bill is a Voters suppression bill, which will go to the Senate for changes/amendments and then come back to the House. I will keep you updated on this. The Crown Act Bill HB230, Creating a World of Natural Hair. There is a bias for those that have natural hair, there is a practice, especially in the workplace that have discriminated against us because of our hair, hairstyle, whether it be locks, braids, any form of twist; there is also a huge discrimination to kids' school, being labeled because their hair. We must change that narrative, this is a national movement, that started and passed first in California, although it is a House Bill, the State has refused to give us a hearing on this, so locally, counties have been passing the Crown Act through various municipalities. Clayton County, City of Atlanta and Henry County has passed a bill; Dekalb and Gwinnet Counties will be passing a bill. I would like to present this opportunity for an Ordinance to be passed in the City of Forest Park that eliminate any barriers to discrimination when it comes to natural hair. What is this so important in 2021, is my point, there could not be a barrier for anyone.

### **Comments/Questions from Council:**

**Councilmember Antoine** – Following the HB230, and it does not make sense how your hair comes out of your head because it does not look like someone else's hair is a form of suppression. Once the bill goes back to the Senate, that is a Republic ran Senate, and it not an optimistic look for the bill not being passed?

**Representative Schofield** – Yes, it is Republic; we are going to fight wherever we can, we are not in the majority, we do not have the manpower. What we can and you can do is to empower your residents of Forest Park to make they are calling the members that are on the committee, calling the Governor's Lieutenant Governor's office, the Speaker of the House saying you oppose any voter's suppression bill, Senate Bill 241 and HB531. We must get in front of this to use our voice and power to say that any form of voter's suppression will not be tolerated.

**Councilmember James** – Thanked Representative Schofield for bring this information to our forefront.

**Councilmember Gutierrez** – How can we bring more attention to this? Is there anything we can share?

**Representative Schofield** – If it is the will of the Council to pass the Ordinance, we will have do a press conference, continue to educate our businesses and Town Hall meetings to understand the impact.

Mayor Butler – My official photo for the City, I have braids in the photo, and we I was sharing with someone that I was getting braids, they questioned the timing of it because they knew the photo shoot was coming up and I was discouraged to do the photo with braids, but I did and am proud of it. I did not realize the impact that it had on people, just seeing the photo and me in braids. I support the CROWN ACT.

- **Fatherhood is Brotherhood - Director, Lamont Jones**

Lamont Jones, Director of Fatherhood is Brotherhood Foundation gave a presentation on his organization. Trying to connect with young fathers and assist them with being productive fathers. There will be a virtual 5-week session in April on “Next Level Fatherhood” totally free. Asking for City of Forest Park to partner with them.

**Comments/Questions from Council:**

**Councilmember James** - Asked about the number and phrase they could text? Is it free for the young men to be a part or will they get more information after they text. Thank you for this, young men do not realize how much they are forced out of situations when having a child out of wedlock and for them to understand how to be part of the child life. However, I can help I will assist.

**Lamont Jones** – Replied with 66866 Fatherhoodisbrotherhood. Yes, everything is free. He gave council his contact information.

**Councilmember Antoine** – Stated that he has some resources that Mr. Jones may be able to use. The expungement services you offer is great; mental illness is a service that is needed as well. He recommended Mr. Jones reach out to the Clayton School Board to do a presentation; and gave information on two organization who provide grants - Gates Foundation (targets education) and the NBA Cares.

**Rep. Schofield** – To piggyback with CM Antoine, I am working with another organization called Confess Project, which I have introduced them to Mr. Jones, they deal with the mental health aspect through the barber shops as well.

**Councilmember Gutierrez** – Thanks for the information and for the work that you are providing for fathers. The impact you are doing is great.

**V. REGULAR MEETING AGENDA ITEMS:**

➤ **OLD BUSINESS: NONE**

➤ **NEW BUSINESS:**

- 1. Discussion to Approve ORDINANCE 2021-06 to adopt the CROWN Act for the City of Forest Park** – City Attorney, Mike Williams

**Background and Summary:**

In 2019, California became the first state in the nation to adopt the CROWN Act. CROWN stands for “Create a Respectful and Open Workplace for Natural Hair.” The act seeks to prohibit discrimination based on hair texture or cultural hair styles. Members of the Georgia General Assembly are seeking to have similar legislation approved in Georgia. They are asking local governments to adopt Crown Act ordinances in their jurisdictions in hopes that it will lend support to their efforts at the state level. The proposed ordinance is based on an ordinance recently adopted by the City of South Fulton.

**Comments/Questions from Council:** - There was no comments/questions

**2. Discussion to Approve RESOLUTION 2021-09, Urging the Forest Park Legislative Delegation to Support House Bill 151-** City Attorney, Mike Williams

**Background and Summary:**

Clayton County, its cities and the Clayton County School Board have been working for years on how to address the impact Hartsfield-Jackson Atlanta International Airport has on Clayton County and its residents. It is proposed that the Hartsfield-Jackson Atlanta International Airport land and improvements that occupy over 4,100 acres of Clayton County no longer be exempt from ad valorem taxation. House Bill 151, which was introduced in the 2021-2022 Regular Session of the General Assembly, would eliminate the ad valorem tax exemption for Hartsfield-Jackson Atlanta International Airport. Clayton County residents and the children of the Clayton County School System would greatly benefit from the increased revenues which result from the elimination of the aforementioned tax exemption. It would also make up much of the lost revenue associated with the elimination of sales taxes on aviation fuel.

**Comments/Questions from Council:**

**Councilmember James** – Do we have an estimate of revenue it will generate? I think this is great, are we doing this in collaboration with other cities and county?

**Attorney Williams** – We can get that for you, and it is based on a valuation of the airport and because it has been exempted forever, the assessments are not accurate. If this pass, it would have to be properly assessed. Yes, we are, this was introduced last year and is a part of the collaborative effort the other cities, Clayton County, and the School Board. It has been reintroduced for this session and I believe, will stand corrected, that City of Forest Park is the first to adopt a Resolution, but all the cities, the county and School Board are in support.

**Councilmember Gutierrez** – Because of the proximity that we have than other cities, would we be entitled to more? Is this something they take to court or deny?

**Attorney Williams** – There is no airport property in the City of Forest Park, so we would not directly receive enhanced revenues, but Clayton County, the School Board and City of College Park would. The City of Atlanta would fight this and tenants who operate at the airport. Our delegation has asked for a show of support on this.

**3. Discussion to Approve ORDINANCE 2021-07 on the limitations of certain types of businesses as recommended by the Planning Commission Board -** Planning Director, James Shelby, City Attorney, Mike Williams

**Background and Summary:**

In 2020, the City Council passed a business limitation ordinance (Sec. 8.8.42) that limits certain types of businesses from operating within the City of Forest Park, due to an oversaturation of these types of businesses. A local business owner requested an amendment to the business limitation ordinance. He felt that the limitation was causing an undue hardship on his indoor shopping center. City staff reviewed this request and proposed a text amendment to this ordinance to exclude indoor shopping centers, malls, and flea markets.

**Comments/Questions from Council:** - There was no comments/questions

**4. Discussion to Approve the Drive Thru Job Fair Partnership with ABM Aviation - Tarik Maxwell, Director of Recreation & Leisure Services**

**Background and Summary:**

ABM currently has 140,000 skilled and hardworking people who deliver exceptional facility services. Currently, at the HJAIA, they employ over 600 employees and are looking to expand by embracing the Forest Park community and offering employment opportunities to job seekers in the Forest Park area. ABM Aviation is looking to add over 200 employment opportunities. The company would like to partner with the City of Forest Park for a drive thru job fair, this event will be held on March 10<sup>th</sup> from 11am to 2pm on Hines Ward Pass. This drive-thru hiring event will be a non-contact adaptation of an on-site hiring event. Job Seekers will remain in their vehicles for the duration of the event. Job seekers will be able to apply for the job via text message. ABM Aviation seasoned recruitment staff will interview candidates and extend job offers on the same day while following CDC guidelines which include social distancing and mask guidelines.

**Comments/Questions from Council:**

**Councilmember Antoine** – Asked if applicants would need to bring any information with them?

**Tarik Maxwell** – Ms. Tammy Gomez, Sr. Recruiter for ABM Aviation. No, they will not have to bring anything initially.

**Councilmember James** – Thanks this is awesome. What are the range of positions that you are hiring for? And the starting salary to the maximum salary range?

**Tammy Gomez** – Entry level with no experience starting at \$9.50 to \$16.50 and this is just the aviation industry. We also have industries in health care, technology, education, and business plus. We are starting out with aviation and hoping to expand it out to the other industries.

**5. Discussion to Approve the Urban Redevelopment Plan – City Attorney, Mike Williams**

**Comments/Questions from Council:** There was no comments/questions

**6. Discussion to Approve an Agreement for Covid-19 Testing with Onsite Laboratories Inc. - A. Girard Geeter, Procurement Manager**

**Comments/Questions from Council:**

**Arthur Geeter** gave a brief statement of this request. Charles Pickett has a mobile lab to perform COVID-19 testing and results back with hours. They would like to place their unit



at Starr Park for set up.

**Charles Pickett** – CEO of SRS, Inc. owners of Lablin and On-Site Laboratories spoke about his company and the mobile and can do HIV and Hepatitis C testing.

**Mayor Butler** – Stated Chief Clark did some research and contacted some of their references And one was Dr. Price stated that the pros to having this service in the community was it was great services and same day results lends to getting information to our patients and customers quickly, great for infection exposures and PCR, great experience they handled all the set. There were no cons at this point. Possible time for delivery samples could have been better. Second contact Jackson City Government, Jackson, MS, stated they were very happy and wished they had waited a few extra weeks to enact the mobile rapid testing, since it was the same timing of the vaccines. The city has several mobile stations, one at the police station and the citizens were encouraged to access the site.

**Councilmember Gutierrez** – Once it is set up, can it be move to different communities throughout the day?

**Charles Pickett** – We can set-up in different Wards, we have a concierge service where we go into the schools, police stations or senior facilities to collect the samples and take them back to laboratory.

**Councilmember James** – It this free of charge? If they are A-symptomatic, then there is a cost?

**Charles Pickett** – There is no charge, under the current CARES act; if they have insurance, their insurance covers it; no insurance and have been exposed or have symptoms it is free of charge.

**Mayor Butler** – Do you issue the vaccine?

**Charles Pickett** – We were just approved on yesterday to do the vaccines in Georgia.

**Councilmember Gutierrez** – Can we as a city provide transportation for the testing?

## VI. ADJOURNMENT:

Councilmember James motioned and Councilmember Gutierrez to adjourn the Work Session Meeting at 7:07pm. Motion was approved.

Councilmembers	Aye	No	Abstain
Kimberly James	X		
Dabouze Antoine	X		
Hector Gutierrez	X		
Latresa Akins-Wells	X		
Allan Mears	X		

## CITY OF FOREST PARK MAYOR &amp; COUNCIL

## REGULAR SESSION MEETING MINUTES

Monday, March 1, 2021 | 7:00 PM

The Honorable Mayor Angelyne Butler, MPA

The Honorable Kimberly James  
 The Honorable Hector Gutierrez  
 The Honorable Allan Mears

The Honorable Dabouze Antoine  
 The Honorable Latresa Akins-Wells

Interim City Manager:  
 City Clerk:  
 City Attorney:

Shalonda Brown  
 Sharee Steed  
 Mike Williams

- I. CALL TO ORDER/WELCOME:** The meeting was called to order at 7:07pm by Mayor Butler.
- II. INVOCATION:** Was done by Minister Justin Cook
- III. PLEDGE OF ALLEGIANCE:** Was done in unison
- IV. ROLL CALL- CITY CLERK:** Roll Called was done and a quorum was established

Attendee's Name	Title	Absent	Present
Angelyne Butler, MPA	Mayor, At-Large		✓
Kimberly James	Council Member, Ward 1		✓
Dabouze Antoine	Council Member, Ward 2, Mayor Pro-Tem		✓
Hector Gutierrez	Council Member, Ward 3		✓
Latresa Akins-Wells	Council Member, Ward 4 <i>(via telephone)</i>		✓
Allan Mears	Council Member, Ward 5		✓

**DIRECTORS PRESENT:** A. Girard Geeter, Procurement Manager; Darquita Williams, Deputy Finance Director; James Shelby, Director of Planning & Zoning and Don Horton, Fire Chief

- V. PUBLIC COMMENTS: (3 MINUTE LIMIT) – There was no Public Comments**
- VI. ADOPTION OF THE AGENDA WITH ANY ADDITIONS/DELETIONS:**
- VII. ADOPTION OF THE MINUTES:** Monday, February 15, 2021 Council Work Session and Regular Meeting Minutes

Councilmember Mears motioned and Councilmember James to adopt the Feb. 15, 2021 Council Work Session and Regular Meeting Minutes. Motion was approved.

Councilmembers	Aye	No	Abstain
Kimberly James	X		
Dabouze Antoine	X		

Hector Gutierrez	<b>X</b>		
Latresa Akins-Wells	<b>X</b>		
Allan Mears	<b>X</b>		

### VIII. PUBLIC HEARING:

#### 1. Approval of RESOLUTION 2021-12 Adopting Urban Redevelopment Plan Entitled City of Forest Park, Georgia 2021 Urban Redevelopment Plan

Councilmember James motioned and Councilmember Antoine to Open the Public Hearing. Motion was approved.

<b>Councilmembers</b>	<b>Aye</b>	<b>No</b>	<b>Abstain</b>
Kimberly James	<b>X</b>		
Dabouze Antoine	<b>X</b>		
Hector Gutierrez	<b>X</b>		
Latresa Akins-Wells	<b>X</b>		
Allan Mears	<b>X</b>		

**Attorney Williams** – At the last meeting, council approved a resolution designating an additional area for the urban redevelopment agency to operate in which was Starr Park and then a corridor going down Forest Parkway towards the farmers market which would include the new proposed location of the city center. That was Part One of a two-step process, the second step is to hold a Public Hearing on the actual Urban Redevelopment Plan for that area and the plan provides the areas to be redeveloped through the acquisition construction installation of a new city municipal complex, which would have a city hall and public safety component, which would include police and fire headquarters as well as a fire station, all part of that complex. There would be streetscape improvements along main street, multimodal trail running from Starr Park to the State Farmers Market which we have been referring to as the Model Mile; renovation of Starr Park and additionally the acquisition and installation of certain early warning sirens as our current sirens need replacement. These are public facilities and only the URA can assist in the financing of public facilities that are not economic development related. Once an approved and once a financing plan is in place, we would anticipate the URA would meet and work towards the issuance of financing in the form of bonds for finance these projects. The projects will be all controlled wholly by the city.

There were no speakers for or against.

Councilmember Mears motioned and Councilmember James to motioned to Close the Public Hearing. Motion was approved.

<b>Councilmembers</b>	<b>Aye</b>	<b>No</b>	<b>Abstain</b>
Kimberly James	<b>X</b>		
Dabouze Antoine	<b>X</b>		
Hector Gutierrez	<b>X</b>		
Latresa Akins-Wells	<b>X</b>		
Allan Mears	<b>X</b>		

Councilmember James motioned and Councilmember Gutierrez to approve the 2021 Urban Redevelopment Plan. Motion was approved.

<b>Councilmembers</b>	<b>Aye</b>	<b>No</b>	<b>Abstain</b>
Kimberly James	<b>X</b>		
Dabouze Antoine	<b>X</b>		
Hector Gutierrez	<b>X</b>		
Latresa Akins-Wells	<b>X</b>		
Allan Mears	<b>X</b>		

**2. Approval of ORDINANCE 2021-07 on the limitations of certain types of businesses as recommended by the Planning Commission Board**

Councilmember James motioned and Councilmember Mears to Open the Public Hearing. Motion was approved.

<b>Councilmembers</b>	<b>Aye</b>	<b>No</b>	<b>Abstain</b>
Kimberly James	<b>X</b>		
Dabouze Antoine	<b>X</b>		
Hector Gutierrez	<b>X</b>		
Latresa Akins-Wells	<b>X</b>		
Allan Mears	<b>X</b>		

**Attorney Williams** – There is a business owner that operates an indoor shopping center or some may call it an indoor flea market and within that enclosed space it is proposed that some of the businesses that are subject to our business limitation ordinance be allowed to operate because it is in one enclosed singular location and so the over saturation issues, the distance limitation issues city-wide are not impacted the way it might otherwise be if these were stand alone businesses outside that area. We went and looked at the ordinance and made some revisions and what you have before you are what was approved by the Planning Commission at their last meeting, and I think staff is prepared to recommend approval.

There were no speakers for or against.

Councilmember James motioned and Councilmember Gutierrez to Close the Public Hearing. Motion was approved.

<b>Councilmembers</b>	<b>Aye</b>	<b>No</b>	<b>Abstain</b>
Kimberly James	<b>X</b>		
Dabouze Antoine	<b>X</b>		
Hector Gutierrez	<b>X</b>		
Latresa Akins-Wells	<b>X</b>		
Allan Mears	<b>X</b>		

Councilmember James motioned and Councilmember Antoine to approve Ordinance 2021-07 on the Limitations of Certain Types of Business with the Recommendations from Planning Commission Board. Motion was approved.

<b>Councilmembers</b>	<b>Aye</b>	<b>No</b>	<b>Abstain</b>
Kimberly James	<b>X</b>		
Dabouze Antoine	<b>X</b>		
Hector Gutierrez	<b>X</b>		
Latresa Akins-Wells	<b>X</b>		
Allan Mears	<b>X</b>		

**IX. AGENDA ITEMS:**

**➤ NEW BUSINESS:**

**1. Approval of ORDINANCE 2021-06 to adopt the CROWN Act for the City of Forest Park – City Attorney, Mike Williams**

Councilmember James motioned and Councilmember Gutierrez to approved Ordinance

2021-06 Adopting the CROWN Act. Motion was approved.

Councilmembers	Aye	No	Abstain
Kimberly James	X		
Dabouze Antoine	X		
Hector Gutierrez	X		
Latresa Akins-Wells	X		
Allan Mears	X		

**2. Approval of RESOLUTION 2021-10, Urging the Forest Park Legislative Delegation to Support House Bill 151-** City Attorney, Mike Williams

Councilmember James motioned and Councilmember Gutierrez to approve Resolution 2021-09 Urging the Legislative Delegation to Support HB151. Motion was approved.

Councilmembers	Aye	No	Abstain
Kimberly James	X		
Dabouze Antoine	X		
Hector Gutierrez	X		
Latresa Akins-Wells	X		
Allan Mears	X		

**3. Approval of RESOLUTION 2021-11 for the Drive Thru Job Fair Partnership with ABM Aviation -** Tarik Maxwell, Director of Recreation & Leisure Services

Councilmember James motioned and Councilmember Mears to approve the Resolution of a Drive-Thru Job Fair Partnership with ABM Aviation. Motion was approved.

Councilmembers	Aye	No	Abstain
Kimberly James	X		
Dabouze Antoine	X		
Hector Gutierrez	X		
Latresa Akins-Wells	X		
Allan Mears	X		

**4. Approve an Agreement for Covid-19 Testing with On-site Laboratories, Inc. - A.** Girard Geeter, Procurement Manager

Councilmember James motioned and Councilmember Mears to approve an Agreement for COVID-19 Testing with On-site. Motion was approved.

**Councilmember Mears** – Is there going to be any liability on the city?

**Attorney Williams** – Yes, we modified the agreement that was presented to make it clear that there is no cost or no expectations of reimbursement from the city and all liability is on them. The company is indemnifying the city against any claims, if a resident or anyone were to have a claim it would be the company's obligation to handle, not the city's.

Councilmembers	Aye	No	Abstain
Kimberly James	X		
Dabouze Antoine	X		
Hector Gutierrez	X		
Latresa Akins-Wells			
Allan Mears	X		

**X. CLOSING COMMENTS BY GOVERNING BODY:**

**Councilmember James** – Remind everyone to go to the Clayton County’s website for the mortgage rent shortfalls due to COVID, we do have funds to help with your mortgage or rent, please take advantage of that. You can call the Clayton County Community Services at 404-363-0575 and the website is [www.csa.org](http://www.csa.org) it has a link for Forest Park residents to take advantage of this program. Remember on Thursday, Unity and Healing in the Community meeting; if you want to donate to the Hunger Walk/Run that is on the website. Thank you for coming and thank you for being of our great city of Forest Park.

**Councilmember Antoine** – Would like to say hello to Naomi J. Pierre, who is listening in from New York, thank you for reaching out to us. It goes to show you that Forest Park is making big moves. Again, you all are aware of the COVID-19 Cares Act, the Community Service Assistance Program, I urge everyone to take advantage of this, you could get \$800 to pay your electric bill.

**Councilmember Gutierrez** – Thank you for listening in and I echo my fellow councilmembers, we have these resources for you, so please take advantage of them. When you do not, it affects the funding that comes to needy areas. I am excited about the mobile testing for you and as your elected officials are doing this for you to make sure that you get tested and healthy and hopefully, we can have the mobile vaccines soon. Remember to take care of yourselves, there is still a pandemic and I hope to have my Food Truck Friday event next month. I am excited about today’s program, if you know of any father’s, we have this information here for them; any young fathers out there, we have resources for you as well. This is women’s month, so I appreciate all the women that make my job easier. Congratulation to the boys’ basketball team who are doing great, and the girls are still there, and it is a validation that we need more basketball courts in Forest Park.

**Councilmember Wells** – Thank you for listening in and have a blessed night.

**Councilmember Mears** – Thanks for listening in tonight, trying to keep up and seeing that we are trying to move the city forward in a positive way and trying to help everyone that we can.

**Mayor Butler** – Thank you everyone for listening, Rep. Schofield thank you so much for staying with us tonight and we made some great strides today, so thank you again for your leadership.

**XI. EXECUTIVE SESSION: Personnel, Litigation, Real Estate and Legal Matters**

Councilmember James motioned and Councilmember Mears to recess into Executive Session at 7:27pm. Motion was approved.

<b>Councilmembers</b>	<b>Aye</b>	<b>No</b>	<b>Abstain</b>
Kimberly James	<b>X</b>		
Dabouze Antoine	<b>X</b>		
Hector Gutierrez	<b>X</b>		
Latresa Akins-Wells	<b>X</b>		
Allan Mears	<b>X</b>		

***For the Record – Councilmember Antoine left the meeting at 8:25pm***

Councilmember James motioned and Councilmember Mears to reconvene back into the Regular Council Meeting at 8:56pm. Motion was approved.

<b>Councilmembers</b>	<b>Aye</b>	<b>No</b>	<b>Abstain</b>
Kimberly James	<b>X</b>		
Dabouze Antoine			
Hector Gutierrez	<b>X</b>		
Latresa Akins-Wells			
Allan Mears	<b>X</b>		

**XII. ADJOURNMENT:**

Councilmember James motioned and Councilmember Mears to adjourn the Regular Meeting at 8:57pm. Motion was approved.

<b>Councilmembers</b>	<b>Aye</b>	<b>No</b>	<b>Abstain</b>
Kimberly James	<b>X</b>		
Dabouze Antoine			
Hector Gutierrez	<b>X</b>		
Latresa Akins-Wells			
Allan Mears	<b>X</b>		

DRAFT

**File Attachments for Item:**

**3. Approve an Agreement Between Georgia Power Company and the City of Forest Park to Provide Engineering and Design Services Related to Street Lighting Poles for Main Street Phase 2-** Director of Planning, James Shelby, Interim City Manager, Shalonda Brown



## Centralized Engineering Services

Bin 39066  
829 Jefferson St  
Atlanta, GA 30318  
Telephone 404-506-4410

February 8, 2021

City of Forest Park  
Attn: Shalonda Brown  
745 Forest Parkway  
Forest Park, GA 30297

RE: City of Forest Park – Forest Park Streetscape Phase 2  
GPC No. L5435  
Preliminary Engineering Agreement

Dear Ms. Brown:

Please find enclosed a Preliminary Engineering Agreement with respect to the above-referenced project. As you will note in the agreement, the stipulated sum for the preliminary engineering associated with this project is \$15,000.00.

The Stipulated Sum is valid only for a period of one (1) year following the date set forth on the enclosed agreement. Further, Georgia Power will not commence any work unless, prior to the date that is one (1) year following the date set forth on the enclosed estimate, the City executes and returns the enclosed Preliminary Engineering Agreement, the agreed upon sum, and authorizes commencement of the work.

If you have any questions, please contact Kris Stephens at 706-340-6457.

Sincerely,

Kris Stephens

**PRELIMINARY ENGINEERING AGREEMENT**

PROJECT NAME: City of Forest Park – Forest Park Streetscape Phase 2

PROJECT NUMBER: LS435

GDOT PROJECT NUMBER: N/A

**THIS PRELIMINARY ENGINEERING AGREEMENT** (“Agreement”) is made and entered into as of the Effective Date, by and between the **City of Forest Park** (“City”) and **GEORGIA POWER COMPANY**, a Georgia corporation (“GPC”). This Agreement may refer to either City or GPC, or both, as a “Party” or the “Parties.”

**WITNESSETH:**

**WHEREAS**, City desires to undertake and complete the project identified in the heading of this Agreement (the “Project”);

**WHEREAS**, in connection with the Project, City has requested that GPC proceed with certain preliminary engineering and/or design services for the Project in order to facilitate the City’s consideration of the Project (the “Preliminary Engineering”);

**WHEREAS**, GPC has agreed to proceed with the Preliminary Engineering on the terms set forth below; and

**NOW, THEREFORE**, in consideration of the promises and the mutual covenants of the Parties hereinafter set forth and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by the Parties, the Parties agree as follows:

1. **Scope of Work**. GPC, with its regular construction or maintenance crews and personnel, at its standard schedule of wages and working hours (as may be applicable from time to time during the term of this Agreement), and working in accordance with the terms of its agreements with such employees, will perform the Preliminary Engineering in accordance with the scope of work (defined below)(the “Work”). The “Work” shall consist of creating a set of construction drawings and a billable estimate to be provided to the City of Forest Park. GPC shall make all technical decisions concerning the Work and may elect to contract any portion of the Work.
2. **Project Construction**. Nothing in this Agreement shall be deemed to constitute GPC’s approval of or consent to the construction of the Project. If City elects to proceed with the Project after the Work is performed, City must enter into a separate agreement with GPC for any adjustments to GPC’s facilities made necessary by the Project.
3. **Reimbursement of GPC Expenses**. City shall pay GPC a stipulated sum for the Work prior to and after the signing of this Agreement (collectively, the “Reimbursable Expenses”). GPC’s stipulated sum for the Reimbursable Expenses for the Project is \$15,000.
4. **Payment Terms**. The City will make payment to GPC the Reimbursable Expenses prior to the Company commencing any portion of the work contemplated hereunder. The Payment Amount are valid only for a period of one (1) year following the date set forth on the Cover Letter. City’s obligation to pay to GPC the Reimbursable Expenses shall survive termination of this Agreement for any reason.
5. **Appropriations**. City represents to GPC that: (i) City has obtained appropriations sufficient to reimburse GPC for the Reimbursable Expenses encompassed by the initial Estimate; (ii) City shall use its best efforts to obtain appropriations necessary to cover Reimbursable Expenses encompassed by subsequent Estimates approved by City; and (iii) City shall promptly notify GPC in the event City is unable to obtain such additional appropriations.
6. **Termination**. City may terminate this Agreement for any reason by delivery of notice to GPC. Such termination shall become effective upon the expiration of fifteen (15) calendar days following delivery of notice to GPC or such later date designated by the notice. GPC may terminate this Agreement upon City’s breach of any of the terms of, or its obligations under, this Agreement, upon delivery of notice to City. City understands that in the

event of termination, it may be impossible or impractical to immediately stop the Work, and that it may be necessary for GPC to continue to perform the Work until it has reached a point where it may reasonably and/or safely stop the Work. City agrees that its obligation to pay to GPC the Reimbursable Expenses shall include all costs and expenses incurred by GPC to stop the Work.

7. **Notices.** All notices required or permitted by this Agreement shall be in writing and shall be deemed delivered (i) on the expiration of three (3) days following mailing by first class U.S. mail, (ii) on the next business day following mailing by a nationally recognized overnight carrier, or (iii) on the date of transmission, as evidenced by written confirmation of successful transmission, if by facsimile or other electronic transmission sent on a business day (or if not sent on a business day, then on the next business day after the date sent), to the Parties at the addresses set forth below, or such other addresses as either Party designates by delivery of prior notice to the other Party:

**If to City:** City of Forest Park  
Attn: Shalonda Brown  
745 Forest Parkway  
Forest Park, GA 30297  
Email: ssteed@forestparkga.gov

**If to GPC:** Georgia Power Company  
Attn: William J. Howard, Jr.  
Bin 39066  
829 Jefferson St  
Atlanta, GA 30318  
Email: wjhowar@southernco.com

8. **City as Party.** City acknowledges that this Agreement is “proprietary” in nature under applicable Georgia law, as permitted by O.C.G.A. § 36-60-13(j), and not “governmental” or “legislative,” as prohibited by O.C.G.A. § 36-30-3(a). City further represents and warrants that this Agreement will comply with all applicable laws concerning City actions and approvals and execution of binding agreements. City covenants to undertake all actions necessary to bind City.
9. **Miscellaneous Provisions.** This Agreement contains the Parties’ entire agreement relating to the Work, may not be waived or modified except in a writing signed by both Parties, and supersedes all prior or contemporaneous written or oral agreements regarding the Work. If either Party fails to enforce its’ rights under this Agreement or fails to insist upon the performance of the other Party’s obligations hereunder, such failure shall not be construed as a permanent waiver of any rights or obligations in this Agreement. The obligations and covenants of this Agreement will accrue to the benefit of, and be binding upon, the successors and assigns of the Parties. This Agreement shall be governed by and construed in accordance with the laws of the State of Georgia. The Parties agree that this Agreement shall be deemed to have been executed in Georgia.

**[SIGNATURES BEGIN ON FOLLOWING PAGE.]**

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed in two (2) counterparts, each of which shall be deemed an original, by their authorized representative(s) signing below. The "Effective Date" is the date on which this Agreement is signed by City, as indicated below.

**CITY:**

Signed, sealed and delivered this \_\_\_\_ day of \_\_\_\_\_, 2020, in the presence of:

**City of Forest Park**

By: \_\_\_\_\_ (SEAL)

Name: \_\_\_\_\_,

**MAYOR**

(OFFICIAL CITY SEAL)

\_\_\_\_\_  
WITNESS

(OFFICIAL SEAL OF THE CITY)

I attest that the seal imprinted above is the Official Seal of the City.

\_\_\_\_\_  
NOTARY PUBLIC

(SEAL)

ATTEST: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

(Official Custodian of the Seal)

**APPROVED AS TO FORM:**

By: \_\_\_\_\_ (SEAL)

Name: \_\_\_\_\_,

**CITY ATTORNEY**

Signed, sealed and delivered this \_\_\_\_ day of \_\_\_\_\_, 2020, in the presence of:

**GPC:**

**GEORGIA POWER COMPANY**

By: \_\_\_\_\_

Name: William J. Howard, Jr.

Title: Centralized Engineering Services Manager

ATTEST: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

\_\_\_\_\_  
WITNESS

\_\_\_\_\_  
NOTARY PUBLIC

(SEAL)

(SEAL)

**File Attachments for Item:**

**4. Approval of Resolution 2021-13 for a Community Garden** – Tarick Maxwell,  
Recreation & Leisure Director and LaShawn Gardiner, Financial Analyst

**STATE OF GEORGIA  
COUNTY OF CLAYTON**

**RESOLUTION NO. 2021-13**

**A RESOLUTION BY MAYOR AND COUNCIL OF FOREST PARK, GEORGIA TO AUTHORIZE THE DEPARTMENT OF RECREATION AND LEISURE TO APPLY FOR THE FY21 GEORGIA DEPARTMENT OF PUBLIC HEALTH COMMUNITY GARDEN MINI-GRANT IN THE AMOUNT OF \$2,500 FOR EACH APPROVED GARDEN SITE AND FOR OTHER PURPOSES**

**WHEREAS**, the Georgia Department of Public Health with support from the Department of Human Services and the United States Department of Agriculture has available funding for eligible communities to develop Community Gardens through its Supplemental Nutrition Assistance Program Education (SNAP-ED) and Obesity Prevention Grant Program; and

**WHEREAS**, the goal of the SNAP-ED program is that persons eligible for SNAP will make healthy choices within a limited budget and choose physically active lifestyles consistent with the dietary guidelines for Americans and the USDA food guideline; and

**WHEREAS**, DPH's SNAP-ED targets adults ages 18-64 who are below 185% of the Federal Poverty Level and have a higher risk of developing chronic diseases; and

**WHEREAS**, the mini-grant will be used to implement the community gardening intervention in census tracts where the target audience resides in or at locations the target audience frequently visits to increase accessibility of fresh fruits and vegetables through the development and expansion of community gardens; and

**WHEREAS**, DPH will award at least 30 such grants in the amount of \$2,500 for each approved garden site, to local community organizations within the 5 SNAP-ED funded public health districts in FY21, which include (1) Clayton, (2) East Metro, (3) North Central-Macon, (4) Southwest (Albany), and (5) West Central (Columbus); and

**WHEREAS**, priority will be given to applications containing proposed garden locations in the 5 public health districts of which Clayton County is listed as a priority county; and

**WHEREAS**, community and urban gardens have taken root in small communities and urban cities across the United States of America propelled by issues such as food deserts, sustainability, food insecurity, community health and local food movements (*see Exhibit "A"*); and

**WHEREAS**, food movements in communities seek to develop and promote political change in food policy; and

**WHEREAS**, organized community garden efforts have a relationship with the economy, and provide access to nutritious foods produced with less carbon effects, contribute to food security for community residents, support the local economy and provide educational opportunities for urban residents; and

**WHEREAS**, scholarly research indicate that community gardens are more essential in diverse, low-income neighborhoods, where low-income individuals live in areas that have limited access to healthy food; and

**WHEREAS**, over 10% of Americans are food insecure and do not have a reliable food source and most food consumed is inadequate and less nutritious; and

**WHEREAS**, community gardens in recent years have been associated with improving psychological well-being, social connectivity, improved attitudes, and reduced obesity in both adults and children; and

**WHEREAS**, community gardens provide a place for community engagement, community gathering places, and access to public health education; and

**WHEREAS**, gardens provide improved multicultural relationships, environmental awareness, and other social benefits that empower participants, and provide access to locally grown food; and

**WHEREAS**, community gardens can have a positive financial impact on participating gardeners, enabling them to grow their own fresh produce that is less than the retail cost, and in some communities, community/urban gardeners establish markets and sell their produce at local farmers markets or restaurants or share the harvest with local families; and

**WHEREAS**, such gardens assist in building trust among gardeners and members of diverse racial groups; and

**WHEREAS**, community and urban gardens assist in beautifying the landscape and enhancing vacant lots.

**NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:**

**Section 1:** The Mayor and Council of Forest Park, Georgia hereby authorizes the Department of Recreation and Leisure via the City Manager to apply for the FY21 Georgia Department of Public Health Community Garden Mini-Grant.

**Section 2:** The Forest Park City Council supports community gardening in Forest Park and authorizes the Department of Recreation and Leisure via the City Manager to do the following:

- a. Work with each Councilmember to identify and map a potential site in his/her Ward. If a garden in each Ward is not feasible, identify city owned property that could be used for a central city garden.
- b. Solicit members from each City Ward that are interested in volunteering to assist in planting and maintaining the garden and publicize the gardening project.
- c. Develop a community gardening plan to include drawing/layout of plant beds, water locations, fencing existing trees and roadways, building materials, and rules for the community garden (i.e. time of use, any fees if necessary that the grant does not pay for, etc.)
- d. Identify partners that will assist in building plant beds, providing knowledge on soil types best suited for optimal growth, donating in-kind services, and to provide educational sessions on what fruits and vegetables thrive in our region each growing season.
- e. Identify a partner(s) knowledgeable in water and irrigation process to maintain soil moisture and pH levels.
- f. Identify a POC (point of contact) to support the community members in establishing/sustaining the garden.
- g. Work with City Departments regarding matters such as zoning, right-of-way, or other concerns that may become relevant during this process.
- h. Establish meetings with interested Ward community members once identified to explain the intent and rules of the gardening project.

**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, Mayor Pro Tem (Ward 1)

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

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

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

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

ATTEST:

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

(THE SEAL OF THE CITY OF FOREST PARK,  
GEORGIA)

Approved as to form:

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



## Exhibit “A”

### Community Gardens in Metro Atlanta

Place	Brief Synopsis or Address location
<b>City of Love Joy</b>	Love City Garden sits on 14 acres of city owned land. A store was built to generate income to sustain the garden.
<b>Park Pride (City of Atlanta)</b>	This nonprofit organization began the first community garden in an Atlanta City Park in 2007. Approximately 22 such gardens now exist in parks throughout the City.
<b>Metro Atlanta Urban Farm</b>	Located in College Park, GA, grows and harvests naturally, certified fresh produce. Volunteerism helps to maintain the garden and educational programs are also held.
<b>City of Union City</b>	Ronald Bridges Park. Community driven project assisted through funding from the ARC CDAP program. Community engagement and charettes were held to decide best site selections.
<b>Poncey-Highland Community Garden</b>	Located on Freedom Parkway in the City of Atlanta
<b>Gilliam’s Community Garden</b>	1286 Oakland Terrace, Atlanta, GA
<b>Peachtree Hills Community Garden</b>	308 Peachtree Hills Ave., NE, Atlanta, GA
<b>Five Points Farm</b>	1 Forsyth St. SW, Atlanta, GA
<b>Grant Park Community Garden-Boulevard</b>	Atlanta, GA
<b>Georgia Tech Community Garden</b>	759 Ferst Dr. NW, Atlanta, GA
<b>West End Community Garden &amp; Nursery</b>	352 University SW, Atlanta, GA
<b>Hapeville Community Garden</b>	Hapeville, GA
<b>Edgewood Community Learning Garden</b>	1503 Hardee St. NE, Atlanta, GA
<b>Ashview Community Garden</b>	1199 Fenwood St. SW, Atlanta, GA

### Cities Across America

Place	Brief Synopsis or Address location
<b>Detroit, MI</b>	Urban/Community Gardens sprang up on vacant, neighborhood lots to provide fresh food to neighborhood residents and provide a viable use of the land to otherwise eyesores.
<b>Chicago, IL</b>	Over 600 gardens throughout the city. Created as a result of the same situation in Detroit.
<b>New York, New York</b>	Westside Community Garden (Manhattan) created on a trash-strewn vacant lot. Contains various flowering plants. People visit to sit and relax, sip coffee, and walk. Various festivals are also held at the park.
<b>Los Angeles. CA</b>	LA Community Garden Council partners with 42 community gardens in LA County and offer advice and workshops to more than 125 community gardens throughout LA County. People can rent plots to grow produce, attend educational workshops on gardening, or volunteer at the urban farms and grow and harvest vegetables for local markets.

**File Attachments for Item:**

**5. Approval to Adopt Ord. 2021-08 Records Management and Retention Policy -**  
Sharee Steed, City Clerk

STATE OF GEORGIA

CITY OF FOREST PARK

**ORDINANCE NO. 2021-08**

AN ORDINANCE TO REVISED THE RECORDS RETENTION ORDINANCE OF THE CITY; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**WHEREAS**, the governing authority of the City of Forest Park is the Mayor and Council thereof;

**WHEREAS**, the City Council finds it necessary and desirable to revise and update the records retention ordinance of the City of Forest Park;

NOW THEREFORE, THE COUNCIL OF THE CITY OF FOREST PARK HEREBY ORDAINS:

**Section 1.** Section 2-3-28 of the Forest Park Municipal Code is hereby amended by deleting said section in its entirety and replacing it the following in lieu thereof:

*“Sec. 2-3-28. - Retention of public records; destruction of obsolete records.*

*(a) Pursuant to the Georgia Records Act, O.C.G.A. §50-18-90 et seq, the City of Forest Park adopts the Records Management Plan and Records Retention Schedule for Local Government Records as published by the Georgia Secretary of State Department’s Archives and History, and any such amendments or updates as may be made to such Retention Schedule for Local Government Records.*

*(b) All City of Forest Park Records shall be maintained in accordance with the approved retention schedules, in the most updated version of the Retention Schedule for Local Government Records.*

*(c) The City Clerk shall serve as the Records Management Officer and will be the coordinator of the records management plan and is authorized to act for and on behalf of the City in directing and coordinating all record management matters, including storage, archiving, and destruction of records, under the Georgia Records Act. In discharging the records management and records destruction duties, the Records Management Officer shall, whether personally or by delegation, maintain all records in accordance with Georgia Secretary of State Retention Schedule for Local Government Records adopted by the Mayor and Council, and shall destroy, allow, or direct any employee to destroy any record except as provided for on the aforesaid Retention Schedule.*

*(d) No record shall be destroyed except as provided in the approved retention schedule; provided, however, a written record may be destroyed if it is otherwise preserved by means of microfiche, scanning, or other reliable photographic or digital means as permitted by law.*

*(e) Whenever any records are destroyed, a certificate of destruction shall be prepared which shall show the type of records destroyed, the approved retention schedule number, the dates covered, and the volume destroyed. These memoranda of destruction shall be kept by the City Clerk in a central location and may be viewed by any member of the public as provided by law.*

*(f) Changes to the retention schedules shall be adopted by ordinance of the Mayor and Council.”*

**Section 2.** The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

**Section 3.** (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses, and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable, and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause, or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause, or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause, or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause, or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

**Section 4.** All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

**Section 5.** Penalties in effect for violations of the City of Forest Park at the time of the effective date of this Ordinance shall be and are hereby made applicable to this Ordinance and shall remain in full force and effect.

**Section 6.** The effective date of this Ordinance shall be its date of adoption.

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

# RECORD RETENTION POLICY

In concurrence with the State Law, the City of Forest Park shall comply with the Georgia Records Act, as presented in O.C.G.A §50-90-18 et seq. for public entities.

## A. PURPOSE – STATEMENT OF POLICY

The City of Forest Park recognizes that its citizens have a right to expect and the City has an obligation to maintain an efficient and cost-effective Records Management Program and it further recognizes the importance of City records in the lives of its citizens. The City of Forest Park has a responsibility to its citizens to manage, protect, preserve, and make available City records. The decision to adopt Forest Park's Records Management Program is a commitment to improving the City's overall record keeping system.

It is the policy of the City of Forest Park to provide for efficient, economical, and effective controls over the creation, distribution, organization, maintenance, use, retention, and disposition of all records of the City of Forest Park. This policy will be implemented through a comprehensive system of integrated procedures for the management of records from their creation to their ultimate disposition, consistent with the requirements of the Georgia Open Records Act and accepted records management practice.

All City records must be created, maintained, and disposed of in accordance with this chapter and all requirements, policies and procedures established pursuant to this chapter, and in no other manner.

## B. DEFINITIONS

1. **Approved Records Retention and Disposition Schedule** – a records retention and disposition schedule that has been approved by the City Manager, the Records Management Officer and the Georgia Secretary of State Records Management Office and adopted by the City Council of Ordinance through this policy. Website for Georgia Archives to view the Retention and Disposition Schedule – [www.georgiaarchives.org](http://www.georgiaarchives.org)
2. **City Record** – every document, paper, letter, record, book, map, drawing, photograph, tape (sound or video recording), and all copies, duplicates, photographs, including microfilm, or other reproductions thereof, or any other documentary materials, regardless of physical form or characteristics, including information contained in electronic data processing equipment and on floppy disks, optical disks, and compact disks, regardless of physical form or characteristic and regardless of whether public access to it is open or restricted under State law, that is created or received by the City of Forest Park or any its officers or

employees pursuant to law or in the transaction of public business. A City record does not include library material acquired solely for reference, exhibit, or display or stocks of publications, advertisements, or other unsolicited written materials received by the City or any of its officers or employees. The provisions of the State of Georgia Open Records Act or any successor provisions thereof shall govern regarding the status of the records described herein as public records or as exempt from the public records laws.

3. **Department** – any department, division, commission, authority, committee, task force, or similar entity of the City.
4. **Director/Division Head** – the person who oversees a department of the City that creates or receives City records.
5. **Essential Record** – any City record necessary to resume or continue operations of the City in an emergency or disaster; recreate the legal and financial status of the City; or to protect and fulfill obligations to the citizens of the City.
6. **Form** – a document on which captions are pre-printed for entering variable data and which is used to transmit information from one point to another. Forms are generally used to cause some action, establish a memory and/or give a report. This includes stationery, envelopes, memo pads, checks, etc.
7. **Open Records Law** – O.C.G.A. §50-14-1 through §50-18-76, also known as the Georgia Open Records Act and the Sunshine Law.
8. **Permanent Record** – any City record for which the retention period on Records Retention and Disposition Schedule is given as permanent.
9. **Records Center** – the facility used to provide centralized and secure storage for non-current and permanent City records.
10. **Records Disposition** – the removal or destruction of a City record from a department or from a non-current records storage center and for a City record that has passed its minimum legal retention period and no longer has value to the City, or a permanent City record, transfer of the record to Records Center for archival accession.
11. **Records Inventory** – the process of locating, identifying, and describing in detail the records of a department.
12. **Records Liaison** – a person designated by each Director/Division Head to implement the Records Management Program in their department.

13. **Records Management** – the creation and implementation of systematic controls for City records from the point where they are created or received through final disposition or archival retention, including distribution, use, maintenance, storage, retrieval, protection, preservation, and disposal, for the purpose of achieving adequate and proper documentation of the policies and transactions of City government and reducing costs and improving the efficiency of record keeping. The term includes: development of Records Retention and Disposition Schedules; management of filing and information retrieval systems; protection of essential and permanent records; economical and space-effective storage of non-current records; control over the creation and distribution of forms, reports, and correspondence; management of manual, micrographic, electronic, and other records storage systems; and identification of functional record keeping requirements that ensure City records are created to adequately document the City’s business transactions.
14. **Records Management Officer** – the person appointed by the City Manager, *primarily the City Clerk*, to administer the City’s Records Management Program.
15. **Records Management Program** – the requirements, policies, and procedures developed by this document.
16. **Records Retention and Disposition Schedule** – a document prepared by or under the authority of the Records Management Officer and describes recurring records or records series on a continuing basis, indicating for each record series the length of time it is to be maintained in a department or in Records Center; when and if the record or records series may be destroyed or otherwise disposed of; and other records disposition information that the Records Management Program may require.
17. **Retention Period** – the minimum time that must pass after the creation, recording, or receipt of a City record, or after the fulfillment of certain actions associated with a City record before the record is eligible for disposition.

### C. OWNERSHIP AND CUSTODY OF CITY RECORDS

Every City record is the property of the City of Forest Park. No City officer or employee has any personal or property right to a City record even though they may have developed or compiled the record. The unauthorized alteration, destruction, deletion, removal of use of a City record is prohibited. A City record exempted from public disclosure under State or Federal law is not made subject to disclosure by its designation as City property under this section.

A City record may not be sold, loaned, given away, destroyed, or otherwise alienated from the City’s custody unless in accordance with this chapter. This subsection does not apply to a City record that is temporarily transferred to a contractor for purposes of microfilming, duplication,



and conversion to electronic media, restoration, or a similar records management and preservation procedure if the transfer is authorized by the Records Management Officer.

Except when a City record is transferred into the archival custody of a records center, legal custody of a City record created or received by a department during business remains with the Director/Division Head. The legal custodian, as guardian of record, does not relinquish responsibility for the care, preservation, of legal disposition of the record even though physical custody of the record for maintenance and preservation purposes may be held by another department or agency. The physical custodian of the record is also responsible for complying with all Records Management Program requirements, policies, and procedures. An original City record may not leave the custody of the department concerned when it is being used by a member of the public.

#### **D. PASSWORD PROTECTED ELECTRONIC RECORDS PROHIBITED**

Because all City records including all electronic records, are public records, electronic records may not be password protected unless it is a record specifically exempt from the Open Records Law. Only confidential documents as specified in the Open Records Law may be password protected if the creator of the document provides his/her supervisor with the password. Written confirmation from the supervisor shall be forwarded to the Records Management Officer confirming the record is confidential. Such confirmation shall note the specific law that exempts the record from being an Open Record.

#### **E. RECORDS INVOLVED IN PUBLIC INFORMATION REQUESTS, REQUEST BY MEDIA, AND RECORDS PENDING LITIGATION OR PENDING AUDITS**

The destruction of a City record involved in a pending request under the Public Information Act, pending litigation, or a pending audit is prohibited, even if the destruction of the record is authorized by an approved Records Retention and Disposition Schedule. Retrieval and release of all records to the public or media shall be in accordance with rules and regulations of the Open Records Act and City of Forest Park Open Records Policy. *All retrieval and release of records for litigation or media purposes shall ALSO be in accordance with the advice and consent of the City of Forest Park Legal Department and City Clerk's office.*

#### **F. RECORDS MANAGEMENT OFFICER – DUTIES AND RESPONSIBILITIES**

In addition to other duties assigned by this chapter and State Law, the Records Management Officer shall:

1. Administer the City's Records Management Program and provide advice and assistance to Directors/Division Heads in its implementation.
2. Prepare the requirements, policies, and procedures for the City's Records Management Program.

3. Review and approved the Records Retention and Disposition Schedules for all departments.
4. In cooperation with Directors/Division Heads, identify essential records and establish a records disaster and recovery plan of each department to ensure maximum availability of the records to re-establish operations quickly and with minimum disruption and expense.
5. Monitor retention/disposition schedules and administrative rules issued by the Georgia Secretary of State to determine if the Records Management Program and the City's Records Retention and Disposition Schedule are in compliance with State regulations.
6. Disseminate information concerning State Laws and administrative rules relating to City records to the Directors/Divisions Heads.
7. Instruct or train the Records Liaison Officers and other personnel in the Records Management Program.
8. Direct Records Liaison Officers and other personnel in the conduct of records inventories (of file types, not individual files) in preparation for the development of Records Retention and Disposition Schedules.
9. Ensure that the creation, maintenance, preservation, microfilming, electronic storage, destruction, and other disposition of City records are carried out in accordance with the requirements, policies, and procedures of the Records Management Program, this chapter, and State Law.
10. Bring to the attention of the City Manager any non-compliance by Director/Division Head or other personnel with the requirements, policies, and procedures of the Records Management Program, this chapter, and State Law.
11. Develop procedures to ensure the permanent preservation of the historically valuable records of the City.
12. Conduct periodic reviews of departmental record keeping practices and Records Retention and Disposition Schedules to ensure that the schedules are kept current.
13. Provide uniform standards and efficient controls over the identification, appraisal, maintenance, protection, preservation, transfer, retention, and disposition of City Records.
14. Review City-wide and departmental policies to ensure compliance with the Records Management Program, this chapter, and State Law.

15. In cooperation with Directors/Division Heads, incorporate records management policies, objectives, responsibilities, and authorities in pertinent departmental directives.
16. Review user requirements, cost feasibility studies, systems requirements, systems specifications, and other systems design documents to ensure that record keeping requirements and public access requirements are incorporated into electronic record keeping systems as the design phase.
17. Establish procedures for the use of approved general retention and disposition schedules by City departments.
18. Serve as the City's liaison to the Georgia Secretary of State for Records Management Program requirements.

#### **G. DIRECTORS/DIVISION HEADS – DUTIES AND RESPONSIBILITIES**

Every Director and Division Head shall:

1. Cooperate with the Records Management Officer in carrying out the policies, procedures, and requirements of the Records Management Program, this chapter, and State Law.
2. Maintain City records in their custody and carry out the preservation, microfilming, electronic storage, destruction, and other disposition of those records only in accordance with the Records Management Program, this chapter, and State Law.
3. Review and approve Records Retention and Disposition Schedules and requests to dispose of City records that are prepared and submitted by or under the direction of the Records Management Officer.
4. Notify the Records Management Officer within 24 hours of the discovery of any loss, theft, or damage to a City record.
5. Ensure the ability to access records regardless of form or medium.
6. Notify the Records Management Officer of proposed electronic record keeping systems to ensure compliance with electronic record keeping requirements established by the Records Management Program, this chapter, and State Law.
7. Under the direction of the Manager of Information Systems, ensure electronic records in the director's custody are migrated forward as technology changes, for as long as the records are determined to have value, and to ensure that requests for funding for new systems or systems enhancements address requirements for backup, recopying, disaster

recovery, security, public access, audit trails, and other record keeping requirements in accordance with the Records Management Program, this chapter, and State Laws.

8. Appoint a department Records Liaison Officer in accordance with this program.
9. Incorporate the Records Management Program requirements in pertinent departmental policies and procedures.
10. In cooperation with the Records Management Officer, identify essential records of the department and establish a Records Disaster Recovery Plan to ensure maximum availability of the records to reestablish operations quickly and with minimum disruption and expense.

## **H. RECORDS LIAISON OFFICERS – DUTIES AND RESPONSIBILITIES**

Each Director/Division Head shall designate in writing to the Records Management Officer a member of their staff to serve as the Records Liaison Officer for the implementation of the Records Management Program for each department/division. If the Records Management Officer determines that more than one Records Liaison Officer is need for the department/division, the Director/Division Head shall designate more Records Liaison Officers as specified by Records Management Officer.

A person designated as a Records Liaison Officer shall be thoroughly familiar with department policies and activities and have full knowledge of and access to all City records created and maintained by the Department/Division and by all officers and employees of the Department/Division. If a person designated as a Records Liaison Officer resigns, retires, or is removed by action of the Director/Division Head, the Director/Division Head shall promptly designate another person to fill the vacancy and, also serve in the position until it has been filled.

In addition to other duties assigned in this chapter or by State Law, a Records Liaison Officer shall:

1. In cooperation with the Records Management Officer, coordinate and implement the requirements, policies, and procedures of the Records Management Program in the department.
2. Disseminate information to department staff concerning the Records Management Program.
3. In cooperation with the Records Management Officer, coordinate the records inventory of the department (inventory of file types, not individual files).

4. Verify the accuracy, content, and completeness of the records inventory prior to submission to the Records Management Officer.
5. Review departmental record keeping practices for compliance with the Records Management Program and, in consultation with the Records Management Officer, identify practices that require improvement for the purposes of increasing efficiency or implementing corrective action for program compliance.
6. Report any non-compliance with the Records Management Program to the Director/Division Head in writing and correct and re-submit to the Records Management Officer any records inventory that is incomplete or inaccurate.
7. Periodically inventory records in department or division and give report to the Record Management Officer.

## **I. RECORDS RETENTION AND DISPOSITION SCHEDULES**

The Records Management Officer, in cooperation with Directors/Division Heads and Records Liaison Officers, shall prepare Records Retention and Disposition Schedules on a department-by-department basis that describe and establish the retention periods of all City records created or received by each department. The schedule should list the periods of time that the records are to remain in the original department, the records center, as well as the ultimate disposition. (Microfilm, scan, or transfer to archives, or destroy).

Any Records Retention and Disposition Schedule, amendment to a schedule, or request for destruction of a record that contains general terms such as “miscellaneous” and “various” to describe any record identified in such a document may not be submitted to the Records Management Officer for consideration.

Each Records Retention and Disposition Schedule must be monitored and amended as needed by the Records Management Officer on a regular basis to ensure that the schedule is in compliance with Records Retention and Disposition Schedules issued by the State and City of Forest Park Records Management Program that the schedule continues to reflect the record keeping procedures and needs of the department and the Records Management Program of the City.

Records may not be destroyed prior to the time periods stated, however, they may be retained for longer periods for sufficient reason.

The Georgia Department of Archives and History publishes a Retention Schedule for Local Government Records. The City shall comply with the retention schedule timelines as outlined within this schedule. A copy of the entire retention schedule is included within this policy for reference purposes.

## **J. IMPLEMENTATION**

The Director/Division Heads and Records Liaison Officer of a department for which a Records Retention and Disposition Schedule has been approved shall implement the schedule in accordance with the requirements, policies, and procedures of the Records Management Program, this chapter, and State Law.

A City record whose retention period has expired on an approved Records Retention and Disposition Schedule must be destroyed unless an Open Records Request is pending on the record; the subject matter of the record is pertinent to pending litigation or a pending audit, the Director/Division Head request to the Records Management Officer in writing that the record be retained for an additional period, which request must clearly state the reason for the continued retention; or the Records Management Officer sends written notification to a Director/Division Head that the records must be held pending review for historical appraisal.

## K. DESTRUCTION OF RECORDS

The Records Management Officer shall approve City records proposed for destruction on a regularly scheduled basis, according to the maximum retention and records disposition guidelines provided in the manual. No original record shall be destroyed without the review and concurrence of the Records Management Officer and the appropriate Director/Division Head. The Records Management Officer is directed to supervise the destruction or records approved for final disposition on a regularly scheduled basis. Any City record, the subject matter of which is in litigation, shall not be destroyed until such litigation is final.

**Destruction of Original Records that have been Duplicated** – Original paper records that have been duplicated on microfilm, microfiche, data processing, or work processing equipment may be destroyed prior to the retention period specified in the records schedule without further approval provided the following three conditions are met:

1. The duplicate copy of the information contained in the original records is maintained for the specified time.
2. The original paper record has not been scheduled for permanent preservation.
3. The Records Management Officer has agreed to the destruction of the original paper record and the destruction is recorded.

**Unscheduled Records** – A City record that is obsolete or that has not been identified on an approved Records Retention and Disposition Schedule may be destroyed if its destruction has been approved in the City of Forest Park Records Management Program in the same manner required in this chapter, and the Records Retention officer has approved a request for destruction authorization.

## L. RECORDS CENTERS

The Records Centers serve as centralized records storage facilities for all departments for the storage of non-current City records and is under the direct control and supervision of the Records Management Officer. The Records Management Officer shall establish policies and procedures regulating the operation and use by City departments. The City Hall Records

regulating the operations and use by the departments. The City Hall Records Center (Archive Room) shall serve as the repository for current permanent City records that are transferred to the Records Management Officer by all departments. Additional off-site locations are designated by the City Manager for storage of records of less importance.

Fireproof storage systems shall be utilized and serve as repository for current records of the City Treasurer's Office and permanent and historical records of the City Clerk only.

#### **M. MICROFILMING/DIGITAL STORAGE OF CITY RECORDS**

City records may be microfilmed, scanned, or digitally stored in accordance with the Records Management Program. Every Director/Division Head shall coordinate the microfilming, scanning, or digital storage of a City record with the Records Management Officer. The Records Management Officer shall periodically review each department's electronic storage programs as to cost-effectiveness, administrative efficiency, and compliance with the Record Management Program.

#### **N. ELECTRONIC RECORDS – STORAGE and DESTRUCTION**

The creation, maintenance, preservation, electronic document imaging, and storage of the electronic records of the City must comply with the Records Management Program, this chapter, and State Law. All operational procedures of document imaging and electronic systems are under the supervision of the Manager of the Information Systems.

**Destruction of Data Processing Records** – Computer printouts and other data processing input/output may be destroyed without specific authorization and recording provided the following conditions apply.

1. The information is retained on magnetic media (e.g., magnetic tape, diskettes, etc.), and the media is scheduled in a Records Retention and Disposition Schedule.
2. The output copy is not specifically listed and scheduled in this Records Retention and Disposition Schedule.

#### **O. ELECTRONIC MAIL**

The City of Forest Park provides E-mail services to help its employees conduct business effectively. E-mail is a public record and should be used for City Business. It is intended to expedite communications, reduce paperwork, and automate routine office tasks; thereby increasing productivity and reducing costs. The same discretion should be used in maintaining and storing E-mail messages as you would maintain any other city produced record. The policies for E-mail are further explained in other publications of the City of Forest Park.

#### **P. GENERAL GUIDELINES and PROCEDURES for STORAGE IN RECORD CENTERS**

- A. **The Department's Records Liaison** – appointed by and under the direction of the Director/Division Head, will be responsible for the coordination of the Department/Division's records storage in conjunction with the guidelines and procedures outlined in the Records Management Policy. The Records Management Officer (City Clerk) will witness receipt and approve all record storage deposits into the Records Center (Archive Room).
- B. **The Records Liaison** – for each department will be responsible for inventory and coordination of filing and records management in their department's storage and filing facility in conjunction with the rules and regulations of this policy and State of Georgia records retention requirements.
- C. **Type of Storage Box** – All records must be stored in one cubic foot size boxes (10"x 12" x 15 ¼"). Any larger boxes are hard to handle and dangerous! Large boxes will not be accepted in the Records Centers.
- D. **Packing of Box** – Records must be categorized by date and item description. Disposition of records will be by year and type of record. Please store records in similar categories and dates (years). Leave room equivalent to "*one hand's width*" (about ½ inch) in each box when packing. **Do not over pack the box.**
- E. **Paperwork Submittal** – An entry form must be completed with record descriptions and signed by Department/Division Head and Record Liaison.
- F. **Receipt of Records** – All boxes of records for deposit in the records center (Archive Room) must be inventoried, reviewed for retention schedule assignments, and logged in through the City Clerk's Office by appointment.
- G. **Entry into Record Center** – All employees must sign in and receive a key prior to entering the records center. The key and sign in sheet are available in the City Clerk's Office. The Records Center should be locked at all times.
- H. **Record Disposition** – A Disposition notice in compliance to the retention schedule will be sent to the Department/Division Heads and Records Liaisons prior to any destruction of records.
- I. **Disposition** – Records must be approved by the Department/Division Head and Records Management Officer (City Clerk) and in compliance with State Records Retention Regulations.
- J. **Any Permanent Records** – Converted to computer based scanning programs must also be saved in microfilm format or as paper.



- K. **Surplus/Used Items** – Surplus and Used office items **are not allowed** in the Records Center for storage.
- L. **Finance Department Record Center** – This center is for the *City Treasurer's Office and City Clerk's use only*. The City Treasurer's Office Records Liaison is appointed and under the direction of the City Treasurer, will be responsible for the coordination of the City Treasurer's Office Record Center.
- M. **Permanent Records (e.g., deeds and minutes)** – Permanent Records located in the Records Center must be always stored in a locked file cabinet. Access to these records require the signing out of a key and supervision of the Records Management Officer (City Clerk).
- N. **The Doors of All Record Centers** – *Must be always closed*. All entries into the Records Centers, other than authorized employees, must have permission and/or supervision from the City Clerk before entering.

**File Attachments for Item:**

**6. Approval of Recruitment Police/Fire Initiatives** - Nathaniel Clark, Public Safety Director

