



CITY OF STONECREST, GEORGIA

CITY COUNCIL MEETING – AGENDA

3120 Stonecrest Blvd., Stonecrest, GA 30038

Monday, March 24, 2025 at 6:00 PM

Mayor Jazzmin Cobble

Council Member Tara Graves - District 1 Council Member Terry Fye - District 2

Council Member Alecia Washington - District 3 Mayor Pro Tem George Turner - District 4

Council Member Tammy Grimes - District 5

Citizen Access: [Stonecrest YouTube Live Channel](#)

- I. CALL TO ORDER:** George Turner, Mayor Pro-Tem
- II. ROLL CALL:** Sonya Isom, City Clerk
- III. INVOCATION**
- IV. PLEDGE OF ALLEGIANCE:** Alecia Washington, District 3 Councilmember
- V. APPROVAL OF THE AGENDA**
- VI. REVIEW AND APPROVAL OF MINUTES**

a. Approval of Meeting Minutes - City Council Meeting, February 24, 2025

VII. PUBLIC COMMENTS

Citizens wishing to make a public comment may do so in person. Citizens may also submit public comments via email to cityclerk@stonecrestga.gov by 2 pm on the day of the meeting to be read by the City Clerk.

All members of the public wishing to address the City Council shall submit their name and the topic of their comments to the city clerk prior to the start of any meeting held by the City Council. There is a three (3) minute time limit for each speaker submitting or reading a public comment. Individuals will be held to established time limits.

VIII. PUBLIC HEARINGS

Citizens wishing to participate and comment during the public hearing portion of the meeting may comment in person. You may also submit your request including your full name, address,

position on the agenda item you are commenting on (for or against) via email to cityclerk@stonecrestga.gov by 2 pm the day of the Public Hearing to be read into the record at the meeting. A zoom link for the meeting will be sent to you.

When it is your turn to speak, please state your name, address and relationship to the case..

There is a ten (10) minute time limit for each item per side during all public hearings. Only the applicant may reserve time for rebuttal.

- a. Public Hearing** - SLUP 24-009 3356 Panola Road - *Shawanna Qawiy, Division Director, Community Development*
- b. For Decision** - Ordinance for SLUP 24-009 3356 Panola Road - *Shawanna Qawiy, Division Director, Community Development*
- c. Public Hearing** - SLUP 25-001 4989 Thompson Mill Road - *Shawanna Qawiy, Division Director, Community Development*
- d. For Decision** - Ordinance for SLUP 25-001 4989 Thompson Mill Road - *Shawana Qawiy, Division Director, Community Development*
- e. Public Hearing** - RZ 24-005 1810 Coffee Road - *Shawanna Qawiy, Division Director, Community Development*
- f. For Decision** - Ordinance for RZ 24-005 1810 Coffee Road - *Shawanna Qawiy, Division Director, Community Development*

IX. CONSENT AGENDA

X. APPOINTMENTS & ANNOUNCEMENTS

- a.** Appointment of the Purchasing Agent/Purchasing Official - *Gia Scruggs, City Manager*

XI. REPORTS & PRESENTATIONS

XII. OLD BUSINESS

- a. For Decision** - Resolution to approve Fleet Policy Revisions Recommendation - *Reginald Powell, Facilities Operations Manager*
- b. For Decision** - Resolution to approve Purchasing Policy Revisions Recommendation - *Tanisha Boynton, Procurement Manager*
- c. For Decision** - Resolution to approve Purchasing Card Policy Revisions Recommendation - *Tanisha Boynton, Procurement Manager*
- d. For Decision** - Resolution to approve Travel Policy Revisions Recommendation - *Lakeisha Gaines, Finance Director*
- e. For Decision** - Resolution to approve Financial Management Policy Revisions Recommendation - *Lakeisha Gaines, Finance Director*

XIII. NEW BUSINESS

- a. For Decision** - Resolution for SDP 24-001 Preliminary Plat 2955 Klondike Road - *Shawanna Qawiy, Division Director, Community Development*
- b. For Decision** - Ordinance for Personnel Code Amendment, 1st Read - *Leona Durden, Director of Human Resources*
- c. For Decision** - Ordinance for Financial Management Code Amendment, 1st Read - *Lakeisha Gaines, Finance Director*
- d. For Decision** - Resolution for Community Development Block Grant (CDBG) Acceptance - *Lakeisha Gaines, Finance Director*
- e. For Decision** - Resolution for Transportation Alternative Program (TAP) Application - *Lakeisha Gaines, Finance Director*

XIV. CITY ATTORNEY COMMENTS

XV. CITY MANAGER UPDATE

XVI. MAYOR AND COUNCIL COMMENTS

XVII. EXECUTIVE SESSION

(When an executive session is required, one will be called for the following issues: 1) Personnel, 2) Litigation, 3) Real Estate, 4) Cyber Security

XVIII. ADJOURNMENT

Americans with Disabilities Act

The City of Stonecrest does not discriminate on the basis of disability in its programs, services, activities and employment practices.

If you need auxiliary aids and services for effective communication (such as a sign language interpreter, an assistive listening device or print material in digital format) or reasonable modification to programs, services or activities contact the ADA Coordinator, Sonya Isom, as soon as possible, preferably 2 days before the activity or event.



CITY OF STONECREST, GEORGIA

CITY COUNCIL MEETING – MINUTES

3120 Stonecrest Blvd., Stonecrest, GA 30038

Monday, February 24, 2025 at 6:00 PM

Mayor Jazzmin Cobble

Council Member Tara Graves - District 1 Council Member Terry Fye - District 2

Council Member Alecia Washington - District 3 Mayor Pro Tem George Turner - District 4

Council Member Tammy Grimes - District 5

Citizen Access: [Stonecrest YouTube Live Channel](#)

I. CALL TO ORDER: George Turner, Mayor Pro-Tem

The meeting began at 6:07pm.

II. ROLL CALL: Sonya Isom, City Clerk

All members were present.

III. INVOCATION: Jeremy Reid, City of Stonecrest & Pastor of Discovery Pointe Church, Snellville, GA

IV. PLEDGE OF ALLEGIANCE: Alecia Washington, District 3 Councilmember

V. APPROVAL OF THE AGENDA

Motion – made by Councilmember Terry Fye to approve the agenda as stated. Second by Councilmember Tammy Grimes.

Motion passed unanimously.

VI. REVIEW AND APPROVAL OF MINUTES

a. Approval of Meeting Minutes - Special Called Meeting, December 23, 2024

Motion – made by Councilmember Terry Fye to approve the meeting minutes from the Special Called Meeting, December 23, 2024. Second by Councilmember Tara Graves.

Motion passed unanimously.

b. Approval of Meeting Minutes - Work Session, January 13, 2025

Motion – made by Councilmember Tara Graves to approve the meeting minutes from the Work Session, January 13, 2025. Second by Councilmember Alecia Washington.
Motion passed unanimously.

- c. Approval of Meeting Minutes - City Council Meeting, January 27, 2025

Motion – made by Councilmember Alecia Washington to approve the meeting minutes from the City Council Meeting, January 27, 2025. Second by Councilmember Tammy Grimes.
Motion passed unanimously.

VII. PUBLIC COMMENTS

Citizens wishing to make a public comment may do so in person. Citizens may also submit public comments via email to cityclerk@stonecrestga.gov by 2 pm on the day of the meeting to be read by the City Clerk.

All members of the public wishing to address the City Council shall submit their name and the topic of their comments to the city clerk prior to the start of any meeting held by the City Council. There is a three (3) minute time limit for each speaker submitting or reading a public comment. Individuals will be held to established time limits.

Monica Robinson - Opposed to the city opting out of the Homestead exemption.

Dr. Stacey Johnson - Wanted to show gratitude to Councilman Fye and Mayor Cobble for supporting the students at Lithonia High School and attending PTA Day at the State Capitol. Plaques were presented to both Mayor Cobble and Councilman Fye.

Carlene Anderson – Thanks to Mayor Cobble and Councilman Fye from Lithonia High School PTA President, for helping with their event.

Faye Coffield- Concerns about situation at I-20 and extending sound barriers to Lithonia Industrial, the need for additional streetlights and quality development and stated she would like for the City of Stonecrest to get a Tree Ordinance.

Joy Graham (via email)- Commended the Council for adjusting the traffic flow at the Turkey Giveaway event, commented on how much people enjoyed the "Light It Up Stonecrest" event and thanked the Council for the additional parking and new benches at Salem Park. She also gave high fives all around for the 100% increase in revenue.

Wesley Smith- Waiting on return call from council member, concerned that he may lose his home due to past due HOA fees, and stated he would like city leaders to work with citizens to make Stonecrest better.

VIII. PUBLIC HEARINGS

Citizens wishing to participate and comment during the public hearing portion of the meeting may comment in person. You may also submit your request including your full name, address, position on the agenda item you are commenting on (for or against) via email

to cityclerk@stonecrestga.gov by 2 pm the day of the Public Hearing to be read into the record at the meeting. A zoom link for the meeting will be sent to you.

When it is your turn to speak, please state your name, address and relationship to the case..

There is a ten (10) minute time limit for each item per side during all public hearings. Only the applicant may reserve time for rebuttal.

a. Public Hearing - Intent to Opt Out of HB 581, 3rd Public Hearing - *Michael McCoy, Deputy City Manager & Ed Wall, Financial Advisor*

Introduction of item by Deputy City Manager McCoy and Financial Advisor Mr. Wall mentioning this is the 3rd and final public hearing required by law for this matter. There was a review and explanation of the millage rate and how property taxes are calculated in Georgia. Staff provided an understanding on the Floating Homestead Exemptions, effects of HB581 on final property tax, property tax impacts and why opting out of HB581 is the best choice for Stonecrest.

Motion – made by Councilmember Terry Fye to open the 3rd public hearing for the Intent to Opt Out of HB581. Second by Councilmember Tammy Grimes.

Motion passed unanimously.

The City Clerk read the preamble.

In Favor

- Faye Coffield
- Monica Robinson
- Renee Cail
- Adrenna Latham
- Joy Graham – via email

In Opposition

- Sabrena Farmer
- Gwendolyn Brown
- Patricia Jackson

Motion – made by Councilmember Terry Fye to close the 3rd public hearing for the Intent to Opt Out of HB581. Second by Councilmember Tara Graves.

Motion passed unanimously.

b. For Decision - Intent to Opt Out of HB 581, 3rd Public Hearing - *Michael McCoy, Deputy City Manager & Ed Wall, Financial Advisor*

The City Clerk was asked to read the preamble a second time.

Motion – made by Councilmember Tammy Grimes to approve the Intent to Opt Out of HB581. Second by Councilmember Terry Fye.

Motion passed 3-2 with Councilmembers Tara Graves & Alecia Washington voting Nay.

IX. CONSENT AGENDA

X. APPOINTMENTS & ANNOUNCEMENTS

XI. REPORTS & PRESENTATIONS

Presentation by representatives from Lithonia High School to Mayor Cobble and Councilman Fye for their participation during Georgia PTA Day.

a. Street Resurfacing Accomplishments 2024 - *Hari Karikaran, City Engineer*

Presentation by Mayor Pro Tem George Turner highlighting accomplishments of the City of Stonecrest Street Resurfacing projects in 2024. Deputy City Manager McCoy shared a video of the street resurfacing and paving program. It was also stated roads are being resurfaced with SPLOST funds.

XII. OLD BUSINESS

a. For Decision - City Closure Approval - *Mayor Jazzmin Cobble*

Presentation by Mayor Cobble stating there is a consensus for a city closure on December 26, 2025, as the city is currently scheduled to be closed on December 24th and 25th for the holidays.

Motion – made by Councilmember Terry Fye to approve a city-wide closure on December 26, 2025. Second by Councilmember Tammy Grimes.

Motion passed unanimously.

XIII. NEW BUSINESS

XIV. CITY ATTORNEY COMMENTS

No comments.

XV. CITY MANAGER UPDATE

Stated there will be several policies coming before the council for both the March Work Session and the City Council Meeting. Registration for the Citizens Academy is now open and will end on March 14, 2025. The academy dates are March 20, 2025, through April 17, 2025. The new city website is now public, and she would like to thank all staff involved in the launch. The city is ready to launch the new city app and would like to give citizens an opportunity to help name the app. Submissions will be accepted beginning on March 3, 2025, and the deadline will be March 31, 2025, with the winner being announced in April. Launch of the new city app will be June 1, 2025. Georgia Cities Week is April 20-26, 2025. The city has a position open for an Arborist. The HR Policy is also under revision. City Manager Scruggs also addressed some of the public comments that were made.

XVI. MAYOR AND COUNCIL COMMENTS

District 1 – Tara Graves – No district updates. Congratulations to Mayor Cobble and Councilmember Fye on the Lithonia High School recognition.

District 2 – Terry Fye – Thanks to Parks and Recreation staff for the execution of the Battle of the Drumlines at Miller Grove High School. March 1st will be the first ride along with Code Enforcement and you can send an email with comments.

District 3 – Alecia Washington – The Battle of the Drumlines Event was awesome. Thank you to the staff. Everyone have a great weekend and be safe.

District 4 – Mayor Pro Tem George Turner – Sympathy to the Grimes family. The Battle of the Drumlines Event was exhilarating. Stated he is planning to attend the Real Men Read event at Salem Middle School.

District 5 – Tammy Grimes – Please pray for the Grimes family as this weekend will be the 4th funeral since January. Salem Middle School will host Real Men Read on this Friday, February 28th. Asking any men who would like to read to the scholars at Salem Middle School between the hours of 9am – 12pm, to please contact Councilmember Grimes at (470) 456-0066. Congratulations to Mayor Cobble and Councilmember Fye on their recognition from Lithonia High School.

Mayor Cobble – Will be at Murphy Candler Elementary School tomorrow morning for the Mayor’s Reading Club and will read to 3-5 classrooms. The Women of Wonder Gala is on March 29, 2025, at the Hilton Garden Inn, which is also our City Manager’s Birthday. Please come out to celebrate the wonderful women of Stonecrest. This event is free, but you must register.

XVII. EXECUTIVE SESSION

(When an executive session is required, one will be called for the following issues: 1) Personnel, 2) Litigation, 3) Real Estate, 4) Cyber Security

XVIII. ADJOURNMENT

Motion – made by Councilmember Terry Fye to adjourn the meeting. Second by Councilmember Tammy Grimes.

Motion passed unanimously.

The meeting adjourned at 8:37pm.

Americans with Disabilities Act

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CITY COUNCIL AGENDA ITEM

SUBJECT: Ordinance for SLUP 24-009 3356 Panola Road

AGENDA SECTION: *(check all that apply)*

- PRESENTATION PUBLIC HEARING CONSENT AGENDA OLD BUSINESS
- NEW BUSINESS OTHER, PLEASE STATE: [Click or tap here to enter text.](#)

CATEGORY: *(check all that apply)*

- ORDINANCE RESOLUTION CONTRACT POLICY STATUS REPORT
- OTHER, PLEASE STATE: [Click or tap here to enter text.](#)

ACTION REQUESTED: DECISION DISCUSSION, REVIEW, or UPDATE ONLY

Previously Heard Date(s): [Click or tap here to enter text.](#) & [Click or tap to enter a date.](#)

Current Work Session: [Click or tap to enter a date.](#)

Current Council Meeting: Monday, March 24, 2025

SUBMITTED BY: Shawanna Qawiy, Division Director Community Development

PRESENTER: Shawanna Qawiy, Division Director Community Development

PURPOSE: The applicant is seeking a Special Land use Permit (SLUP) to operate a Type 2 Home Occupation for a child daycare.

FACTS: The property is located at 3356 Panola Road at the intersection of Panola Road and Rock Springs Road. Zoned R-100 Medium Residential Lot the property is currently used as a residence for the applicant in conjunction to a child daycare.

OPTIONS: Approve, Deny, Defer [Click or tap here to enter text.](#)

RECOMMENDED ACTION: Approve with conditions as outlined by Staff.

ATTACHMENTS:

- (1) Attachment 1 - Cover Letter
- (2) Attachment 2 - Staff Report
- (3) Attachment 3 - CPIM Meeting Minutes
- (4) Attachment 4 - Ordinance



CITY COUNCIL AGENDA ITEM

(5) Attachment 5 - Click or tap here to enter text.



SPECIAL LAND USE PERMIT ANALYSIS

Prepared By: Felleshia Blair, Planner

Petition Number: SLUP 24-009

Applicant: Carole Dortch
1273 Springhouse Lane
Atlanta, GA 30311
permits@gosolapower.com

Property Owner: Leatha Forehand Spivey – Peaches and Cream Academy
3356 Panola Road
Lithonia, GA 30038
cdelasin@urbanretail.com

Project Location: 3356 Panola Road (Parcel ID 16 043 03 079)

District: 3 – Councilwoman Alecia Washington

Acreage: +/- 1.68 acres

Existing Zoning: R-100 (Residential Medium Lot) District

Overlay: N/A

Future Land Use: Suburban (SUB)

Proposed Development/Request: The applicant is seeking to operate as a Type 2 Home Occupation for a child daycare.

CPIM: February 13, 2025

Planning Commission: March 4, 2025

Mayor & City Council: March 24, 2025

Sign Posted/ Legal Ad(s) submitted: January 27, 2025

Staff Recommendations: **APPROVAL WITH CONDITIONS**

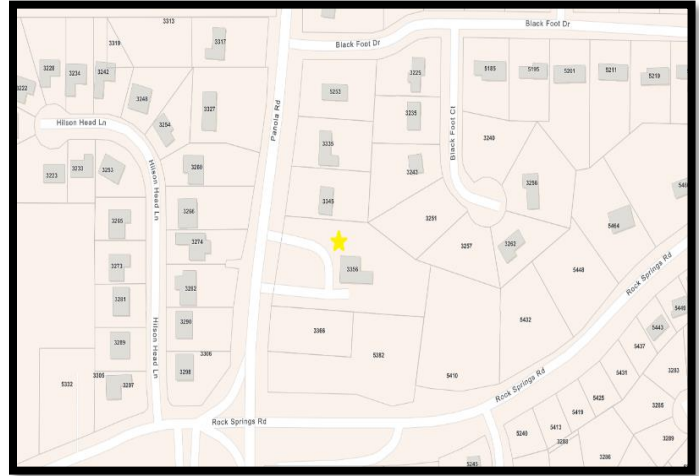
Planning Commission: **APPROVAL WITH CONDITIONS** as outlined by Staff.

PROJECT OVERVIEW

Location

The subject property is located at 3356 Panola Road, Stonecrest, GA 30038. The property is near the intersection of Panola Road and Rock Springs Road. Panola Road is classified as a Major Arterial and Rock Springs Road is classified as a Collector Road.

The property zoned R-100 (Residential Med Lot) zoning district, and all of the surrounding properties are zoned R-100 (Residential Me Lot).



| Adjacent & Surrounding Properties | Zoning (Petition Number) | Land Use |
|-----------------------------------|--------------------------------------|----------------------------------|
| Adjacent: North | R-100 (Residential Med Lot) District | Residential (Single Family Home) |
| Adjacent: West | R-100 (Residential Med Lot) District | Residential (Single Family Home) |
| Adjacent: East | R-100 (Residential Med Lot) District | Residential (Single Family Home) |
| Adjacent: South | R-100 (Residential Med Lot) District | Undeveloped Land |

Background

The subject property zoning classification is R-100 – Residential Med Lot.

The property is developed as a single family home. The property has been used as a residence for the applicant for many year in conjunction to the daycare use. The has been operating, however all of the proper licenses were not acquired from the City of Stonecrest. The proposed request is to bring the daycare use into compliance with the City of Stonecrest’s ordinances and regulations. The applicant has had some approvals from the State of Georgia over the years.



According to [Division 5, Section 2.5.1](#) the purpose and intent of the City Council in establishing the R-100 (Residential Medium Lot-100) District is as follows: A. To provide for the protection of neighborhoods within the city where lots have a minimum area of 15,000 square feet; B. To provide for compatible infill development in neighborhoods; C. To provide "For Sale", Single family detached residential subdivisions and For Sale Communities; D. To provide flexibility in design on the interior of new development while protecting surrounding development; E. To ensure that the uses and structures authorized in the R-100 (Residential Medium Lot-100) District are those uses and structures designed to serve the housing, recreational, educational, religious, and social needs of the neighborhood; F. To provide for appropriately sized accessible and useable open space in new developments for health, recreational and social opportunities for city residents; and G. To implement the future development map of the city's comprehensive plan.

DIVISION 2. - SUPPLEMENTAL USE REGULATIONS

Sec. 4.2.19. - Child daycare facility (up to six children), or child daycare center (seven or more children).

Each child daycare facility and child daycare center shall be subject to the following requirements. A child daycare facility or center may also be a kindergarten or preschool.

A. Each child daycare facility and child daycare center shall comply with all applicable state daycare requirements for standards, licensing and inspection. A City of Stonecrest business license is required.

B. Prior to the issuance of a business license for a child daycare facility or child daycare center, the necessary licensing from the State of Georgia shall be obtained, including compliance with all requirements related to minimum area for classrooms, play areas, and fencing. Each child daycare center and child daycare center shall provide off-street parking spaces as required by the applicable zoning district. Each child daycare center shall provide an adequate turnaround on the site.

C. The exterior appearance of any child daycare center located in a residential district shall be maintained as a residential structure, and no signs other than those otherwise authorized within the applicable zoning district shall be erected (no cut-outs, animal characters, or other graphics shall be affixed to the exterior of the structure or displayed upon the premises).

D. No child daycare center shall be located within 1,000 feet of another child daycare center.

E. See also additional approval criteria in [article 7](#) of this chapter, administration.

Additional information from the Georgia Department of Early Care and Learning (*Bright from the Start*)

“Family Child Care Learning Home” or “Home” means a private residence operated by any person who receives therein for pay for supervision and care fewer than 24 hours per day, without transfer of legal custody, at least three but not more than six Children under 13 years of age who are not Related to such persons and whose Parent(s) are not residents in the same private residence as the Provider and which is required to be licensed; provided, however, that the total number of unrelated Children cared for in such Home, for pay and not for pay, may not exceed six Children under 13 years of age at one time, except that a Provider may care for two additional children three years of age or older for two designated one hour periods daily upon approval by the Department.



290-2-3-.04 Requirements for Applications and Licenses

(1) General (d) Any Person that provides care for more than six children for pay, related or unrelated, as defined in these rules, shall make application to the Department for a License to operate a Child Care Learning Center, except as provided in 290-2-3-.07(15).

290-2-3-.07 Staffing and Supervision

(15) The total number of Children not Related to the Provider in the Family Child Care Learning Home, for pay or not for pay, cannot exceed six Children, except that a Provider may care for two additional children who are three years of age or older for two designated one hour periods daily upon approval by the Department.

STONECREST 2038 COMPREHENSIVE PLAN 5-YEAR UPDATE



Caption: An example Suburban Neighborhood Land Use in Stonecrest, GA

Suburban Neighborhood (SN): The Suburban Neighborhood area recognizes those areas of the city that have developed in traditional suburban land use patterns while encouraging new development to have increased connectivity and accessibility. These areas include those already developed and those under development pressures. Suburban Neighborhood areas are characterized by low-pedestrian orientation, limited transit access, scattered civic buildings, and curvilinear street patterns. The desired density for areas of this type is from 4 to 8 dwelling units per acre.

Use Descriptions: SF detached; Townhomes; Assisted Living facilities; Neighborhood Retail; Schools; Libraries; Parks and Related; Health Care, Civic

Maximum Density, Units/Acre: 4 to 8 du/ac

Permitted Districts: OI, OIT, NS, RSM, R100, R85, R75, R60, RNC

Zoning Classifications Legend

- | | | |
|------------------------------------|--|--|
| C-1: Local Commercial | MU-1: Mixed-use Low Density | R-60: Residential Medium Lot-60 |
| C-2 General Commercial | MU-2: Mixed-use Low-Medium Density | R-75: Residential Medium Lot-85 |
| HR-1: High-density Residential 1 | MU-3: Mixed-use Medium Density | R-85: Residential Medium Lot-85 |
| HR-1: High-density Residential 2 | MU-4: Mixed-use High Density | R-100: Residential Medium Lot-100 |
| HR-1: High-density Residential 3 | MU-5: Mixed-use Very High Density | RE: Residential Estate |
| M: Light Industrial | NS: Neighborhood Shopping | RLG: Residential Large Lot |
| M-2 Heavy Industrial | OD: Office-distribution | RNC: Residential Neighborhood Conservation |
| MR-1: Medium-density Residential 1 | OI: Office-Institutional | RSM: Small Lot Residential Mix |
| MR-2: Medium-density Residential 2 | OIT: Office-Institutional Transitional | |

SLUP 24-009

ADDRESS: 3356 Panola Road

CURRENT ZONING: R-100 (Residential Med Lot) District

OVERLAY: None

FUTURE LAND USE: Suburban (SUB)



Subject Property



CURRENT ZONING



R-100 - Residential Med Lot

FUTURE LAND USE



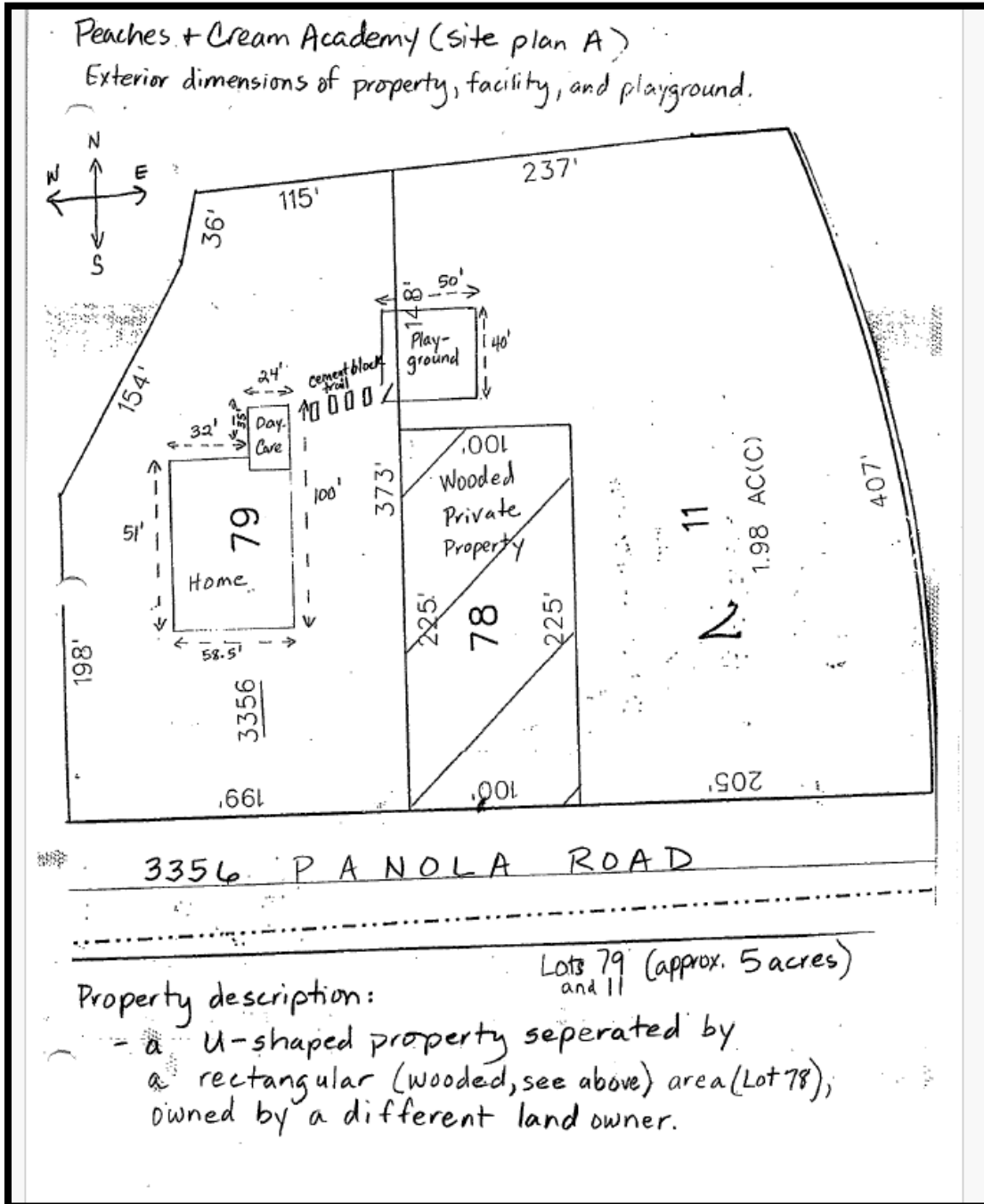
Suburban



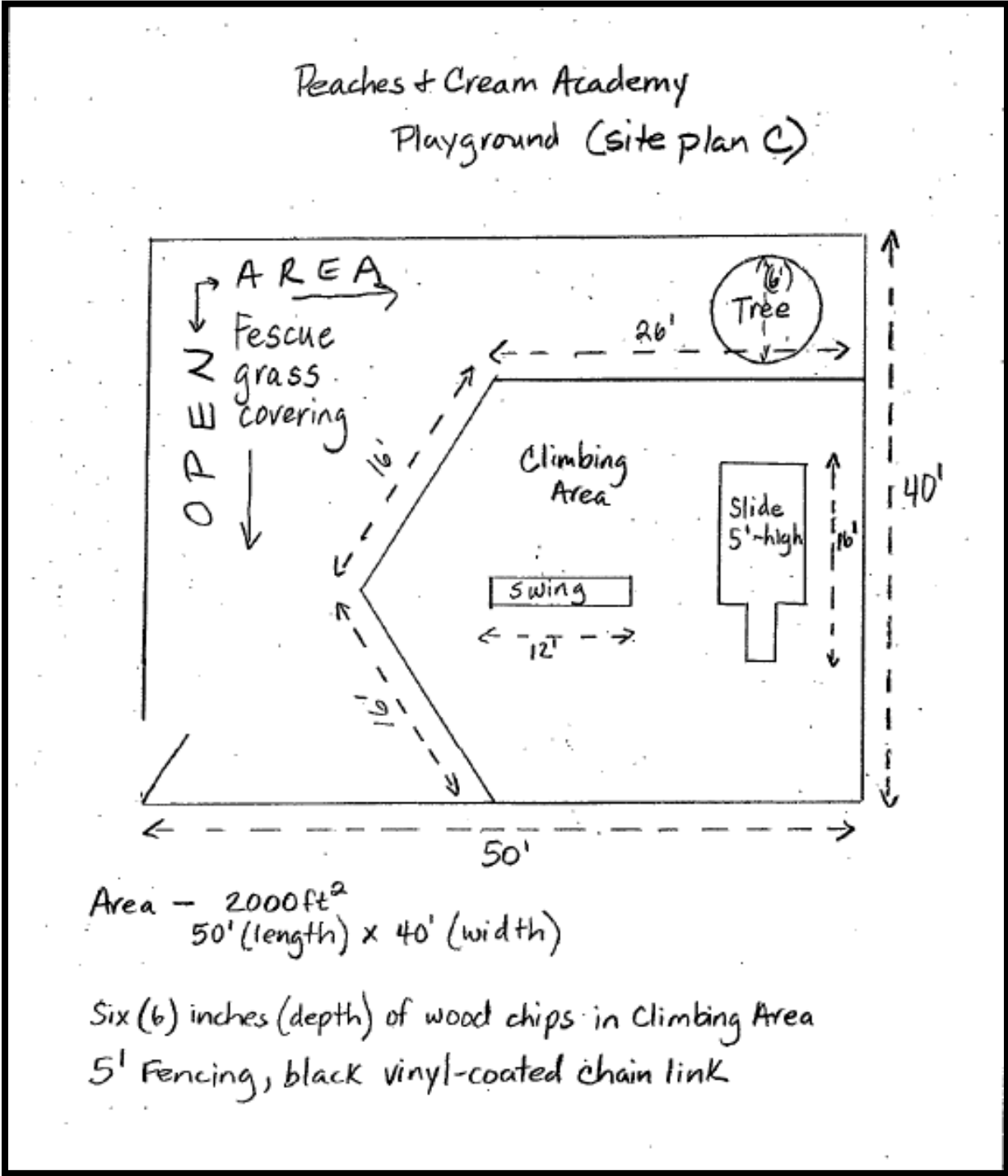
Public Participation

Property owners within 1,000 feet of the subject property were mailed notices of the proposed special land use permit in July. The Community Planning Information Meeting (CPIM) was held on July 7, 2024, at 6:00 pm at city hall. There were no residents in attendance at the meeting to discuss this case.

SITE PLAN



SITE PLAN





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STANDARDS OF REZONING REVIEW

Section 7.4.6 of the Stonecrest Zoning Ordinance list nineteen factors to be evaluated in consideration of granting a special land use permit. No application for a special land use permit shall be granted unless satisfactory provisions and arrangements have been made concerning each factor by the Community Development Department, Planning Commission and City Council. Each factor is listed with staff analysis.

A. Adequacy of the size of the site for the use contemplated and whether or not adequate land area is available for the proposed use including provision of all required yards, open space, off-street parking, and all other applicable requirements of the zoning district in which the use is proposed to be located.

The property was developed in 1996 with a single-family dwelling. The subject property consists of approximately +/- 1.68 acres of residential zone land. The lot is more than adequate with its size and setbacks exceeding all lot dimensional requirements as per Division 2, Section 2.2.1 – Dimensional Requirements. The lot has appropriate parking for four (4) vehicles. The length of the driveway allows for the flow of the vehicles for one-way in and one-way out ensuring safety of entering and existing vehicles during drop-off/pick-up. A secure 2,000 sq. ft. fenced outdoor play area is provided from public view within the rear side yard area. The house floor plan has 3,847 square feet of enclosed floor space consisting of dedicated learning area, 1/2 bath accommodation of toilet, full kitchen for prep and cooking meals. The conditions of the home and lot as-is don't affect the need or requirements of any interior or exterior alterations or changes to modify the current residential characteristics for the special land use request.

B. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district.

The proposal is consistently compatible with the residential zone district and the existing residential developed properties. The site has a single-family dwelling on the land. The proposal for a child daycare center is permitted, per Section 2.5.2 by Permitted and Special Land Uses that governs the site. Should the applicant propose seven (7) to twelve children the use shall be classified as a child daycare center. Thereby any associated activity will not be compatible with the R-100 Residential Medium Lot District Regulations.

C. Adequacy of public services, public facilities, and utilities to serve the proposed use.

The property is located off Panola Road, which is a major arterial street with access to existing developed public facilities and existing utilities.

D. Adequacy of the public street on which the use is proposed to be located and whether or not there is sufficient traffic-carrying capacity for the use proposed so as not to unduly increase traffic and create congestion in the area.

Panola Road is an existing roadway with a varied public right-of-way width. There is adequate traffic-carrying capacity along the roadway.

E. Whether or not existing land uses located along access routes to the site will be adversely affected by the character of the vehicles or the volume of traffic generated by the proposed use.

According to the applicant a “daycare” center has been operating from this location since 2020. The standard traffic volume for the visits to the site has been daily since such time for operational hours are 7a.m. through 6p.m. Monday – Friday. The existing residential land use located in the area will not be adversely affected by the character of the vehicles or volume of traffic as very little associated traffic changes will occur.

F. Adequacy of ingress and egress to the subject property and to all proposed buildings, structures, and uses thereon, with particular reference to pedestrian and automotive safety and convenience, traffic flow and control, and access in the event of fire or other emergency.

Adequate ingress and egress are provided through two curb cuts along Panola Road onto the site via a u-shaped driveway. There are sidewalks available for pedestrian walkability along the frontage of the subject property. At the nearby intersection a traffic island for cross walk is present for pedestrian and automotive safety, traffic flow and access. The public right-of-way and driveway access is adequate in width and length for emergencies.

Whether the proposed use will create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust, or vibration generated by the proposed use.

The proposed use should not adversely impact adjoining land uses by reason of smoke, odor, dust, or vibration generated for child day care center. Noise may be a factor to consider during the hours of pick up and drop off along with outdoor activities for the children.

G. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use.

The proposed use hours of operation 7am – 6 pm and should not create adverse impacts upon any adjoining land use. However, consideration should be given to the hours of pick up and drop off along with outdoor activities for the children.

H. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use.

The proposed use will not adversely impact any adjoining land use by reason of manner of operation. The property is a single-family dwelling proposing to provide child care service to six or seven children not of school age. Noise may be a factor to consider during the hours of pick up and drop off along with outdoor activities for the children.

I. Whether the proposed use is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located.

The proposed use is permitted per Article 4 – Use Regulations Table 4.1 – Use Table. Although this proposed use is permitted, there has not been any similar use developed in the area.

J. Whether the proposed use is consistent with the policies of the comprehensive plan.

The use is consistent with the policies of the comprehensive plan and is permitted by the zoning ordinance with an approved special land use permit. The comprehensive plan states “ *those areas of the city that have developed in traditional suburban land use patterns while encouraging new development to have increased connectivity and accessibility.*” The existing structure was developed as a traditional suburban land use pattern.

K. Whether the proposed use provides for all required buffer zones and transitional buffer zones where required by the regulations of the zoning district in which the use is proposed to be located.

The proposed use would be in an existing neighborhood and has adequate required space for the proposed use. The uses in the surrounding neighborhood are all similar in nature.

L. Whether there is adequate provision of refuse and service areas.

There are currently refuse and services provided at the property. The use would not change any of the current services.

M. Whether the length of time for which the special land use permit is granted should be limited in duration.

The Special Land Use Permit will be granted to the applicant for the requested use and is not transferable. If the uses is discontinued, the permit will expire.

N. Whether the size, scale and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale and massing of adjacent and nearby lots and buildings.

The size, scale and mass of the proposed development are appropriate in relation to the size of the subject property and in relation to the size and scale of the adjacent and nearby lots and residential structures.

O. Whether the proposed use will adversely affect historic buildings, sites, districts, or archaeological resources.

At the time of this report, there are no historical buildings or archeological resources that staff are aware of in the area.

P. Whether the proposed use satisfies the requirements contained within the supplemental regulations for such special land use permit.

The proposed use does meet the requirements of the supplemental regulations.

Q. Whether the proposed use will create a negative shadow impact on any adjoining lot or building as a result of the proposed building height.

The proposed use will not create a negative shadow impact on any adjoining lot or building as a result of building height. The building height is not proposing to change with this request.

R. Whether the proposed use would be consistent with the needs of the neighborhood or the community as a whole, be compatible with the neighborhood, and would not be in conflict with the overall objective of the comprehensive plan.

The proposed use may be a benefit to the community as a whole by producing childcare services for the existing community. The use would be compatible with the neighborhood and is not in conflict with the overall objective of the comprehensive plan.

STAFF RECOMMENDATION (Amended 3/4/2025)

Staff recommends **APPROVAL** with the following conditions;

1. The child daycare center **owner/manager/administrator** shall comply with all applicable state Georgia Department of Early Care (*Bright from the Start*) and Learning Rules and Regulations for Child Care Learning Centers and all local daycare requirements for standards, licensing and inspection **before** the issuance of a City of Stonecrest business license. **290-2-3-.04 Requirements for Applications and Licenses (1) General**
 - a. **(a) No person shall operate a Family Child Care Learning Home in the State of Georgia unless a License has been obtained from the Department.**
 - b. **(b) A License is nontransferable. A License to operate a Home is not transferable in any way. A change of residence or address or Provider requires a new License. Each License shall become invalid immediately upon the final closure of the Home, or the final suspension, revocation, or restriction of the License in accordance with Georgia law.**
 - c. **(c) Any person that provides care for at least three but not more than six Children for pay under 13 years of age who are not Related to such persons and whose Parent(s) are not residents in the same private residence as the Provider shall make application to the Department for a License to operate a Family Child Care Learning Home.**
 - d. **(d) No Home shall claim to be a licensed Family Child Care Learning Home unless it has been issued a current and valid License by the Department.**
2. A City of Stonecrest business license is required and shall be maintained annually for compliance.
3. Prior to the issuance of a business license for the child daycare center, the necessary licensing including compliance with all requirements related to minimum area for classrooms, play areas, and fencing.
4. The child daycare center and child daycare center shall provide off-street parking spaces as required by the applicable zoning district.
5. The child daycare center shall provide an adequate turnaround on the site.
6. The exterior appearance of any child daycare center located in a residential district shall be maintained as a residential structure, and no signs other than those otherwise authorized within the applicable zoning district shall be erected (no cut-outs, animal characters, or other graphics shall be affixed to the exterior of the structure or displayed upon the premises).
7. No child daycare center shall be located within 1,000 feet of another child daycare center.



-
8. The owner/manager/administrator/license holder shall adhere to the Georgia Department of Early Care and Learning Rules and Regulations for Child Care Learning Centers.

PLANNING COMMISSION RECOMMENDATION – 3/4/2025

The Planning Commission recommends **APPROVAL** with the conditions as outlined by Staff.



ATTACHMENTS: SLUP 24-006 Application Materials



Amendment Application

All applications and plans must be submitted through the [Citizenserve Online Portal](#)



Amendment Application

| PROPERTY | | | |
|--|--|-------------------------|---------------|
| Site Address(es): 3356 Panola Road, Stonecrest | | Parcel #: 16 043 03 079 | Zip: 30038 |
| Project Name (If applicable): R-100-Residential Med. Lot | | | |
| Current Zoning | | Proposed Zoning | |
| Current Use | child daycare | Proposed Use | child daycare |
| OWNER INFORMATION | | | |
| Name: | Leatha Forehand Spivey | | |
| Address: | 3356 Panola Road, Stonecrest, GA 30038 | | |
| Email: | leathaspivey@aol.com | Phone: | 770.593.9808 |
| APPLICANT | | | |
| Name: | Leatha Forehand Spivey | | |
| Address: | 3356 Panola Road, Stonecrest, GA 30038 | | |
| Email: | leathaspivey@aol.com | Phone: | 404.403.6258 |

AFFIDAVIT

To the best of my knowledge, this application form is correct and complete. If additional materials are determined to be necessary, I understand that I am responsible for filing additional materials as specified by the City of Stonecrest Zoning Ordinance. I understand that failure to supply all required information (per the relevant Applicant Checklists and Requirements of the Stonecrest Zoning Ordinance) will result in the rejection of this application. I have read the provisions of the Georgia Code Section 36-67A-3 as required regarding Campaign Disclosures. My Signed Campaign Disclosure Statement is included.

| | | |
|------------------------|-------------------------------|----------------|
| Applicant's Name: | Leatha Forehand Spivey | |
| Applicant's Signature: | <i>Leatha Forehand Spivey</i> | Date: 11-24-24 |

NOTARY

| | |
|--|---------------------------------------|
| Sworn to and subscribed before me this | 24 th Day of November 2024 |
| Notary Public: | Jewell Grubbs |
| Signature: | <i>Jewell Grubbs</i> NOTARY PUBLIC |
| | Date: 11-24-2024 |

Fulton County, GEORGIA

My Commission Expires 05/29/2027

Amendment Application

All applications and plans must be submitted through the [Citizenserve Online Portal](#)



Property Owner(s) Notarized Certification

The owner and petitioner acknowledge that this amendment application form is correct and complete. By completing this form, all owners of the subject property certify authorization of the filing of the application for amendment(s), and authorization of an applicant or agent to act on their behalf in the filing of the application including all subsequent application amendments.

Property Owner

| | | | |
|---|-------------------------------|--|------------|
| Name: | Leatha Forehand Spivey | | |
| Address: | 3356 Panola Road | City, State: Stonecrest, GA | Zip: 30038 |
| Signature: | <i>Leatha Forehand Spivey</i> | Date: | 11-24-24 |
| Sworn to and subscribed before me this <u>24th</u> day of <u>November</u> , 20 <u>24</u> | | | |
| Notary Public: | <i>Jewell Grubbs</i> | Jewell Grubbs NOTARY PUBLIC Fulton County, GEORGIA My Commission Expires 05/29/2027 | |

Additional Property Owner (if applicable)

| | | | |
|---|--|--------------|------|
| Name: | | | |
| Address: | | City, State: | Zip: |
| Signature: | | Date: | |
| Sworn to and subscribed before me this _____ day of _____, 20____ | | | |
| Notary Public: | | | |

Additional Property Owner (if applicable)

| | | | |
|------------|--|--------------|------|
| Name: | | | |
| Address: | | City, State: | Zip: |
| Signature: | | Date: | |

Amendment Application

All applications and plans must be submitted through the [Citizenserve Online Portal](#)



Applicant(s) Notarized Certification

The petitioner acknowledged that this amendment application form is correct and complete. By completing this form, all applicant of the subject property certifies authorization of the filing of the application for amendment(s), and authorization of an applicant or agent to act on their behalf in the filing of the application including all subsequent application amendments.

Applicant

| | | | |
|---|-------------------------------|-----------------------------|------------|
| Name: | Leatha Forehand Spivey | | |
| Address: | 3356 Panola Road | City, State: Stonecrest, GA | Zip: 30038 |
| Signature: | <i>Leatha Forehand Spivey</i> | Date: | 11-24-24 |
| Sworn to and subscribed before me this <u>24th</u> day of <u>November</u> , 20 <u>24</u> | | | |
| Notary Public: <i>Jewell Grubbs</i> | | Jewell Grubbs | |
| NOTARY PUBLIC Fulton County, GEORGIA My Commission Expires 05/29/2027 | | | |

Applicant (if applicable)

| | | | |
|---|--|--------------|------|
| Name: | | | |
| Address: | | City, State: | Zip: |
| Signature: | | Date: | |
| Sworn to and subscribed before me this _____ day of _____, 20____ | | | |
| Notary Public: | | | |

Applicant (if applicable)

| | | | |
|------------|--|--------------|------|
| Name: | | | |
| Address: | | City, State: | Zip: |
| Signature: | | Date: | |

Amendment Application

All applications and plans must be submitted through the [Citizenserve Online Portal](#)



Campaign Disclosure Statement

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the City of Stonecrest City Council or a member of the City of Stonecrest Planning Commission?

Yes

No

| Applicant/Property Owner | | | |
|--------------------------|-------------------------------|-----------------------------|------------|
| Name: | Leatha Forehand Spivey | | |
| Address: | 3356 Panola Road | City, State: Stonecrest, GA | Zip: 30038 |
| Signature: | <i>Leatha Forehand Spivey</i> | Date: | 11-24-24 |

If the answer above is yes, please complete the following section:

| Date | Government Official & Position | Description | Amount |
|------|--------------------------------|-------------|--------|
| | | | |
| | | | |
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| | | | |
| | | | |



Item VIII. b.



3356 Panola Road
Stonecrest, GA 30038
leathaspivey@aol.com
770.593.9808
404.403.6258 (mobile)

November 24, 2024

City of Stonecrest
3120 Stonecrest Blvd.
Stonecrest, GA 30038

Re: SLUP for daycare-3356 Panola Road, Stonecrest, GA 30038

To Whom It May Concern:

I am writing on behalf of Peaches and Cream Academy to humbly request your support in allowing us to continue operating within the City of Stonecrest. For over 30 years, Peaches and Cream Academy has been a pillar of this community, providing exceptional care, education, and guidance to the children entrusted to us.

Throughout our three decades of service, we have earned a strong reputation for excellence. Countless families have trusted us to nurture and educate their children, and we take immense pride in the remarkable students who have graduated from our academy. Many of these students have gone on to excel in higher education, careers, and as contributing members of society. Their success is a testament to the foundation they built during their time at Peaches and Cream Academy.

As an active member of Delta Sigma Theta Sorority, Inc., I, Leatha Spivey, have committed myself to uplifting our community not only through education but also through impactful service initiatives. From organizing back-to-school drives to hosting community events, I have worked diligently to ensure that Peaches and Cream Academy is more than just an educational institution—it is a cornerstone of community support and enrichment.

The work we do extends beyond the classroom. We provide a safe, nurturing environment for children, which enables parents to pursue their careers with peace of mind. We also partner with local organizations to foster a sense of unity and purpose among our families.



Page 2

Enclosed with this letter, I have included testimonials from parents, alumni, and community members who have directly benefited from Peaches and Cream Academy. Their words speak volumes about the impact our academy has had on their lives.

It is my sincere hope that the City of Stonecrest will recognize the significant value Peaches and Cream Academy brings to this community and allow us to continue serving families for years to come. I am happy to address any concerns or provide additional documentation as needed. Please do not hesitate to contact me at [phone number] or [email address].

Thank you for your time and consideration. I look forward to your favorable response.

Sincerely,

Leatha F. Spivey
Leatha F. Spivey
Owner and Director
Peaches and Cream Academy

cc: Carole Dortch (404.276.2882)

November 25, 2024

To Whom It May Concern,

I am writing to offer my heartfelt testimony and appreciation for Ms. Leatha Spivey, the caregiver and educator at Peaches & Cream Academy, who has had a profound and lasting impact on my family. Ms. Spivey cared for all three of my children over the years, and I can say without hesitation that her nurturing spirit and dedication to the children in her care are extraordinary.

My journey with Ms. Spivey began when my first child was only six weeks old. From the very beginning, I could see that Ms. Spivey was not only a caregiver but also an educator with a deep commitment to fostering a loving and intellectually stimulating environment for her students. She went above and beyond what one might expect from a daycare teacher, always taking a personalized and thoughtful approach to each child's growth and development.

What truly stands out about Ms. Spivey is her dedication to the children well beyond the walls of Peaches & Cream Academy. She made it a point to attend activities outside of the daycare, such as church events and sports activities, even after my children had aged out of the daycare. Her support for my family extended far beyond just her work as an educator—she became a part of our family.

One of the most remarkable aspects of her teaching was her focus on developing well-rounded individuals. Ms. Spivey had a special passion for teaching etiquette, and I recall her taking small children, including my own, to fine dining restaurants to teach them how to behave in those settings. Her patience was unparalleled—she was never too busy to offer guidance, and she always led with love and a sense of calm.

It was through Ms. Spivey's encouragement and mentorship that my daughter developed the confidence to pursue a career in acting and singing. Her belief in my daughter's potential and her ability to nurture that spark had a lasting influence on my daughter's career path.

Ms. Spivey's influence is rare and lasting. For most of the students she has served, she becomes a member of their extended family. Her love and commitment to her students are unmatched, and she is a true asset to the community. I am so grateful that my children had the privilege of being in her care, and I believe that she is the ideal caregiver and educator that every new parent dreams of.

Sincerely,

Chang Robbins

Chang Robbins, Parent and Educator
Conyers, GA

404-630-2160



Item VIII. b.

November 25, 2024

To Whom It May Concern,

I am writing this letter to offer my heartfelt testimony of Ms. Leatha Spivey, my first teacher and caregiver at Peaches & Cream Academy. From the age of 6 months to 3.5 years old, Ms. Spivey not only provided me with a safe and nurturing environment but also helped lay the foundation for my success in life. Her love, dedication, and exceptional teaching were invaluable, and I am deeply grateful for the profound impact she has had on me.

As a child in her care, I was not only surrounded by warmth but was also challenged intellectually. Ms. Spivey taught me to read at an early age, as well as how to count and add. She was an educator in the truest sense of the word, using a balance of patience and creativity to ensure I developed academically in a way that was both effective and enjoyable. Her passion for learning was contagious, and she instilled in me a lifelong love of knowledge.

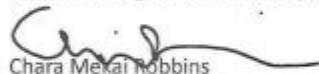
But what I remember most about Ms. Spivey was her genuine care and loving support. She became like a second mother to me—always there when I needed guidance or reassurance. To this day, at age 25, I continue to feel her presence in my life. Her mentorship shaped me into the confident, patient, and graceful person I am today.

I am proud to say that I graduated from Clark Atlanta University, and now I live in California where I work in production for Tri Destined Studios, as well as pursue a career in acting and modeling. Much of my success can be attributed to the strong educational and moral foundation that Ms. Spivey provided during my early years at Peaches & Cream Academy in 1999.

Ms. Spivey has supported me through every stage of my life, and I can say with certainty that she is one of the reasons I chose to join my sorority. Her selflessness and dedication to service were qualities I deeply admired. She did not just care for me, but also provided the same nurturing environment for my younger brother and sister, always ensuring that we all received the attention and encouragement we needed.

I can confidently say that Ms. Spivey's influence has been instrumental in shaping my values, work ethic, and commitment to serving others. I owe much of my success to the solid foundation she helped build for me at Peaches & Cream Academy.

With utmost gratitude and respect,



Chara Mekai Robbins
Clark Atlanta University Graduate
Production Assistant, Tri Destined Studios
California Resident

Tara N. Terrell
3273 Hilson Head Lane
Lithonia, GA 30038

November 25, 2024

To Whom It May Concern,

I am writing this letter to provide a heartfelt and enthusiastic character reference for Leatha Spivey, the owner of Peaches and Cream Academy. Ms. Spivey served as the daycare provider for my children Miles Terrell (2002) and Olivia Terrell (2004), starting at the age of 6 weeks, and both remained with Ms. Spivey until they started elementary school.

Leatha provided exceptional care during the formative years of my children's lives, creating a nurturing and supportive environment where they were able to thrive. She was not just a caregiver; she became a trusted second mother to my children. Her dedication, kindness, and deep concern for the well-being of the children in her care were evident every day.

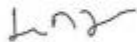
Both of my children were consistently on the honor roll throughout their elementary, middle, and high school years, a testament to the solid foundation and values Leatha instilled in them. She encouraged their academic and personal growth, fostering a sense of responsibility and a love for learning. It is no exaggeration to say that her influence played a significant role in their success. As a result, both Miles and Olivia went on to attend four-year colleges, and they continue to cherish the lessons and guidance they received from Peaches and Cream Academy.

Even as they have gotten older, Leatha continues to remain an important and cherished figure in their lives. Her continued presence has been a blessing, and I genuinely believe she is like a second mother to them. The bond they continue to share with her is a reflection of her genuine love and care for them.

Peaches and Cream Academy has been a staple in our community for over 25 years and I wholeheartedly recommend Peaches and Cream Academy for any family seeking a safe, caring, and educational environment for their children. Her commitment to her work and the children she cares for is unmatched, and she has had an enduring and positive impact on my family.

If you have any further questions, please do not hesitate to contact me.

Sincerely,



Tara N Terrell



Tuesday, November 26, 2024 at 07:25:59 Eastern Standard Time

Subject: Fwd: Letter to Stonecrest
Date: Tuesday, November 26, 2024 at 5:57:25 AM Eastern Standard Time
From: Leatha Spivey
To: Carole Dortch

Begin forwarded message:

From: AT&T Mail <erm80146@aol.com>
Subject: Letter to Stonecrest
Date: November 25, 2024 at 9:32:38 PM EST
To: Leatha Spivey <leathaspivey@aol.com>

4434 Wesleyan Pointe
Decatur, Georgia 30034

Greetings:

Leatha Spivey is the owner and operator of Peaches and Cream Academy. She has been an outstanding pillar in the community for over thirty years. Her business has operated in Dekalb County and is now soliciting your support in allowing her to continue to operate within the City of Stonecrest.

She has a strong reputation for providing excellent care and nurturing for her babies. Many have gone on to elementary school, high school and college. She cared for two of my grandchildren when they were three years and eighteen months old. They were happy, content, and well taken care of.

I have known Ms. Spivey for over twenty years when she sought membership to Delta Sigma Theta Sorority, Inc. She has proven to be a hardworking and dedicated member. She has worked with back-to-school drives, voter registration drives and senior citizen initiatives.

I am pleased to submit this letter of request on behalf of Ms. Letha Spivey who wishes to continue her work in the City of Stonecrest as the owner and operator of Peaches and Cream Academy.

Sincerely,
Arma W. Boyd
770-808-5892



Attachment(s): Community Planning Information Meeting (CPIM) Summary Minutes



CITY OF STONECREST, GEORGIA

Community Planning Information Meeting (CPIM)

Summary Minutes

February 13, 2025, at 6:00 P.M.

Planning-zoning@stonecrestga.gov

***IN-PERSON MEETING**

[Stonecrest's YouTube Broadcast Link](#)

Citizens wishing to actively participate and comment during the public hearing portion of the meeting may comment in person. You may also submit your request including your full name, address, and position on the agenda item you are commenting on (for or against) via email to Planning-zoning@stonecrestga.gov by 2 p.m. the day before the meeting to be read into the record at the meeting.

- I. **CALL TO ORDER AND INTRODUCTIONS:** Deputy Director Ellis Still, Senior Planner Ramona Eversley, Planner Felleshia Blair, Zoning Administrative Technician Abeykoon Abeykoon, and Cobi Brown, Planning Administrative Technician were in attendance.

The meeting was called to order at 6:00 p.m.

- II. **REVIEW OF THE PURPOSE AND INTENT OF THE COMMUNITY PLANNING INFORMATION MEETING AND RULES OF CONDUCT – Ramona Eversley**

- III. **Item(s) of Discussion:**

PETITION: RZ24-005
PETITIONER: Michele Battle of Battle Law, P.C
LOCATION: 1810 Coffee Rd
PETITIONER'S REQUEST: The request is for a rezoning and map amendment of the parcel from M-2 (Heavy Industrial) to M (Light Industrial).

Jordan Battle of Battle Law, P.C. came up to speak. It was stated that the rezoning is for the consolidation of two adjacent parcels for the development of a paved truck storage lot. The location is behind the existing PepsiCo building.

Renee Kale a resident asked about the type and amount of trucks that will be that will be parked in the storage area. She stated her concern for the surrounding residents.

Jordan Battle stated that they did not have a set time for the trucks to be parked in one of the twenty proposed spaces that deliver products for the company. It was also stated that the parcel is over 750 feet away from the nearby residential parcels.

PETITION: SLUP24-009
PETITIONER: Leatha Spivey of Peaches and Cream Academy, Inc
LOCATION: 3356 Panola Road
PETITIONER'S REQUEST: The petitioner is seeking a Special Land Use Permit (SLUP) to operate as a Type 2 Home Occupation for a child daycare business.

Thomas Dortch came up to speak for Ms. Spivey. He stated that the business has been in operation for three decades. Countless families have trusted her to take care of their children and many of the students have excelled in higher education as well as careers later in their lives. The academy has also contributed to the community by hosting back-to-school drives and other events. She has been in good standing with the State



CITY OF STONECREST, GEORGIA

regulations.

Carol Dortch mother of Thomas Dortch stated that Ms. Spivey has done well for many years and she has many testimonials to prove it. She also stated that there was confusion due to Ms. Spivey having an up-to-date state license.

PETITION: SLUP25-001
PETITIONER: Rufaro Moyo of Moyo Capital, Inc
LOCATION: 4989 Thompson Mill Road
PETITIONER'S REQUEST: The petitioner is seeking a Special Land Use Permit (SLUP) to operate as a Type 2 Home Occupation for a personal care home business.

Rufaro Moyo the applicant came up to speak. The proposal will cater to those in the elderly community who are in need of assistance with day-to-day tasks. He stated that the parcel is in a good location considering that Thomspn Mill Rd has minimum traffic and the home is also near several shopping centers, pharmacies, and the hospital.

Samantha Verver a neighbor of the applicant stated that she is in support of the petition and that personal care homes are needed in the community.

Pam Alimanzi a resident also stated that she supports the petition. She has been a CNA for 20 years and from her experience in the industry knows that the proposed use is a need for the community.

IV. ADJOURNMENT The meeting was adjourned at 6:24 p.m.

Americans with Disabilities Act

The City of Stonecrest does not discriminate on the basis of disability in its programs, services, activities, and employment practices.

If you need auxiliary aids and services for effective communication (such as a sign language interpreter, an assistive listening device or print material in digital format) or reasonable modification to programs, services or activities contact the ADA Coordinator, Sonya Isom, as soon as possible, preferably 2 days before the activity or event.

APPROVED: Ellis Still 2/17/2025
DEPUTY DIRECTOR, PLANNING & ZONING DATE
ATTEST: Cobi Brown 02/17/2025
SECRETARY DATE

STATE OF GEROGIA

CITY OF STONECREST

ORDINANCE NO. ____ - _____

1 **AN ORDINANCE BY THE MAYOR AND COUNCIL OF THE CITY OF STONECREST,**
2 **GEORGIA TO APPROVE WITH CONDITIONS SPECIAL LAND USE PERMIT (SLUP)**
3 **24-009 TO OPERATE AS A TYPE 2 HOME OCCUPATION FOR A CHILD DAYCARE**
4 **CENTER LOCATED AT 3356 PANOLA ROAD PARCEL ID NUMBER 16 043 03 079; TO**
5 **PROVIDE SEVERABILITY; TO PROVIDE FOR REPEAL OF CONFLICTING**
6 **ORDINANCES; TO PROVIDE FOR AN ADOPTION AND EFFECTIVE DATE; AND TO**
7 **PROVIDE FOR OTHER LAWFUL PUPOSES.**

8 **WHEREAS**, the governing body of the City of Stonecrest (“City”) is the Mayor and City
9 Council (“City Council”) thereof; and

10 **WHEREAS**, Article IX, Section II, Paragraph IV of the 1983 Constitution of the State of
11 Georgia authorizes the City to adopt plans and exercise the power of zoning; and

12 **WHEREAS**, the City Council is authorized by O.C.G.A. § 36-35-3 to adopt ordinances
13 relating to its property, affairs, and local government; and

14 **WHEREAS**, the City of Stonecrest has been vested with substantial powers, rights, and
15 functions to generally regulate the use of real property to maintain health, morals, safety, security,
16 peace, and the general welfare of the City; and

17 **WHEREAS**, the City received an application to operate as a Type 2 Home Occupation for
18 a child daycare located at 3356 Panola Road; and

19 **WHEREAS**, pursuant to the City’s Zoning Ordinance applicants must obtain a special
20 land use permit; and

21 **WHEREAS**, the matter was heard in the City’s Community Planning Information Meeting
22 (CPIM) and Planning Commission (PC) meetings pursuant to the provisions of the City’s Zoning
23 Procedures Law; and

24 **WHEREAS**, the City has properly advertised and held a public hearing before the
25 Planning Commission regarding SLUP 24-009, to operate as a Type 2 Home Occupation for a
26 child daycare center located at 3356 Panola Road; and

27 **WHEREAS**, the City has properly advertised and held a public hearing pursuant to the
28 provisions of Georgia’s Zoning Procedures Law before the City Council prior to the adoption of
29 this Ordinance; and

30 **WHEREAS**, the Director of Community Development recommends approval with
31 conditions of special land use permit 24-009 on property located at 3356 Panola Road; and

32 **WHEREAS**, the health, safety, and welfare of the citizens of the City will be positively
33 impacted by the adoption of this Ordinance.

34 **BE IT AND IT IS HEREBY ORDAINED BY THE MAYOR AND CITY COUNCIL OF**
35 **THE CITY OF STONECREST, GEORGIA, as follows:**

36
37 **Section 1.** SLUP 24-009, application to operate as a type 2 home occupation for a child
38 daycare center located at 3356 Panola Road, is **APPROVED WITH CONDITIONS.**

39 **Section 2.** That the conditions on SLUP 24-009 are as followed:

- 40 1. The child daycare center owner/manager/administrator shall comply with all
41 applicable state Georgia Department of Early Care (Bright from the Start) and Learning Rules and
42 Regulations for Child Care Learning Centers and all local daycare requirements for standards,

43 licensing and inspection before the issuance of a City of Stonecrest business license. 290-2-3-.04

44 Requirements for Applications and Licenses (1) General

45 a. (a) No person shall operate a Family Child Care Learning Home in the State of
46 Georgia unless a License has been obtained from the Department.

47 b. (b) A License is nontransferable. A License to operate a Home is not transferable
48 in any way. A change of residence or address or Provider requires a new License. Each License
49 shall become invalid immediately upon the final closure of the Home, or the final suspension,
50 revocation, or restriction of the License in accordance with Georgia law.

51 c. (c) Any person that provides care for at least three but not more than six Children
52 for pay under 13 years of age who are not Related to such persons and whose Parent(s) are not
53 residents in the same private residence as the Provider shall make application to the Department
54 for a License to operate a Family Child Care Learning Home.

55 d. (d) No Home shall claim to be a licensed Family Child Care Learning Home unless
56 it has been issued a current and valid License by the Department.

57 2. A City of Stonecrest business license is required and shall be maintained annually
58 for compliance.

59 3. Prior to the issuance of a business license for the child daycare center, the necessary
60 licensing including compliance with all requirements related to minimum area for classrooms, play
61 areas, and fencing.

62 4. The child daycare center shall provide off-street parking spaces as required by the
63 applicable zoning district.

64 5. The child daycare center shall provide an adequate turnaround on the site.

65 6. The exterior appearance of any child daycare center located in a residential district
66 shall be maintained as a residential structure, and no signs other than those otherwise authorized
67 within the applicable zoning district shall be erected (no cut-outs, animal characters, or other
68 graphics shall be affixed to the exterior of the structure or displayed upon the premises).

69 7. No child daycare center shall be located within 1,000 feet of another child daycare
70 center .

71 8. The owner/manager/administrator/license holder shall adhere to the Georgia
72 Department of Early Care and Learning Rules and Regulations for Child Care Learning Centers.

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

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

82 (c) In the event that any phrase, clause, sentence, paragraph, or section of this Ordinance shall, for
83 any reason whatsoever, be declared invalid, unconstitutional, or otherwise unenforceable by the
84 valid judgment or decree of any court of competent jurisdiction, it is the express intent of the
85 Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the
86 greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any
87 of the remaining phrases, clauses, sentences, paragraphs or section of the Ordinance and that, to
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94 the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and
95 sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and
96 effect.
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100 **Section 4.** The City Clerk, with the concurrence of the City Attorney, is authorized to
101 correct any scrivener’s errors found in this Ordinance, including its exhibits, as enacted.

102 **Section 5.** All ordinances and parts of ordinances in conflict herewith are hereby
103 expressly repealed.
104
105

106 **Section 6.** The Ordinance shall be codified in a manner consistent with the laws of the
107 State of Georgia and the City of Stonecrest.
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109

110 **Section 7.** It is the intention of the governing body, and it is hereby ordained that the
111 provisions of this Ordinance shall become and be made part of the Code of Ordinances, City of
112 Stonecrest, Georgia.
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114

SO ORDAINED AND EFFECTIVE this _____ day of _____, 2025.

[SIGNATURES ON FOLLOWING PAGE]

CITY OF STONECREST, GEORGIA

Jazzmin Cobble, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

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EXHIBIT A

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CITY COUNCIL AGENDA ITEM

SUBJECT: Ordinance for SLUP 25-001 4989 Thompson Mill Road

AGENDA SECTION: *(check all that apply)*

- PRESENTATION PUBLIC HEARING CONSENT AGENDA OLD BUSINESS
- NEW BUSINESS OTHER, PLEASE STATE: Click or tap here to enter text.

CATEGORY: *(check all that apply)*

- ORDINANCE RESOLUTION CONTRACT POLICY STATUS REPORT
- OTHER, PLEASE STATE: Click or tap here to enter text.

ACTION REQUESTED: DECISION DISCUSSION, REVIEW, or UPDATE ONLY

Previously Heard Date(s): Click or tap to enter a date. & Click or tap to enter a date.

Current Work Session: Click or tap to enter a date.

Current Council Meeting: Monday, March 24, 2025

SUBMITTED BY: Shawanna Qawiy, Division Director Community Development

PRESENTER: Shawanna Qawiy, Division Director Community Development

PURPOSE: The applicant is seeking a Special Land Use Permit (SLUP) to operate a Type 2 Home Occupation for a personal care home.

FACTS: The subject property is located at 4989 Thompson Mill Road with a parcel identification number of 16 011 05 069. The dwelling is located in the Miller’s Cover Subdivision with a floor area of 2, 258 square feet. The nearest personal care home is located at 4921 Hamlet Court, approximately 1250 ft from the subject property.

OPTIONS: Approve, Deny, Defer

RECOMMENDED ACTION: Approve With the outlined conditions from Staff.

ATTACHMENTS:

- (1) Attachment 1 - Staff Analysis/Application
- (2) Attachment 2 - CPIM Meeting Minutes
- (3) Attachment 3 - Ordinance
- (4) Attachment 4 - Click or tap here to enter text.



CITY COUNCIL AGENDA ITEM

(5) Attachment 5 - Click or tap here to enter text.

STATE OF GEROGIA

CITY OF STONECREST

ORDINANCE NO. ____ - _____

1 **AN ORDINANCE BY THE MAYOR AND COUNCIL OF THE CITY OF STONECREST,**
2 **GEORGIA TO APPROVE WITH CONDITIONS SPECIAL LAND USE PERMIT SLUP**
3 **25-001 TO OPERATE A TYPE 2 HOME OCCUPATION FOR A PERSONAL CARE**
4 **HOME LOCATED AT 4989 THOMPSON MILL ROAD PARCEL ID NUMBER 16 011 05**
5 **069; TO PROVIDE SEVERABILITY; TO PROVIDE FOR REPEAL OF CONFLICTING**
6 **ORDINANCES; TO PROVIDE FOR AN ADOPTION AND EFFECTIVE DATE; AND TO**
7 **PROVIDE FOR OTHER LAWFUL PUPOSES.**

8 **WHEREAS**, the governing body of the City of Stonecrest (“City”) is the Mayor and City
9 Council (“City Council”) thereof; and

10 **WHEREAS**, Article IX, Section II, Paragraph IV of the 1983 Constitution of the State of
11 Georgia authorizes the City to adopt plans and exercise the power of zoning; and

12 **WHEREAS**, the City Council is authorized by O.C.G.A. § 36-35-3 to adopt ordinances
13 relating to its property, affairs, and local government; and

14 **WHEREAS**, the City of Stonecrest has been vested with substantial powers, rights, and
15 functions to generally regulate the use of real property to maintain health, morals, safety, security,
16 peace, and the general welfare of the City; and

17 **WHEREAS**, the City received an application to operate a type 2 home occupation for a
18 personal care home located at 4989 Thompson Mill Road; and

19 **WHEREAS**, pursuant to the City’s Zoning Ordinance applicants must obtain a special
20 land use permit; and

21 **WHEREAS**, the matter was heard in the City’s Community Planning Information Meeting
22 pursuant to the provisions of the City’s Zoning Procedures Law; and

23 **WHEREAS**, the City has properly advertised and held a public hearing before the
24 Planning Commission regarding SLUP 25-001, to operate a type 2 home occupation for a personal
25 care home located at 4989 Thompson Mill Road; and

26 **WHEREAS**, the City has properly advertised and held a public hearing pursuant to the
27 provisions of Georgia’s Zoning Procedures Law before the City Council prior to the adoption of
28 this Ordinance; and

29 **WHEREAS**, the Director of Community Development recommends approval with
30 conditions of special land use permit 25-001 on property located at 4989 Thompson Mill Road;
31 and

32 **WHEREAS**, the health, safety, and welfare of the citizens of the City will be positively
33 impacted by the adoption of this Ordinance.

34 **BE IT AND IT IS HEREBY ORDAINED BY THE MAYOR AND CITY COUNCIL OF**
35 **THE CITY OF STONECREST, GEORGIA, as follows:**

36
37 **Section 1.** SLUP 25-001, application to operate a type 2 home occupation for a personal
38 care home located at 4989 Thompson Mill Road, is **APPROVED WITH CONDITIONS.**

39 **Section 2.** That the conditions on SLUP 25-001 are as followed:

- 40 1. If owned by a corporation, partnership, Limited Liability Company or any entity other
41 than a natural person, the administrator identified in the state license application must reside in the
42 personal care home.

43 2. If owned by an individual, the individual owner must reside in the group personal care
44 home.

45 3. Each personal care home must obtain a city license as well as all license(s) and/or
46 permit(s) required by the State of Georgia before beginning to operate.

47 4. Each personal care home licensed and/or permitted by the State of Georgia must display
48 its state-issued and city-issued license(s) and/or permit(s) in plain view, visible from the front
49 doorway of the facility.

50 5. The personal care home must meet all building code requirements as outlined for the
51 occupancy type for a personal care home.

52 6. No personal care home may display any exterior signage that violates the sign ordinance
53 in chapter 21 of the Code or the sign provisions in the zoning regulations for the underlying zoning
54 district where the personal care home is located.

55 7. No city licenses and/or permits for the operation of the personal care home shall be
56 transferable.

57 8. The owner/site manager/administrator shall adhere to all Rules and regulations and
58 permitting applicable as outlined by the Georgia Department of Health Chapter 111-8 Subject 111-
59 8-62 Personal Care Homes.

60 9. No personal care home shall be operated and no residents admitted without valid
61 permits/licenses from the Georgia Department of Health and City of Stonecrest.

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

65 (b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent

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

76 (c) In the event that any phrase, clause, sentence, paragraph, or section of this Ordinance shall, for
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78 any reason whatsoever, be declared invalid, unconstitutional, or otherwise unenforceable by the
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80 valid judgment or decree of any court of competent jurisdiction, it is the express intent of the
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82 Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the
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86 of the remaining phrases, clauses, sentences, paragraphs or section of the Ordinance and that, to
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92 effect.

93 **Section 4.** The City Clerk, with the concurrence of the City Attorney, is authorized to
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95 correct any scrivener’s errors found in this Ordinance, including its exhibits, as enacted.

96 **Section 5.** All ordinances and parts of ordinances in conflict herewith are hereby
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98 expressly repealed.

99 **Section 6.** The Ordinance shall be codified in a manner consistent with the laws of the
100
101 State of Georgia and the City of Stonecrest.

102 **Section 7.** It is the intention of the governing body, and it is hereby ordained that the
103
104 provisions of this Ordinance shall become and be made part of the Code of Ordinances, City of
105
106 Stonecrest, Georgia.

SO ORDAINED AND EFFECTIVE this _____ day of _____, 2025.

[SIGNATURES TO FOLLOW]

CITY OF STONECREST, GEORGIA

Jazzmin Cobble, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

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EXHIBIT A

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SPECIAL LAND USE PERMIT (SLUP) ANALYSIS

Petition Number: SLUP25-000001

Applicant: Rufaro Moyo of Moyo Capital, Inc.
4989 Thompson Mill Road
Stonecrest, GA 30038
rmkardia@gmail.com

Owner: Rufaro Edwin Moyo
4989 Thompson Mill Road
Lithonia, GA 30038

Project Location: 4989 Thompson Mill Road

District: 2 – Councilman Terry Fye

Acreage: 0.46 acres

Existing Zoning: R-100 (Residential Medium Lot) District

Future Land Use: Suburban (SUB)

Overlay District: N/A

Proposed Development/Request: The applicant is requesting a Special Land Use Permit (SLUP) to operate a Type 2 Home Occupation for a personal care home.

CPIM: February 13, 2025

Planning Commission (PC): March 4, 2025

Mayor & City Council: March 24, 2025

Sign Posted/ Legal Ad(s) submitted: January 27, 2025

Staff Recommendations: **APPROVAL**

PC Recommendations: **APPROVAL** with the conditions outlined by Staff.



PROJECT OVERVIEW

Location

The subject property is located at 4989 Thompson Mill Road with a parcel identification 16 011 05 069. The dwelling is located within the Miller’s Cove Subdivision.

The property abuts RSM (Small Lot Residential Mix) District on the north, south, east, and west.



| Adjacent & Surrounding Properties | Zoning (Petition Number) | Land Use |
|-----------------------------------|---|---|
| Applicant | R-100 (Residential Med Lot) District | Residential |
| Adjacent: North | R-100 (Residential Med Lot) District | Residential (Detached Single Family Home) |
| Adjacent: West | R-100 (Residential Med Lot) District | Residential (Detached Single-Family Home) |
| Adjacent: East | R-100 (Residential Med Lot) District | Residential (Detached Single Family Home) |
| Adjacent: South | R-100 (Residential Med Lot) District | Residential (Detached Single Family Home) |



The property is a single-family detached dwelling. The dwelling was built in 1972 with four (4) bedrooms and three (3) bathrooms. The entire floor area is approximately 2,258 square feet. The nearest Personal Care Home is located at 4921 Hamlet Court, which is approximately 1250ft. from the subject property.

According to the Georgia Department of Community Health

<https://dch.georgia.gov/divisionsoffices/hfrd/facilities-provider-information/personal-care-homes> , Personal Care Homes rules and regulations Chapter 111-8-62 - means any dwelling, whether operated for profit or not, which undertakes through its ownership or management to provide or arrange for the provision of housing, food service, and one or more personal services for two or more adults who are not related to the owner or administrator by blood or marriage.



DIVISION 5. R-100 (RESIDENTIAL MEDIUM LOT-100) DISTRICT

Sec. 2.5.1. Statement of purpose and intent.

The purpose and intent of the City Council in establishing the R-100 (Residential Medium Lot-100) District is as follows:

- A. To provide for the protection of neighborhoods within the city where lots have a minimum area of 15,000 square feet;
- B. To provide for compatible infill development in neighborhoods;
- C. To provide "For Sale", Single family detached residential subdivisions and For Sale Communities;
- D. To provide flexibility in design on the interior of new development while protecting surrounding development;
- E. To ensure that the uses and structures authorized in the R-100 (Residential Medium Lot-100) District are those uses and structures designed to serve the housing, recreational, educational, religious, and social needs of the neighborhood;
- F. To provide for appropriately sized accessible and useable open space in new developments for health, recreational and social opportunities for city residents; and
- G. To implement the future development map of the city's comprehensive plan.

(Ord. of 8-2-2017, § 1(2.5.1); Ord. No. 2022-10-03, § 2(Exh. A), 10-24-2022)

Sec. 2.5.2. Permitted and special land uses.

Permitted uses and uses requiring special land use permits shall be as provided below. In cases where a use is permitted but there are supplemental use regulations for that use specified in article 4 of this chapter, such regulations shall also apply.

- A. Permitted Uses. The following uses are permitted as of right under this Code:
 1. Agricultural Activities.
 - a. Keeping of livestock; see section 4.2.
 - b. Keeping of poultry/pigeons; see section 4.2.
 - c. Riding academies or stables; see section 4.2.
 - d. Urban Community Garden, up to 5 acres; see section 4.2.
 2. Residential.
 - a. Dwelling, single-family (detached).
 3. Institutional/Public.
 - a. Golf course or clubhouse, public or private; see section 4.2.
 - b. Government facilities.

-
- c. Neighborhood or subdivision clubhouse or amenities; see section 4.2.
 - d. School, public kindergarten, elementary, middle or high schools.
 - 4. Communications—Utility.
 - a. Essential services.
 - b. Satellite television antenna; see section 4.2.
 - 5. Wireless Telecommunications.
 - a. Carrier on Wheels (declared emergency); see section 4.2.
 - B. Special Administrative Uses. The following uses are permitted only with administrative approval:
 - 1. Agricultural.
 - a. Urban, community garden, over 5 acres.
 - 2. Residential.
 - a. Home occupation, no customer contact; see section 4.2.
 - 3. Commercial.
 - a. Farmer's market, temporary/seasonal; see section 4.2.
 - b. Food Trucks, Mobile Vending/Food Carts; see section 4.2.
 - c. Temporary outdoor retail sales; see section 4.2.
 - d. Temporary outdoor sales or events, seasonal; see section 4.2.
 - e. Temporary produce stand; see section 4.2.
 - f. Temporary trailer, as home sales office or construction trailer; see section 4.2.
 - 4. Wireless Telecommunications.
 - a. Attached wireless telecommunication facility used for non-residential purposes (prohibited if used as residential).
 - b. Carrier on wheels (non-emergency or event, no more than 120 days); see section 4.2.
 - c. Small cell installations (new support structures or collocation) on private property or ROW; see section 4.2.
 - C. Special Land Use Permit. The following uses are permitted only with a special land use permit:
 - 1. Residential.
 - a. Bed and breakfast establishment; see section 4.2.
 - b. Home occupation, with customer contact; see section 4.2.
 - c. Child care home, 5 or less; see section 4.2.
 - d. Convents or monasteries; see section 4.2.
 - e. Personal care home, 6 or less; see section 4.2.
 - f. Senior housing; see section 4.2.
 - g. Short-term vacation rental.
 - 2. Institutional/Public.
-

- a. Cemetery, columbarium, mausoleum; see section 4.2.
 - b. Places of worship; see section 4.2.
 - c. Recreation club; see section 4.2.
 - d. School, private kindergarten, elementary, middle or high schools; see section 4.2.
 - e. Swimming pools, commercial; see section 4.2.
3. Commercial.
- a. Adult daycare facility, up to 6; see section 4.2.
 - b. Child day care facility, up to 6; see section 4.2.
 - c. Kennel, noncommercial.
4. Communication—Utility.
- a. Amateur radio service or antenna; see section 4.2.
5. Wireless Telecommunication.
- a. New support structure from 51 feet to 150 feet; see section 4.2.
- D. Permitted Accessory. The following uses are permitted as accessory only to a principal use:
- 1. Residential.
 - a. Accessory uses or structures.
 - b. Dwelling, single-family, accessory (guesthouse, in-law suite); see section 4.2.
 - 2. Institutional/Public.
 - a. Educational use, private; see section 4.2.
 - b. Tennis courts, swimming pools, play or recreation areas, community; see section 4.2.
 - 3. Commercial.
 - a. Fitness center.

(Ord. of 8-2-2017, § 1(2.5.2); Ord. No. 2022-06-01, § 2(Exh. A), 8-2-2022; Ord. No. 2024-02-04, § 1(Exh. A), 2-26-2024)

Sec. 2.5.3. Dimensional requirements.

Dimensional requirements for the R-100 (Residential Medium Lot-100) District shall be as provided in Table 2.2, Residential Zoning Districts Dimensional Requirements.

(Ord. of 8-2-2017, § 1(2.5.3))

Sec. 2.5.4. Site and building design standards.

Design standards and regulations to be applied in this zoning district shall be as provided in article 5 of this chapter, site design and building form standards.

(Ord. of 8-2-2017, § 1(2.5.4))

Public Participation


Property owners within 1,000 feet of the subject property were mailed notices of the proposed rezoning in January 2025. The Community Planning Information Meeting (CPIM) was held on February 13, 2025, at 6:00 P.M. at city hall. There were 2 neighbors that spoke in support of the petition.

SLUP25-000001

ADDRESS: 4989 Thompson Mill Road

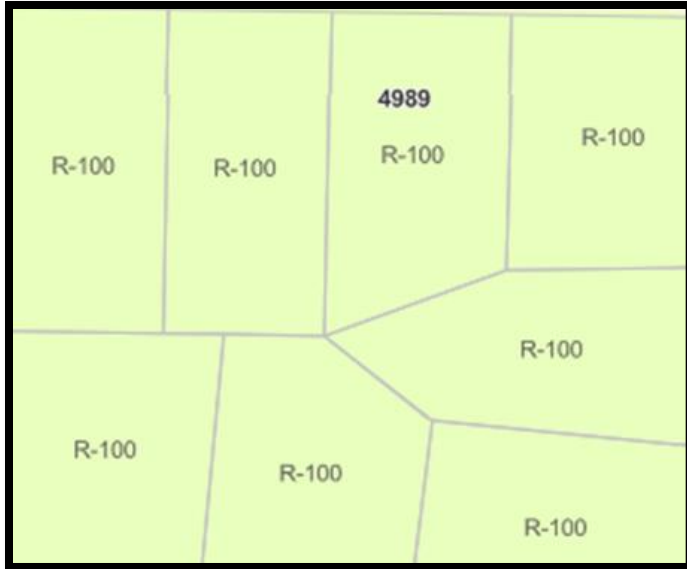
CURRENT ZONING: R-100 (Residential Med Lot) District

FUTURE LAND USE: Suburban Neighborhood (SUB)

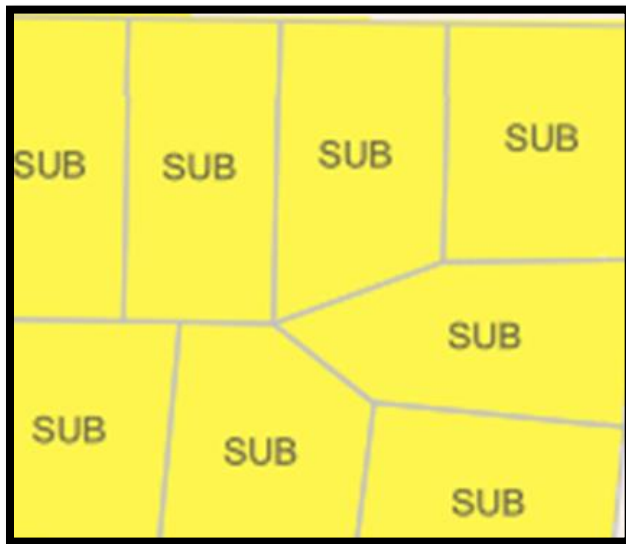
 **Subject Property**



CURRENT ZONING



CURRENT LAND USE

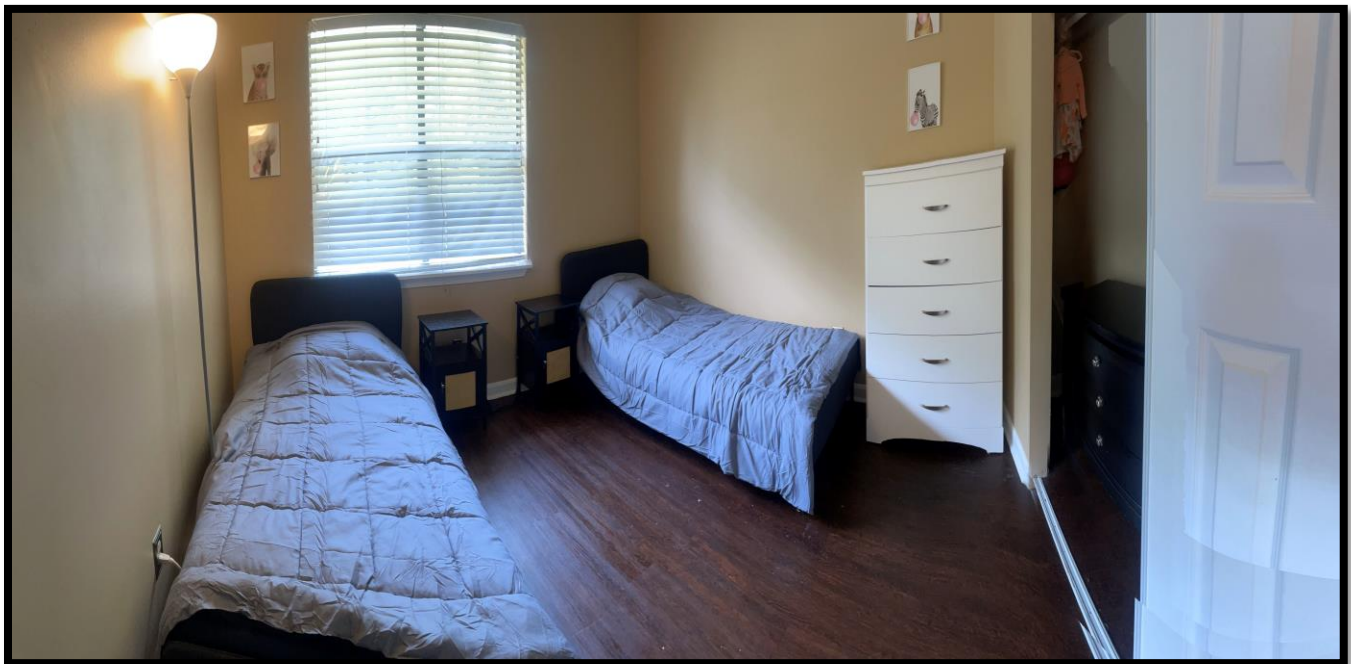


INTERIOR LOCATION PHOTOS

BEDROOM



BEDROOM



MASTER BEDROOM



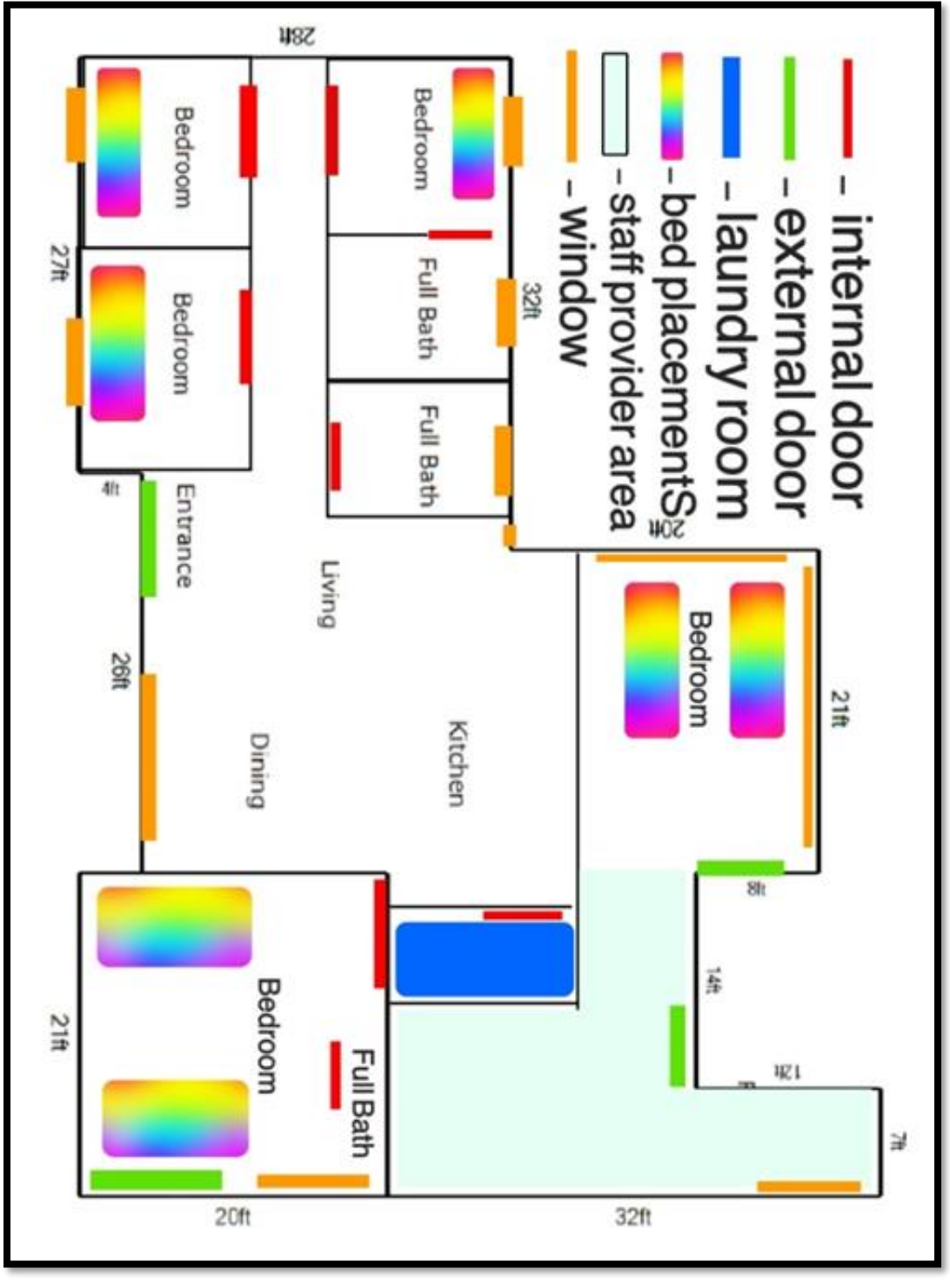
COMMON LIVING AREA



EXTERIOR PHOTO



FLOOR PLAN



STANDARDS OF SPECIAL LAND USE PERMIT REVIEW

[Section 7.4.6](#) of the Stonecrest Zoning Ordinance lists twenty factors to be considered in a technical review of a special land use permit completed by the Community Development Department and Planning Commission. Each criterion is listed with staff analysis.

- A. The adequacy of the size of the site for the use contemplated and whether or not the adequate land area is available for the proposed use including the provision of all required yards, open space, off-street parking, and all other applicable requirements of the zoning district in which the use is proposed to be located.**

The property consists of 20,038 square feet, with a lot coverage of 14.58%. It includes sufficient land to meet the required setbacks (front: 25 ft, side: 10 ft, rear: 40 ft) and open space for recreational and landscaping purposes. Off-street parking can be accommodated on the existing driveway or additional paved areas, meeting zoning district requirements [Section 4.2.41 \(Personal care homes and child caring institutions\)](#). The required parking is at least four (4) parking spaces within a driveway, garage, or carport.

- B. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district.**

The surrounding area is residential with low-density development, making a personal care home compatible. The single-story structure and quiet environment align with the character of the neighborhood, and the use complements local community needs without introducing disruptive activities.

- C. Adequacy of public services, public facilities, and utilities to serve the proposed use.**

The site is well-supported by existing infrastructure, including water, sewer, electricity, and internet services. Emergency services (fire and police) and nearby healthcare facilities provide sufficient coverage for the proposed use.

- D. Adequacy of the public street on which the use is proposed to be located and whether or not there is sufficient traffic-carrying capacity for the use proposed so as not to unduly increase traffic and create congestion in the area.**

Thompson Mill Rd is a two-lane local road with light to moderate traffic volumes. The anticipated traffic generated by the facility (approximately 10-20 trips/week) will not cause undue congestion or exceed the local road's capacity.

- E. Whether existing land uses located along access routes to the site will be adversely affected by the character of the vehicles or the volume of traffic generated by the proposed use.**

The personal care home will generate minimal traffic primarily consisting of staff and visitors, and service vehicles. These are compatible with existing residential traffic patterns and will not adversely affect neighboring properties.



F. Adequacy of ingress and egress to the subject property and to all proposed buildings, structures, and uses thereon, with particular reference to pedestrian and automotive safety and convenience, traffic flow and control, and access in the event of a fire or another emergency.

The property features an existing paved driveway with safe ingress and egress to Thompson Mill Rd. The flat topography ensures easy access for vehicles and emergency responders. There is no anticipated impact on pedestrian safety.

G. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust, or vibration generated by the proposed use.

The nature of a personal care home minimizes disruptive elements. Noise levels will remain low, and no industrial equipment or processes will generate smoke, odor, dust, or vibration. The proposed hours of operation shall be Monday to Friday; and 9:00 A.M. – 5:00 P.M. on Saturdays and Sundays 10:00AM to 5:00PM.

H. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use.

The facility will not generate activity or noise disruptive to neighboring properties during nighttime hours, as it serves as a residential care home.

I. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use.

Operations involve residential care, with no industrial or high-traffic elements, making the use compatible with neighboring properties.

J. Whether the proposed use is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located.

The R-100 zoning classification permits residential care facilities with appropriate permits and aligns with zoning district’s lot size, setbacks, and density requirements.

K. Whether the proposed use is consistent with the policies of the comprehensive plan.

The development supports Stonecrest’s goals of creating diverse housing and providing services for aging residents. It is consistent with policies encouraging accessibility and community-oriented care facilities.

L. Whether the proposed use provides for all required buffer zones and transitional buffer zones where required by the regulations of the zoning district in which the use is proposed to be located.

Setbacks and landscaping provide natural buffer zones, ensuring a smooth transition

between the facility and adjacent properties. Additional fencing or plantings could enhance privacy if required.

M. Whether there is adequate provision of refuse and service areas.

Adequate space exists for refuse storage and service areas on-site, minimizing visual or environmental impact. Regular waste disposal can be managed without disrupting operations.

N. Whether the length of time for which the special land use permit is granted should be limited in duration.

If granted approval, the special land use permit should not be transferable and **only** applicable to the current applicant, operator(s), and homeowner(s).

O. Whether the size, scale, and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale, and massing of adjacent and nearby lots and buildings.

The existing single-story structure is appropriately scaled for the property and the surrounding residential neighborhood, ensuring no visual or structural dominance over neighboring lots.

P. Whether the proposed use will adversely affect historic buildings, sites, districts, or archaeological resources.

No historic or archaeological resources are present on the property or in the immediate vicinity, eliminating the potential for adverse impacts.

Q. Whether the proposed use satisfies the requirements contained within the supplemental regulations for such special land use permits.

The proposed use adheres to supplemental regulations, including land area, operational requirements, and neighborhood compatibility standards.

R. Whether the proposed use will create a negative shadow impact on any adjoining lot or building as a result of the proposed building height.

The single-story design prevents significant shadowing on adjacent lots, ensuring no adverse impact on neighboring properties.

S. Whether the proposed use would be consistent with the needs of the neighborhood or the community as a whole, be compatible with the neighborhood, and would not be in conflict with the overall objective of the comprehensive plan.

The proposed personal care home addresses the community's need for elder care services, aligns with the low-density residential character of the area, and supports the goals of the comprehensive plan. It is both compatible with and beneficial to the neighborhood.



STAFF RECOMMENDATION (AMENDED 3/4/2025)

Staff recommends **APPROVAL** with the following conditions:

1. If owned by a corporation, partnership, Limited Liability Company or any entity other than a natural person, the administrator identified in the state license application must reside in the personal care home.
2. If owned by an individual, the individual owner must reside in the group personal care home.
3. Each personal care home must obtain a city license as well as all license(s) and/or permit(s) required by the State of Georgia **before** beginning to operate.
4. Each personal care home licensed and/or permitted by the State of Georgia must display its state-issued and city-issued license(s) and/or permit(s) in plain view, visible from the front doorway of the facility.
5. The personal care home must meet all building code requirements as outlined for the occupancy type for a personal care home.
6. No personal care home may display any exterior signage that violates the sign ordinance in chapter 21 of the Code or the sign provisions in the zoning regulations for the underlying zoning district where the personal care home is located.
7. No city licenses and/or permits for the operation of the personal care home shall be transferable.
8. **The owner/site manager/administrator shall adhere to all Rules and regulations and permitting applicable as outlined by the Georgia Department of Health Chapter 111-8 Subject 111-8-62 Personal Care Homes.**
9. **No personal care home shall be operated and no residents admitted without valid permits/licenses from the Georgia Department of Health and City of Stonecrest.**

PLANNING COMMISSION RECOMMENDATION – March 4, 2025

The Planning Commission recommends **APPROVAL** with staff conditions.



ATTACHMENT(S): SLU25-000001 Application Materials

Amendment Application

All applications and plans must be submitted through the [Citizenserve Online Portal](#)



Amendment Application

| | | | |
|--|----------|-------------------------|--------------------|
| PROPERTY | | | |
| Site Address(es): 4989 THOMPSON MILL RD STONECREST GA | | Parcel #: 16 011 05 069 | Zip: |
| Project Name (If applicable): THE MOLUX OF STONECREST | | | |
| Current Zoning | R-100 | Proposed Zoning | |
| Current Use | RES DIST | Proposed Use | PERSONAL CARE HOME |

| | | | |
|--------------------------|---|--------|------------|
| OWNER INFORMATION | | | |
| Name: | MOYO RUFARO EDWIN | | |
| Address: | 4989 THOMPSON MILL RD STONECREST GA 30038 | | |
| Email: | RMKARDIA@GMAIL.COM | Phone: | 4046103841 |

| | | | |
|------------------|---|--------|------------|
| APPLICANT | | | |
| Name: | MOYO RUFARO EDWIN | | |
| Address: | 4989 THOMPSON MILL RD STONECREST GA 30038 | | |
| Email: | RMKARDIA@GMAIL.COM | Phone: | 4046103841 |

AFFIDAVIT

To the best of my knowledge, this application form is correct and complete. If additional materials are determined to be necessary, I understand that I am responsible for filing additional materials as specified by the City of Stonecrest Zoning Ordinance. I understand that failure to supply all required information (per the relevant Applicant Checklists and Requirements of the Stonecrest Zoning Ordinance) will result in the rejection of this application. I have read the provisions of the Georgia Code Section 36-67A-3 as required regarding Campaign Disclosures. My Signed Campaign Disclosure Statement is included.

| | | | |
|------------------------|--------------------------------|-------|--------|
| Applicant's Name: | MOYO RUFARO EDWIN | | |
| Applicant's Signature: | <i>[Handwritten Signature]</i> | Date: | 1/7/25 |

NOTARY

Sworn to and subscribed before me this *7th* Day of *January* 20 *25*

| | | | |
|----------------|--------------------------------|-------|----------|
| Notary Public: | <i>[Handwritten Signature]</i> | Date: | 1/7/2025 |
| Signature: | <i>[Handwritten Signature]</i> | | |



Item VIII. d.

Amendment Application

All applications and plans must be submitted through the [Citizenserve Online Portal](#)



Property Owner(s) Notarized Certification

The owner and petitioner acknowledge that this amendment application form is correct and complete. By completing this form, all owners of the subject property certify authorization of the filing of the application for amendment(s), and authorization of an applicant or agent to act on their behalf in the filing of the application including all subsequent application amendments.

Property Owner

| | | | |
|---|---|-----------------------------|------------|
| Name: | MOYO RUFARO EDWIN | | |
| Address: | 4989 THOMPSON MILL RD | City, State: STONECREST, GA | Zip: 30038 |
| Signature: | | Date: | 1/7/25 |
| Sworn to and subscribed before me this <u>7th</u> day of <u>January</u> , 20 <u>25</u> | | | |
| Notary Public: | <div style="border: 1px solid black; padding: 5px; width: fit-content;"> RENEE L WOODS Notary Public - State of Georgia Henry County My Commission Expires Mar 27, 2027 </div> | | |

Additional Property Owner (if applicable)

| | | | |
|---|--|--------------|------|
| Name: | | | |
| Address: | | City, State: | Zip: |
| Signature: | | Date: | |
| Sworn to and subscribed before me this _____ day of _____, 20____ | | | |
| Notary Public: | | | |

Additional Property Owner (if applicable)

| | | | |
|------------|--|--------------|------|
| Name: | | | |
| Address: | | City, State: | Zip: |
| Signature: | | Date: | |



Amendment Application

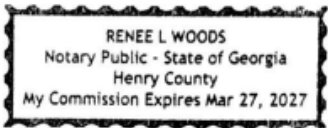
All applications and plans must be submitted through the [Citizenserve Online Portal](#)



Applicant(s) Notarized Certification

The petitioner acknowledged that this amendment application form is correct and complete. By completing this form, all applicant of the subject property certifies authorization of the filing of the application for amendment(s), and authorization of an applicant or agent to act on their behalf in the filing of the application including all subsequent application amendments.

Applicant

| | | | |
|---|--|-----------------------------|------------|
| Name: | MOYO RUFARO EDWIN | | |
| Address: | 4989 THOMPSON MILL RD | City, State: STONECREST, GA | Zip: 30038 |
| Signature: | <i>[Signature]</i> | Date: | 1/7/25 |
| Sworn to and subscribed before me this <u>9th</u> day of <u>January</u> , 20 <u>25</u> | | | |
| Notary Public: |  | | |

Applicant (if applicable)

| | | | |
|---|--|--------------|------|
| Name: | | | |
| Address: | | City, State: | Zip: |
| Signature: | | Date: | |
| Sworn to and subscribed before me this _____ day of _____, 20____ | | | |
| Notary Public: | | | |

Applicant (if applicable)

| | | | |
|------------|--|--------------|------|
| Name: | | | |
| Address: | | City, State: | Zip: |
| Signature: | | Date: | |



Amendment Application

All applications and plans must be submitted through the [Citizenserve Online Portal](#)



Campaign Disclosure Statement

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the City of Stonecrest City Council or a member of the City of Stonecrest Planning Commission?

Yes

No

| | | | |
|---------------------------------|--------------------------------|------------------------------------|-------------------|
| Applicant/Property Owner | | | |
| Name: | MOYO RUFARO EDWIN | | |
| Address: | 4989 THOMPSON MILL RD | City, State: STONECREST, GA | Zip: 30038 |
| Signature: | <i>[Handwritten Signature]</i> | Date: | 1/7/25 |

If the answer above is yes, please complete the following section:

| Date | Government Official & Position | Description | Amount |
|------|--------------------------------|-------------|--------|
| | | | |
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Development of Regional Impact (DRI) Review for 4989 Thompson Mill Rd, Stonecrest, GA 30038

Executive Summary

This Development of Regional Impact (DRI) review evaluates the suitability of 4989 Thompson Mill Rd, Stonecrest, GA 30038 for a personal care home. The property's location, surrounding infrastructure, and alignment with community needs make it an ideal site for such a development. The project is anticipated to have minimal regional impact while providing essential services to the aging population.

Property Overview

4989 Thompson Mill Rd is a strategically located property within the city of Stonecrest. Key features include:

- **Zoning:** Residential with allowances for community-oriented facilities.
- **Size:** Adequate to support a small-scale personal care home for seven or more residents.
- **Access:** Served by Thompson Mill Rd, a local road with connectivity to nearby arterials and Interstate 20, located approximately 2.5 miles away.

Proposed Development

The project involves the establishment of a personal care home, offering:

- Housing and care services for elderly or disabled individuals.
- 24-hour staff assistance and supervision.
- On-site amenities and transportation services for residents.

Regional Impact Analysis

1. Land Use Compatibility

The proposed development aligns with the regional and local land-use plans:

- **Stonecrest Comprehensive Plan:** Encourages the development of residential care facilities to address the needs of an aging population.
- **Community Fit:** The project complements the low-density residential character of the surrounding area.

2. Traffic and Transportation

The traffic impact of the proposed facility is minimal:

- **Trip Generation:** The facility is expected to generate approximately 20-30 daily vehicle trips, with 2-5 trips during peak hours (based on ITE Trip Generation Manual, 11th Edition).
- **Roadway Capacity:** Thompson Mill Rd operates below capacity, and nearby intersections maintain Level of Service (LOS) B or better.
- **Transit Access:** Proximity to MARTA bus stops enhances regional accessibility for staff and visitors.

3. Infrastructure and Services

The site is well-supported by existing infrastructure:



- **Utilities:** The property has access to water, sewer, electricity, and internet services, with no upgrades required.
- **Emergency Services:** Located within a 5-mile radius of fire and police stations.
- **Healthcare Proximity:** Nearby medical facilities, including primary care and hospitals, support the needs of residents.

4. Environmental Considerations

Environmental impacts are negligible:

- **Land Disturbance:** The project requires minimal grading or clearing.
- **Flood Risk:** The property is not located in a floodplain.
- **Stormwater Management:** Existing infrastructure is adequate to handle runoff without adverse regional effects.

5. Socioeconomic Benefits

The development provides multiple community benefits:

- **Employment:** Creates 3-8 full-time jobs for local caregivers, administrative staff, and maintenance personnel.
- **Affordable Care:** Addresses the growing demand for cost-effective, high-quality personal care services.
- **Community Value:** Enhances the quality of life for residents and their families.

Alignment with Regional Goals

The development supports the following regional goals:

1. **Housing Diversity:** Expands the availability of specialized housing for vulnerable populations.
2. **Transportation Efficiency:** Minimizes traffic impacts while leveraging existing transit options.
3. **Economic Growth:** Provides local job opportunities and stimulates ancillary businesses (e.g., medical suppliers).
4. **Sustainability:** Maintains low environmental impact while utilizing existing infrastructure.

Conclusion

The proposed personal care home at 4989 Thompson Mill Rd is an ideal project with limited regional impact and significant local benefits. Its alignment with zoning policies, minimal strain on infrastructure, and contributions to socioeconomic well-being highlight its value to the Stonecrest community. Approval of the project is recommended to meet the growing demand for residential care services in the region.

ATTACHEMENT(S) : Comprehensive Plan and Zoning Ordinance(s)



Caption: An example Suburban Neighborhood Land Use in Stonecrest, GA

Suburban Neighborhood (SN): The Suburban Neighborhood area recognizes those areas of the city that have developed in traditional suburban land use patterns while encouraging new development to have increased connectivity and accessibility. These areas include those already developed and those under development pressures. Suburban Neighborhood areas are characterized by low-pedestrian orientation, limited transit access, scattered civic buildings, and curvilinear street patterns. The desired density for areas of this type is from 4 to 8 dwelling units per acre.

Use Descriptions: SF detached; Townhomes; Assisted Living facilities; Neighborhood Retail; Schools; Libraries; Parks and Related; Health Care, Civic

Maximum Density, Units/Acre: 4 to 8 du/ac

Permitted Districts: OI, OIT, NS, RSM, R100, R85, R75, R60, RNC

Sec. 4.2.41. Personal care homes and child caring institutions.

A. *Personal care homes, general requirements.*

1. If owned by a corporation, partnership, Limited Liability Company or any entity other than a natural person, the administrator identified in the state license application must reside in the personal care home. If owned by an individual, the individual owner must reside in the group personal care home.
2. Each personal care home must obtain a city license as well as all license(s) and/or permit(s) required by the State of Georgia before beginning to operate. Each personal care home licensed and/or permitted by the State of Georgia must display its state-issued and city-issued license(s) and/or permit(s) in plain view, visible from the front doorway of the facility.
3. No personal care home may display any exterior signage that violates the sign ordinance in chapter 21 of the Code or the sign provisions in the zoning regulations for the underlying zoning district where the personal care home is located.
4. Personal care homes may apply for an FHA Accommodation Variance as provided for in section 7.5.9 of this chapter.
5. No city permit for the operation of the personal care home shall be transferable.

B. *Personal care home, group (up to six persons).*

1. Two copies of complete architectural plans for the subject group personal care home, signed or sealed by a registered architect, shall be submitted to the director of planning prior to issuance of a building permit or business license.

2. Each group personal care home must provide at least four parking spaces within a driveway, garage or carport and must comply with any applicable requirements in article 6.
 3. The home must be at least 1,800 sq. ft in size.
 4. In order to prevent institutionalizing residential neighborhoods, no group personal care home located in a residential zoning district may be operated within 1,000 feet of any other group personal care home. The 1,000-foot distance requirement is measured by a straight line which is the shortest distance (i.e., "as the crow flies") between the property lines of the two tracts of land on which the group personal care homes are located.
- C. *Personal care home, (seven or more persons).*
1. Two copies of complete architectural plans for the subject community personal care home, signed or sealed by a registered architect, shall be submitted to the director of planning prior to issuance of a building permit or business license.
 2. Each community personal care home must provide at least one-half parking spaces for each employee and resident and must comply with any applicable requirements in article 6.
- D. *Child Care Home, and Child Care Facility general requirements.*
1. If owned by a corporation, partnership, Limited Liability Company or any entity other than a natural person, the administrator identified in the state license application must reside in the child care home, facility. If owned by an individual, the individual owner must reside in the child care home, or child care facility.
 2. No child care home, or child care facility shall be located within 1,500 feet of another child care home or child-care facility. The 1,500-foot distance requirement is measured by a straight line which is the shortest distance (i.e., "as the crow flies") between the property lines of the two tracts of land on which the child care homes, or child care facilities are located.
 3. Each child caring home, and child care facility must obtain all license(s) and/or permit(s) required by the State of Georgia in order to operate. Each child caring institution must display its state-issued and city-issued license(s) and/or permit(s) in plain view, visible from the front doorway of the facility.
 4. Child Care homes and Child Care facilities are not permitted in Multi-family dwellings.
 5. No child caring home, facility may display any exterior signage that violates the sign ordinance in chapter 21 of the Code or the sign provisions in the zoning regulations for the underlying zoning district where the personal care home is located.
 6. Each child care home, facility shall meet the minimum state requirements for playground size, location, and fencing.
- E. *Child Care Homes, (up to five children).*
1. Each group child care home must provide at least four parking spaces within a driveway, garage or carport, and must comply with any applicable requirements in article 6.
- F. *Child Care Facility (six or more children).*
1. Two copies of the complete architectural plans of the subject community child caring institution, signed and sealed by a registered architect, shall be submitted to the director of planning prior to issuance of a building permit or business license.
 2. Each community child caring institution must provide at least one-half parking spaces for each employee and resident and must comply with any applicable requirements in article 6.

(Ord. of 8-2-2017, § 1(4.2.41); Ord. No. 2021-06-04, § 1(Exh. A), 8-23-2021)

Sec. 4.2.46. Senior housing; independent and assisted living, nursing, and continuing care.

- A. Primary uses. Senior housing facilities shall include either independent living units or assisted living units, or both. The independent living units may be either single-family (detached) residences or multifamily (attached) residences.
- B. Accessory uses. Senior housing facilities shall include one or more of the following accessory uses:
 - 1. Ancillary clinics, personal service, retail (e.g., pharmacy, hair salon, medical offices).
 - 2. Central kitchen and dining facility.
 - 3. Recreation and amenities.
 - 4. Building/clubhouse for classes, meetings, concerts, storytelling, etc.
 - 5. Adult daycare.
- C. The maximum number of unrelated residents living independently (not requiring personal care) and at age 55 or older allowed in an independent living unit is one per bedroom.
- D. Height standards. A senior living facility in which all of the occupied units are occupied by at least one senior aged 55 or older is authorized up to ten stories without a height SLUP in HR, MU-3, MU-4, and MU-5 zoning districts, subject to transitional height plane regulations in article 5 of this chapter.
- E. Accessibility standards. All senior housing shall incorporate accessibility standards that meet certification requirements for easy living or universal design and/or include all of the following minimum features:
 - 1. At least one step free entrance to the main floor at either the front or side of the structure; if only one is provided, it shall not be from a patio or raised deck.
 - 2. Main floor of each unit shall include a kitchen, entertaining area, and master bedroom with full bathroom.
 - 3. Every door on the main floor shall provide a minimum width of 34 inches of clear passage.
 - 4. Blocking shall be installed in the master bath around toilet, tub, and shower for placement or future placement of grab bars.
- F. Assisted living, nursing and continuing care facilities shall provide the following:
 - 1. Primary and secondary support services: Approval for assisted living, nursing or continuing care facilities shall not be granted without documentation of provisions for the following primary and secondary services:
 - a. Primary services: on-site dining facility, 24-hour on-call medical services, on-site licensed practical nurse, on-call registered nurse, linen and housekeeping services, and transportation services.
 - b. Secondary services: physical therapy, medication administration program, care technician services (clothes changing, bathing, etc.), on-site personal care (barber, beauty salon), fitness center, library.
 - c. Access to outdoor seating and walking areas shall be provided as part of every assisted living, nursing or continuing care facility.
- G. A senior housing facility shall only be approved after consideration of the use permit criteria, found in article 7 of this chapter and after consideration of the following:
 - 1. Proximity and pedestrian access to retail services and public amenities.
 - 2. Transportation alternatives.
 - 3. Integration into existing neighborhoods through connectivity and site design.
 - 4. Diverse housing types.
 - 5. Site and building design that encourages social interaction.



6. Building design that meets easy living standards.
- H. In addition, in consideration of the special land use permit or special administrative permit for a senior housing facility, the following criteria shall be evaluated based on the degree to which these elements provide transition from the proposed project to adjacent existing development:
1. Building height.
 2. Landscaping.
 3. Maximum lot coverage.
 4. Setbacks from exterior property lines.
 5. Site size.
 6. Access to thoroughfare.
- I. Submittal requirements. The following documents and information are required for submittals for rezoning, special land use permits, land development permits and building permits associated with proposed senior living facilities:
1. Survey and site plan (per established requirements in article 7 of this chapter).
 2. Landscape and tree plan.
 3. Number and location of residential units.
 4. Types of units.
 5. Amenities.
 6. Institutional/nonresidential services.
 7. Proximity to services such as health care, shopping, recreation, and transit.
 8. Other documents addressing the approval criteria in subsections G. and H. of this section.

(Ord. of 8-2-2017, § 1(4.2.46))



Sec. 6.1.4. Off-street parking ratios.

- A. Minimum on-site parking requirements may be reduced through use of shared parking, in accordance with section 6.1.5.
- B. In residential districts in which garage space is provided, the garage space may count for no more than one required space per 200 square feet of garage space.
- C. Tandem parking is permitted in association with all single-family detached and single-family attached housing types.
- D. Minimum and maximum parking ratios. Unless otherwise regulated elsewhere in this chapter, off-street parking spaces shall be provided for all uses listed are specified in Table 6.2. Unless otherwise noted, the parking requirement shall be based on the gross square footage of the building or buildings devoted to the particular use specified. Maximum parking standards shall not apply to existing uses so long as the building or parking lot is not expanded.
- E. Phased development. Where a project is intended to be developed in phases, the director of planning may approve phased development of a parking lot intended to serve current and future development.
- F. Reduction of minimum parking requirements. The minimum number of required spaces described in Table 6.2 for a particular use may be reduced by ten percent by the director of planning pursuant to an administrative variance in compliance with article 7 of this chapter. If the use is within 1,000 feet of a designated heavy rail, streetcar/light rail or bus rapid transit station, the minimum number of required spaces may be reduced by 25 percent in accordance with article 7 of this chapter.
- G. Carpool/vanpool parking. For office, industrial, and institutional uses where there are more than 20 parking spaces on the site, the following standards shall be met:
 - 1. At least five percent of the parking spaces on-site must be reserved for carpool use.
 - 2. Except as otherwise provided by applicable law, parking lots shall be designed so as to provide the most convenient access to building entrances by persons arriving by vanpools and carpools. In the event of a conflict between the priority described in this subsection and section 6.1.16, this subsection shall prevail.
 - 3. Signs shall be posted identifying spaces reserved for carpool use.

Table 6.2. Off-street Parking Ratios

| Minimum and Maximum Parking Spaces | | |
|---------------------------------------|--|--|
| Use | Minimum Parking Spaces Required | Maximum Parking Spaces Allowed |
| <i>Residential</i> | | |
| Detached single-family dwelling | Two spaces per dwelling unit. | Four spaces per dwelling unit. |
| Two-family and three-family dwellings | One space per dwelling unit. | Four spaces per dwelling unit. |
| Detached single-family condominium | Two spaces per dwelling unit. | Four spaces per dwelling unit. |
| Attached single-family dwelling | 1½ spaces per dwelling unit, plus one-quarter space per dwelling | Three spaces per dwelling unit, plus one-quarter space per |

| | | |
|---|---|--|
| | unit to accommodate guest parking. | dwelling unit to accommodate guest parking. |
| Attached two-family and three-family dwellings | 1½ spaces per dwelling unit, not including garage, plus one-quarter space per dwelling unit to accommodate guest parking. | Three spaces per dwelling unit, not including garage, plus one-quarter space per dwelling unit to accommodate guest parking. |
| Multifamily dwellings | 1½ spaces for every dwelling unit. | Three spaces for every dwelling unit. |
| Mobile Homes | Two spaces per mobile home lot. | Four spaces per mobile home lot. |
| Multifamily dwellings, supportive living | One-half space per dwelling unit. | One space per dwelling unit. |
| Fraternity house or sorority house | One space per bed. | 1¼ spaces per bed. |
| Rooming house or boarding house, shelter | One space per four beds. | One space per 1½ beds. |
| Senior housing | One-half space per dwelling unit, plus one-quarter space per dwelling unit to accommodate guest parking. | Two spaces per dwelling unit, plus one-quarter space per dwelling unit to accommodate guest parking. |
| Assisted Living | One-half space per dwelling unit. | One space per dwelling unit. |
| Personal care home, group | Two spaces. | Four spaces |
| Personal care home, community | One space for every 3 beds. | One space for every 2 beds. |
| Child daycare facility | Two spaces. | Four spaces. |
| Child care institution, group | Two spaces. | Four spaces. |
| Child care institution, community | One-half space for each employee and resident. | Three-quarters space for each employee and resident. |
| Live Work dwelling | Two spaces per unit. | Four spaces per unit. |
| <i>Institutional</i> | | |
| Ambulance service where accessory to a hospital, ambulance services, delivery services and other similar services | One parking space for each fleet vehicle plus one-half space for each administrative or service employee. | One parking space for each fleet vehicle plus three-quarter space for each administrative or service employee. |
| Child daycare center | One space for each 400 square feet of floor area. | One space for each 300 square feet of floor area. |
| Convent or monastery | One space for each 400 square feet of floor area. | One space for each 200 square feet of floor area. |
| Funeral home | One space for each 400 square feet of floor area | One space for each 200 square feet of floor area. |
| Hospital and similar institutional use | One space per three beds. | No maximum. |
| Nursing care facility, nursing or convalescent home, and similar institutional use | One-quarter space per bed | One-half space per bed |
| Kindergarten | One space per 300 square feet of floor area. | One space per 200 square feet of floor area. |
| Places of assembly with fixed seating, including places of worship, movie theaters, stadiums, | One space for each four seats in the largest assembly room. | One space for each two seats in the largest assembly room. |



Attachment(s): Community Planning Information Meeting (CPIM) Summary Minutes



CITY OF STONECREST, GEORGIA

Community Planning Information Meeting (CPIM)

Summary Minutes

February 13, 2025, at 6:00 P.M.

Planning-zoning@stonecrestga.gov

***IN-PERSON MEETING**

[Stonecrest's YouTube Broadcast Link](#)

Citizens wishing to actively participate and comment during the public hearing portion of the meeting may comment in person. You may also submit your request including your full name, address, and position on the agenda item you are commenting on (for or against) via email to Planning-zoning@stonecrestga.gov by 2 p.m. the day before the meeting to be read into the record at the meeting.

- I. **CALL TO ORDER AND INTRODUCTIONS:** Deputy Director Ellis Still, Senior Planner Ramona Eversley, Planner Felleshia Blair, Zoning Administrative Technician Abeykoon Abeykoon, and Cobi Brown, Planning Administrative Technician were in attendance.

The meeting was called to order at 6:00 p.m.

- II. **REVIEW OF THE PURPOSE AND INTENT OF THE COMMUNITY PLANNING INFORMATION MEETING AND RULES OF CONDUCT – Ramona Eversley**

- III. **Item(s) of Discussion:**

PETITION: RZ24-005
PETITIONER: Michele Battle of Battle Law, P.C
LOCATION: 1810 Coffee Rd
PETITIONER'S REQUEST: The request is for a rezoning and map amendment of the parcel from M-2 (Heavy Industrial) to M (Light Industrial).

Jordan Battle of Battle Law, P.C. came up to speak. It was stated that the rezoning is for the consolidation of two adjacent parcels for the development of a paved truck storage lot. The location is behind the existing PepsiCo building.

Renee Kale a resident asked about the type and amount of trucks that will be that will be parked in the storage area. She stated her concern for the surrounding residents.

Jordan Battle stated that they did not have a set time for the trucks to be parked in one of the twenty proposed spaces that deliver products for the company. It was also stated that the parcel is over 750 feet away from the nearby residential parcels.

PETITION: SLUP24-009
PETITIONER: Leatha Spivey of Peaches and Cream Academy, Inc
LOCATION: 3356 Panola Road
PETITIONER'S REQUEST: The petitioner is seeking a Special Land Use Permit (SLUP) to operate as a Type 2 Home Occupation for a child daycare business.

Thomas Dortch came up to speak for Ms. Spivey. He stated that the business has been in operation for three decades. Countless families have trusted her to take care of their children and many of the students have excelled in higher education as well as careers later in their lives. The academy has also contributed to the community by hosting back-to-school drives and other events. She has been in good standing with the State



CITY OF STONECREST, GEORGIA

regulations.

Carol Dortch mother of Thomas Dortch stated that Ms. Spivey has done well for many years and she has many testimonials to prove it. She also stated that there was confusion due to Ms. Spivey having an up-to-date state license.

| | |
|------------------------------|--|
| PETITION: | SLUP25-001 |
| PETITIONER: | Rufaro Moyo of Moyo Capital, Inc |
| LOCATION: | 4989 Thompson Mill Road |
| PETITIONER'S REQUEST: | The petitioner is seeking a Special Land Use Permit (SLUP) to operate as a Type 2 Home Occupation for a personal care home business. |

Rufaro Moyo the applicant came up to speak. The proposal will cater to those in the elderly community who are in need of assistance with day-to-day tasks. He stated that the parcel is in a good location considering that Thomson Mill Rd has minimum traffic and the home is also near several shopping centers, pharmacies, and the hospital.

Samantha Verver a neighbor of the applicant stated that she is in support of the petition and that personal care homes are needed in the community.

Pam Alimanzi a resident also stated that she supports the petition. She has been a CNA for 20 years and from her experience in the industry knows that the proposed use is a need for the community.

IV. ADJOURNMENT The meeting was adjourned at 6:24 p.m.

Americans with Disabilities Act

The City of Stonecrest does not discriminate on the basis of disability in its programs, services, activities, and employment practices.

If you need auxiliary aids and services for effective communication (such as a sign language interpreter, an assistive listening device or print material in digital format) or reasonable modification to programs, services or activities contact the ADA Coordinator, Sonya Isom, as soon as possible, preferably 2 days before the activity or event.

| | |
|---|-----------------------|
| APPROVED: <i>Ellis Still</i> | _____ |
| DEPUTY DIRECTOR, PLANNING & ZONING | 2/17/2025 DATE |
| ATTEST: <i>Cobi Brown</i> | 02/17/2025 |
| SECRETARY | DATE |



CITY COUNCIL AGENDA ITEM

SUBJECT: Ordinance for RZ 24-005 1810 Coffee Road

AGENDA SECTION: *(check all that apply)*

- PRESENTATION PUBLIC HEARING CONSENT AGENDA OLD BUSINESS
- NEW BUSINESS OTHER, PLEASE STATE: Click or tap here to enter text.

CATEGORY: *(check all that apply)*

- ORDINANCE RESOLUTION CONTRACT POLICY STATUS REPORT
- OTHER, PLEASE STATE: Click or tap here to enter text.

ACTION REQUESTED: DECISION DISCUSSION, REVIEW, or UPDATE ONLY

Previously Heard Date(s): Click or tap to enter a date. & Click or tap to enter a date.

Current Work Session: Click or tap to enter a date.

Current Council Meeting: Monday, March 24, 2025

SUBMITTED BY: Shawanna Qawiy, Division Director Community Development

PRESENTER: Shawanna Qawiy, Division Director Community Development

PURPOSE: The applicant is seeking a rezoning and map amendment of 1.42 acres from M-2 Heavy Industrial to M Light Industrial.

FACTS: The subject property 1.42 +/- acres is currently zoned M-2 Heavy Industrial with a future land use designation of HIND Heavy Industrial is located at 1810 Coffee Road with a parcel identification number of 16 132 02 002. The subject property is currently vacant, heavily wooded with indications of wetlands.

OPTIONS: Approve, Deny, Defer

RECOMMENDED ACTION: Other - Please State Full Cycle Deferment

ATTACHMENTS:

- (1) Attachment 1 - Staff Analysis/Application
- (2) Attachment 2 - CPIM Meeting Minutes
- (3) Attachment 3 - Ordinance
- (4) Attachment 4 - Click or tap here to enter text.



CITY COUNCIL AGENDA ITEM

(5) Attachment 5 - Click or tap here to enter text.

STATE OF GEORGIA

CITY OF STONECREST

ORDINANCE NO. ____ - _____

AN ORDINANCE BY THE MAYOR AND CITY COUNCIL OF THE CITY OF STONECREST, GEORGIA TO DENY THE REZONING OF PROPERTY LOCATED AT 1810 COFFEE ROAD (PARCEL ID 16 132 02 002) FROM M-2 (HEAVY INDUSTRIAL) DISTRICT TO M (LIGHT INDUSTRIAL) DISTRICT; TO PROVIDE SEVERABILITY; TO PROVIDE FOR REPEAL OF CONFLICTING ORDINANCES; TO PROVIDE FOR AN ADOPTION AND EFFECTIVE DATE; AND TO PROVIDE FOR OTHER LAWFUL PURPOSES.

WHEREAS, the governing body of the City of Stonecrest (“City”) is the Mayor and City Council thereof; and

WHEREAS, Article IX, Section II, Paragraph IV of the 1983 Constitution of the State of Georgia authorizes the City to adopt plans and exercise the power of zoning; and

WHEREAS, the governing authority of the City is authorized by O.C.G.A. § 36-35-3 to adopt ordinances relating to its property, affairs, and local government; and

WHEREAS, a request to rezone property located at 1810 COFFEE ROAD (PARCEL ID 16 132 02 002) FROM M-2 (HEAVY INDUSTRIAL) DISTRICT TO M (LIGHT INDUSTRIAL) DISTRICT; and

WHEREAS, pursuant to Sec. Sec. 7.3.5. of the City’s Zoning Code proposed amendments to the official zoning map shall require an application and public hearings before the planning commission and the Mayor and City Council; and

WHEREAS, from time-to-time amendments may be proposed for public necessity, general welfare, or sound zoning practice that justify such action; and

WHEREAS, the Planning and Zoning Department recommends denial; and

WHEREAS, the matter was heard in the City’s Community Planning Information Meeting pursuant to the provisions of the City’s Zoning Procedures Law; and

WHEREAS, a public hearing and recommendation pursuant to the provisions of the City’s Zoning Procedures Law has been provided by the Planning Commission; and

WHEREAS, a public hearing pursuant to the provisions of Georgia’s Zoning Procedures Law has been properly held by the City Council prior to the adoption of this Ordinance.

BE IT AND IT IS HEREBY ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF STONECREST, GEORGIA, and by the authority thereof:

Section 1. That RZ24-005, requesting to rezone the parcel from M-2 (HEAVY INDUSTRIAL) DISTRICT TO M (LIGHT INDUSTRIAL) DISTRICT to allow truck parking at 1810 Coffee Road is DENIED.

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 section 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 5. The City Clerk, with the concurrence of the City Attorney, is authorized to correct any scrivener’s errors found in this Ordinance, including its exhibits, as enacted.

Section 6. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section 7. The Ordinance shall be codified in a manner consistent with the laws of the State of Georgia and the City of Stonecrest.

Section 8. It is the intention of the governing body, and it is hereby ordained that the provisions of this Ordinance shall become and be made part of the Code of Ordinances, City of Stonecrest, Georgia.

ORDAINED this _____ day of _____, 2025.

[SIGNATURES ON FOLLOWING PAGE]

CITY OF STONECREST, GEORGIA

Jazzmin Cobble, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

EXHIBIT A



REZONING APPLICATION ANALYSIS

Prepared By: Ramona Eversley, Senior Planner

Petition Number: **RZ24-005**

Applicant: Michele Battle of Battle Law, P.C.
1681 Wellborn Road
Lithonia, GA 30058
mlb@battlelawpc.com

FOR GTB-GHA Coffee Road JV, LLC
50 Glenlake Parkway
Suite 350
Atlanta, GA 30328

Owner: GTB-GHA Coffee Road JV,
50 Glenlake Parkway
Suite 250, Atlanta, GA 30328

Project Location: 1810 Coffee Road, Stonecrest, GA 30058 (Parcel ID # **16 132 02 002**)

District: 2- Councilman Terry Faye

Acreage: 1.42 acres

Existing Zoning: M-2 (Heavy Industrial) District

Future Land Use: Heavy Industrial (HIND)

Overlay District: N/A

Proposed Development/Request: The applicant is seeking a rezoning and map amendment of 1.42 acres from M-2 (Heavy Industrial) district to M (Light Industrial) district to allow truck parking.

CPIM: February 13, 2025

Planning Commission (PC): March 4, 2025

Mayor & City Council: March 24, 2025

Sign Posted/ Legal Ad(s) submitted: January 30, 2025

Staff Recommendations: **DENIAL**

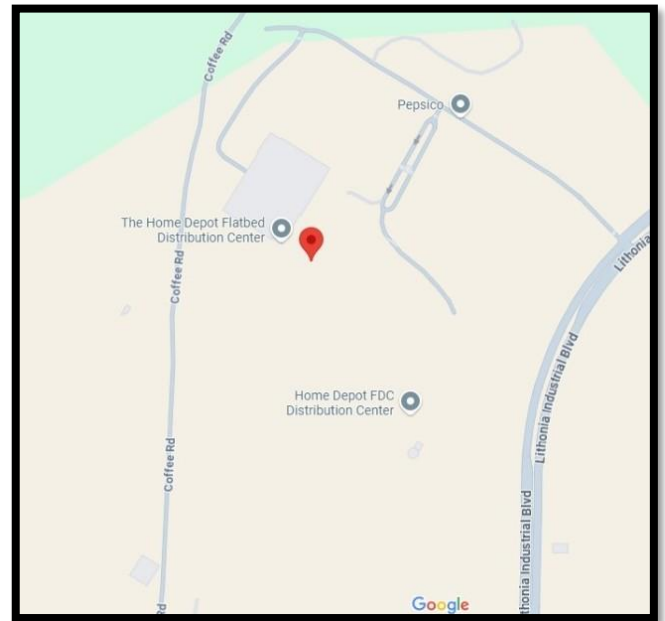
PC Recommendation: **FULL CYCLE DEFERRAL**

PROJECT OVERVIEW

Location

The subject property is located at 1810 Coffee Rd with a parcel identification of 16 132 02 002. The subject property is currently vacant, based on the submitted site plan dated December 3, 2024, entitled 1810 Coffee – Boundary.

The subject property abuts M (Light Industrial) District to the west, M-2 (Heavy Industrial) to the north, M-2 (Heavy Industrial) to the south and M (Light Industrial) to the east.



Background

The City of Stonecrest Zoning Map has the property zoned M-2 (Heavy Industrial) District. The property is heavily wooded and vacant. The applicant's survey indicates that there is wetland area on the property. The applicant is requesting to rezone Tax Parcels 16 132 02 002 (1810 Coffee Road) from M-2 (Heavy Industrial) to M-1 (Light Industrial).



RZ24-000005

| Adjacent and Surrounding Properties | Zoning (Petition Number) | Land Use |
|-------------------------------------|--|--|
| Applicant | M-2 (Heavy Industrial) District | Vacant Land |
| Adjacent: North | M-2 (Heavy Industrial) District | Truck Parking & Automotive Repair Shop |
| Adjacent: West | M (Light Industrial) | Vacant |
| Adjacent: East | M (Light Industrial) | Pepsico |
| Adjacent: South | M-2 (Heavy Industrial) District | Home Depot Flatbed Distribution |

DIVISION 32. M-2 (HEAVY INDUSTRIAL) DISTRICT

Sec. 2.32.1. Statement of purpose and intent.

The purpose and intent of the City Council in establishing the M-2 (Heavy Industrial) District is as follows:

- A. To provide areas for manufacturing, warehousing and distribution facilities at locations so designated in the comprehensive plan;
- B. To provide for a location for intense industrial uses that do not require and may not be appropriate for a nuisance free environment;
- C. To provide for a location that allows nuisances such as noise, vibration and other impacts which cannot be contained on-site;
- D. To ensure that all businesses located within the M-2 (Heavy Industrial) District operate in compliance with the noise standards contained in this chapter and that any negative noise impact resulting from the use of land within the M-2 (Heavy Industrial) District is contained within the boundaries of said district and does not create noise problems for adjoining residential, office or commercial districts;
- E. To ensure that industrial districts are so located that transportation access to thoroughfares and freeways is available;
- F. To implement the future development map of the city's most current comprehensive plan.

(Ord. of 8-2-2017, § 1(2.32.1))

Sec. 2.32.2. Permitted and special land uses.

Permitted uses and uses requiring special land use permits shall be as provided below. In cases where a use is permitted but there are supplemental use regulations for that use specified in article 4 of this chapter, such regulations shall also apply and must be complied with.

- A. Permitted Uses. The following uses are permitted as of right under this Code:
1. Agricultural Activities.
 - a. Dairy.
 - b. Livestock sales pavilion; see section 4.2.
 - c. Sawmill; temporary or portable.
 - d. Urban Community Garden, up to 5 acres; see section 4.2.
 2. Institutional/Public.
 - a. Government facilities.
 - b. Places of worship; see section 4.2.
 3. Commercial.
 - a. Animal hospital, veterinary clinic; see section 4.2.
 - b. Animal shelter/rescue center; see section 4.2.
 - c. Automobile brokerage; see section 4.2.
 - d. Automobile recovery and storage.
 - e. Automobile service station; see section 4.2.
 - f. Automobile or truck sales; see section 4.2.
 - g. Automobile upholstery shop.
 - h. Automobile repair, major; see section 4.2.
 - i. Automobile repair, minor; see section 4.2.
 - j. Building or construction office; see section 4.2.
 - k. Check cashing establishment, accessory; see section 4.2.
 - l. Contractor office, landscape; see section 4.2.
 - m. Dog day care; see section 4.2.
 - n. Dog grooming; see section 4.2.
 - o. Drive-in theater; see section 4.2.
 - p. Dry cleaning agencies, pressing establishments or laundry pick-up stations.
 - q. Fairground or amusement park; see section 4.2.
 - r. Farmer's market, permanent; see section 4.2.
 - s. Fitness center.
 - t. Fuel dealers or wholesalers.
 - u. Heliport; see section 4.2.

- v. Kennel, breeding.
 - w. Kennel, commercial.
 - x. Medical or dental laboratories.
 - y. Landscape business.
 - z. Mini-warehouse; see section 4.2.
 - aa. Outdoor storage, commercial; see section 4.2.
 - bb. Printing or publishing establishments.
 - cc. Retail, 5,000 sf or less (with the exception of small box discount stores).
 - dd. Service area, outdoor; see section 4.2.
 - ee. Sexually oriented businesses; see section 4.2.
 - ff. Taxi, ambulance or limousine service, dispatching or storage; see section 4.2.
 - gg. Taxi stand.
 - hh. Trade shops.
4. Industrial.
- a. Alternative energy production.
 - b. Brewery, Large scale.
 - c. Contractor, general.
 - d. Contractor heavy construction, outside storage.
 - e. Contractor, special trade.
 - f. Crematorium; see section 4.2.
 - g. Distillery, Large scale.
 - h. Fabricated metal manufacturing without EPD Permit Required (Light Manufacturing).
 - i. General aviation airport; see section 4.2.
 - j. Heavy equipment repair service or trade.
 - k. Industrial, heavy.
 - l. Industrial, light.
 - m. Intermodal freight terminal, bus or rail freight or passenger terminal, or truck terminal.
 - n. Manufacturing, heavy; see section 4.2.
 - o. Manufacturing, light.
 - p. Manufacturing operations not housed within a building; see section 4.2.
 - q. Mines or mining operations, quarries, asphalt plants, gravel pits or soil pits; see section 4.2.
 - r. Outdoor storage, industrial; see section 4.2.
 - s. Railroad car classification yards or team truck yards; see section 4.2.
 - t. Recovered materials facility wholly within a building; see section 4.2.
 - u. Recovered materials processing wholly within a building.

- v. Recycling collection.
 - w. Recycling plant.
 - x. Research and testing facilities.
 - y. Salvage yard (junkyard); see section 4.2.
 - z. Storage yard, except vehicle; see section 4.2
 - aa. Storage yard for vehicles; see section 4.2.
 - bb. Towing or wreckage service; see section 4.2.
 - cc. Transportation equipment storage or maintenance (vehicle); see section 4.2.
 - dd. Truck stop.
 - ee. Truck terminal.
 - ff. Vehicle storage yard.
 - gg. Warehousing or storage.
5. Communications—Utility.
- a. Essential services.
 - b. Radio or television broadcasting studio.
 - c. Radio or television or broadcasting transmission facility.
 - d. Satellite television antenna; see section 4.2.
6. Wireless Telecommunications.
- a. Attached wireless telecommunication facility; see section 4.2.
 - b. Carrier on Wheels (declared emergency); see section 4.2.
- B. Special Administrative Uses. The following uses are permitted only with administrative approval:
- 1. Agricultural.
 - a. Urban, community garden, over 5 acres.
 - 2. Commercial.
 - a. Farmer's market, temporary/seasonal; see section 4.2.
 - b. Food Trucks, Mobile Vending/Food Carts; see section 4.2.
 - c. Temporary outdoor retail sales; see section 4.2.
 - d. Temporary outdoor sales; seasonal; see section 4.2.
 - e. Temporary outdoor sales or events, seasonal; see section 4.2.
 - f. Temporary produce stand; see section 4.2.
 - g. Temporary trailer, as home sales office or construction trailer; see section 4.2.
 - 3. Wireless Telecommunications.
 - a. Carrier on wheels (non-emergency or event, no more than 120 days); see section 4.2.
 - b. New support structure from 50 feet up to 199 feet; see section 4.2
 - c. Small cell installations (new support structures or collocation) on private property or ROW; see section 4.2

- C. Special Land Use Permit. The following uses are permitted only with a special land use permit:
1. Institutional/Public.
 - a. School, specialty; see section 4.2.
 - b. School, vocational; see section 4.2.
 2. Commercial.
 - a. Bus or rail stations or terminals for passengers.
 - b. Fuel pumps; see section 4.2.
 - c. Nightclub or late night establishment; see section 4.2.
 3. Industrial.
 - a. Fabricated metal manufacturing with EPD Permit Required (Heavy Manufacturing).
- D. Permitted Accessory. The following uses are permitted as accessory only to a principal use:
1. Industrial.
 - a. Incidental retail sales of goods produced or processed on the premises.

(Ord. of 8-2-2017, § 1(2.32.2); Ord. No. 2022-06-01, § 2(Exh. A), 8-2-2022; Ord. No. 2024-02-04, § 1(Exh. A), 2-26-2024)

Sec. 2.32.3. Dimensional requirements.

Dimensional requirements for the M-2 (Heavy Industrial) District shall be as provided in Table 2.24, Nonresidential Zoning Districts Dimensional Requirements.

(Ord. of 8-2-2017, § 1(2.32.3))

Sec. 2.32.4. Site and building design standards.

Site and building design standards and regulations to be applied in this zoning district shall be as provided in article 5 of this chapter, site design and building form standards.

(Ord. of 8-2-2017, § 1(2.32.4))

Sec. 2.32.5. Reserved.

Ord. No. 2022-06-01, § 2(Exh. A), adopted August 2, 2022, repealed § 2.32.5, which pertained to solid waste facility/landfill use provisions and derived from Ord. of August 2, 2017, § 1(2.32.5).

DIVISION 31. M (LIGHT INDUSTRIAL) DISTRICT**Sec. 2.31.1. Statement of purpose and intent.**

The purpose and intent of the City Council in establishing the M (Light Industrial) District is as follows:

- A. To provide areas for the establishment of businesses engaged in the manufacturing, processing, creating, repairing, renovating, painting, cleaning, or assembling of goods, merchandise, or equipment and the sale and distribution of such goods, merchandise or equipment in locations so designated in the comprehensive plan;
- B. To provide an environment for light industrial uses that produces no appreciable impact on adjacent properties and preserve the appeal and appearance of residential and commercial areas;
- C. To ensure that all establishments located within the M (Light Industrial) District operate in compliance with the noise standards contained in this chapter and that any negative noise impact resulting from the use of land within the M (Light Industrial) District is contained within the boundaries of said district and does not create noise problems for adjoining residential, office or commercial districts;
- D. To provide an area within City of Stonecrest for recycling and green businesses to locate;
- E. To generate employment opportunities and economic development;
- F. To ensure that M (Light Industrial) Districts are so located that transportation access to thoroughfares and freeways is available;
- G. To allow for the conversion of industrial buildings which are 50 years of age or older to multifamily dwellings so as to promote living and working space as well as historic preservation;
- H. To implement the future development map of the city's most current comprehensive plan.

(Ord. of 8-2-2017, § 1(2.31.1))

Sec. 2.31.2. Permitted and special land uses.

Permitted uses and uses requiring special land use permits shall be as provided below. In cases where a use is permitted but there are supplemental use regulations for that use specified in article 4 of this chapter, such regulations shall also apply and must be complied with.

- A. Permitted Uses. The following uses are permitted as of right under this Code:
 1. Agricultural Activities.
 - a. Dairy.
 - b. Keeping of livestock.
 - c. Keeping of poultry/pigeons.
 - d. Sawmill; temporary or portable.
 - e. Urban Community Garden, up to 5 acres; see section 4.2.

-
2. Institutional/Public.
 - a. Colleges, universities, research and training facilities.
 - b. Golf course or clubhouse, public or private; see section 4.2.
 - c. Government facilities.
 - d. Hospital or accessory ambulance service.
 - e. Places of worship; see section 4.2
 - f. Swimming pools, commercial; see section 4.2.
 - g. Tennis courts, swimming pools, play or recreation areas, community; see section 4.2.
 3. Commercial.
 - a. Adult daycare center, 7 or more; see section 4.2.
 - b. Alcohol outlet—package store, primary; see section 4.2.
 - c. Alcohol outlet—beer and/or wine store, beer growler, primary; see section 4.2.
 - d. Alcohol outlet—beer and wine, accessory to retail less than 12,000 sf (see also 4.1.3(F)); see section 4.2.
 - e. Ambulance service or emergency medical services, private.
 - f. Animal hospital, veterinary clinic; see section 4.2.
 - g. Animal shelter/rescue center; see section 4.2.
 - h. Automobile brokerage; see section 4.2.
 - i. Automobile recovery and storage.
 - j. Automobile service station; see section 4.2.
 - k. Automobile or truck rental or leasing facilities; see section 4.2.
 - l. Automobile or truck sales; see section 4.2.
 - m. Automobile upholstery shop.
 - n. Automobile wash/was service; see section 4.2.
 - o. Automobile repair, major; see section 4.2.
 - p. Automobile repair, minor; see section 4.2.
 - q. Banks, credit unions or other similar financial institutions.
 - r. Barber shop/beauty salon or similar establishments.
 - s. Brewery, craft (micro-brewery).
 - t. Brewpub/beer growler.
 - u. Building or construction office; see section 4.2.
 - v. Catering establishments.
 - w. Check cashing establishment, accessory; see section 4.2.
 - x. Check cashing establishment, primary; see section 4.2.
 - y. Child day care center (kindergarten), 7 or more.
-

-
- z. Clinic, health services.
 - aa. Club, order or lodge, fraternal, non-commercial.
 - bb. Commercial greenhouse or plant nursery; see section 4.2.
 - cc. Contractor office, landscape; see section 4.2.
 - dd. Distillery (micro-distillery).
 - ee. Dog day care; see section 4.2.
 - ff. Dog grooming; see section 4.2.
 - gg. Drive-in theater; see section 4.2.
 - hh. Drive-through facilities; see section 4.2.
 - ii. Dry cleaning agencies, pressing establishments or laundry pick-up stations.
 - jj. Fairground or amusement park; see section 4.2.
 - kk. Farmer's market, permanent; see section 4.2.
 - ll. Fitness center.
 - mm. Fuel dealers or wholesalers.
 - nn. Heliport; see section 4.2.
 - oo. Kennel, breeding.
 - pp. Kennel, commercial.
 - qq. Kidney dialysis center.
 - rr. Medical or dental laboratories.
 - ss. Landscape business.
 - tt. Liquor store (see alcohol outlet); see section 4.2.
 - uu. Mini-warehouse; see section 4.2.
 - vv. Outdoor storage, commercial; see section 4.2.
 - ww. Parking, commercial lot; see section 4.2.
 - xx. Parking, commercial garage.
 - yy. Pawn shop, title loan; see section 4.2.
 - zz. Personal services establishment.
 - aaa. Printing or publishing establishments.
 - bbb. Recreational vehicle, boat and trailers sales and service.
 - ccc. Restaurants (non drive-thru).
 - ddd. Retail, 5,000 sf or less (with the exception of small box discount stores).
 - eee. Retail warehouses/wholesales providing sales of merchandise with no outdoor storage.
 - fff. Special events facility.
 - ggg. Taxi, ambulance or limousine service, dispatching or storage; see section 4.2.
 - hhh. Taxi stand.
-

-
- iii. Trade shops.
 - 4. Industrial.
 - a. Alternative energy production.
 - b. Building materials or lumber supply establishment.
 - c. Contractor, general.
 - d. Contractor heavy construction, outside storage.
 - e. Contractor, special trade.
 - f. Crematorium; see section 4.2.
 - g. Fabricated metal manufacture without EPD permit required (Light manufacturing).
 - h. General aviation airport; see section 4.2.
 - i. Heavy equipment repair service or trade.
 - j. Industrial, light.
 - k. Manufacturing, light.
 - l. Outdoor storage, industrial; see section 4.2.
 - m. Railroad car classification yards or team truck yards; see section 4.2.
 - n. Recovered materials facility wholly within a building; see section 4.2.
 - o. Recovered materials processing wholly within a building.
 - p. Recycling collection.
 - q. Recycling plant.
 - r. Research and testing facilities.
 - s. Towing or wreckage service.
 - t. Transportation equipment storage or maintenance (vehicle); see section 4.2.
 - u. Truck stop.
 - v. Truck terminal.
 - w. Vehicle storage yard.
 - x. Warehousing or storage.
 - 5. Communications—Utility.
 - a. Essential services.
 - b. Radio or television broadcasting studio.
 - c. Radio or television or broadcasting transmission facility.
 - d. Satellite television antenna; see section 4.2.
 - 6. Wireless Telecommunications.
 - a. Attached wireless telecommunication facility; see section 4.2.
 - b. Carrier on Wheels (declared emergency); see section 4.2.
- B. Special Administrative Uses. The following uses are permitted only with administrative approval:
-

1. Agricultural.
 - a. Urban, community garden, over 5 acres.
 2. Commercial.
 - a. Farmer's market, temporary/seasonal; see section 4.2.
 - b. Food Trucks, Mobile Vending/Food Carts; see section 4.2.
 - c. Temporary outdoor retail sales; see section 4.2.
 - d. Temporary outdoor sales; seasonal; see section 4.2.
 - e. Temporary outdoor sales or events, seasonal; see section 4.2.
 - f. Temporary produce stand; see section 4.2.
 - g. Temporary trailer, as home sales office or construction trailer; see section 4.2.
 3. Wireless Telecommunications.
 - a. Carrier on wheels (non-emergency or event, no more than 120 days); see section 4.2.
 - b. New support structure from 50 feet up to 199 feet; see section 4.2.
 - c. Small cell installations (new support structures or collocation) on private property or ROW; see section 4.2.
- C. Special Land Use Permit. The following uses are permitted only with a special land use permit:
1. Institutional/Public.
 - a. Cultural facilities.
 - b. School, specialty; see section 4.2.
 - c. School, vocational; see section 4.2.
 2. Commercial.
 - a. Bus or rail stations or terminals for passengers.
 - b. Fuel pumps; see section 4.2.
 - c. Nightclub or late night establishment; see section 4.2.
 - d. Recreation, outdoor; see section 4.2.
 - e. Restaurants with a drive-thru configuration; see section 4.2.
- D. Permitted Accessory. The following uses are permitted as accessory only to a principal use:
1. Commercial.
 - a. Fuel pumps, accessory to large scale retail within 1,000 feet of interstate highway interchange measured from ROW to property line; see section 4.2.
 - b. Service area, outdoor; see section 4.2.
 2. Industrial.
 - a. Incidental retail sales of goods produced or processed on the premises.

(Ord. of 8-2-2017, § 1(2.31.2); Ord. No. 2022-06-01, § 2(Exh. A), 8-2-2022; Ord. No. 2024-02-04, § 1(Exh. A), 2-26-2024)

Sec. 2.31.3. Dimensional requirements.

Dimensional requirements for the M (Light Industrial) District shall be as provided in Table 2.24, Nonresidential Zoning Districts Dimensional Requirements.

(Ord. of 8-2-2017, § 1(2.31.3))

Sec. 2.31.4. Site and building design standards.

Site and building design standards and regulations to be applied in this zoning district shall be as provided in article 5 of this chapter, site design and building form standards.

(Ord. of 8-2-2017, § 1(2.31

Sec. 2.31.5. Multifamily use provisions for industrial conversion.

- A. The conversion of industrial buildings to residential use shall be permitted by a special land use permit. The following shall be considered:
1. Whether the building is located on the interior or periphery of an established industrial park or area;
 2. Whether the building or area should no longer be used for industrial uses;
 3. Adequate parking is provided in accordance with article 6 of this chapter, for multifamily or live- work.

(Ord. of 8-2-2017, § 1(2.31.5))

Public Participation

Property owners within 1,000 feet of the subject property were mailed notices of the proposed rezoning in January 2025. There was a Community Planning Information Meeting (CPIM) held on February 13, at 6:00 p.m. at city hall. There was 1 attendee that spoke on the request.

RZ24-00005

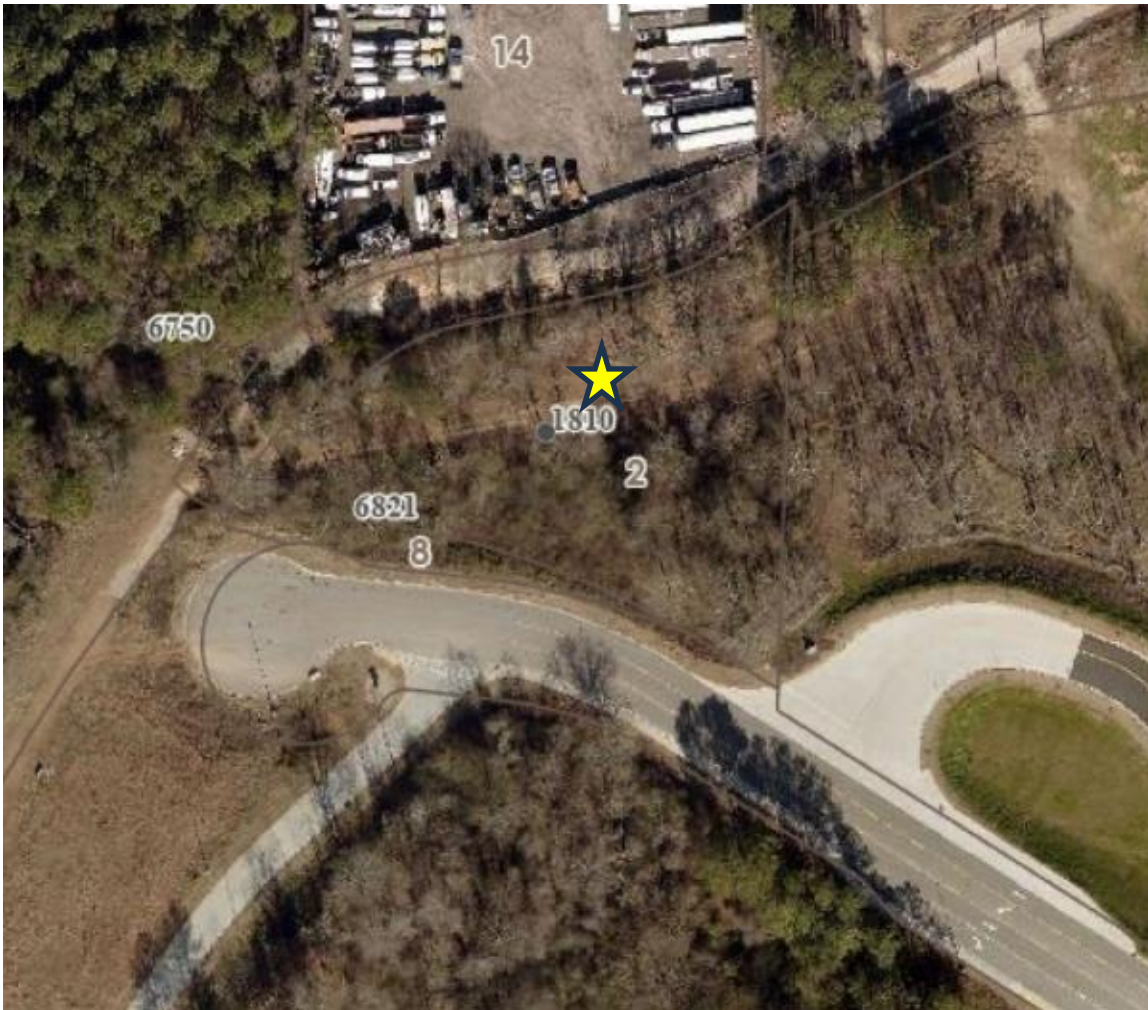
ADDRESS: **1810 Coffee Road**

CURRENT ZONING: **M-2 (Heavy Industrial) District**

OVERLAY DISTRICT: **N/A**

FUTURE LAND USE: **Heavy Industrial**

PROPOSED BUILDING LOCATION:



REFERENCE: City of Stonecrest 2038 Comprehensive Plan (5- Year Update)

Industrial Land Uses



Caption: A logistics distribution center located in Stonecrest, GA

Light Industrial (M-LI): The intent of the Light Industrial Character Area is to identify areas that are appropriate for industrial-type uses. The location of these areas shall preserve the appeal and appearance of residential and commercial areas from the prospective intrusion of light industrial land uses. These areas consist of areas used in low-intensity manufacturing, including wholesale trade, and distribution activities that do not generate excessive noise, vibration, air pollution, or other nuisance characteristics.

Use Descriptions: Warehouse Distribution; Wholesale/Trade; Automotive

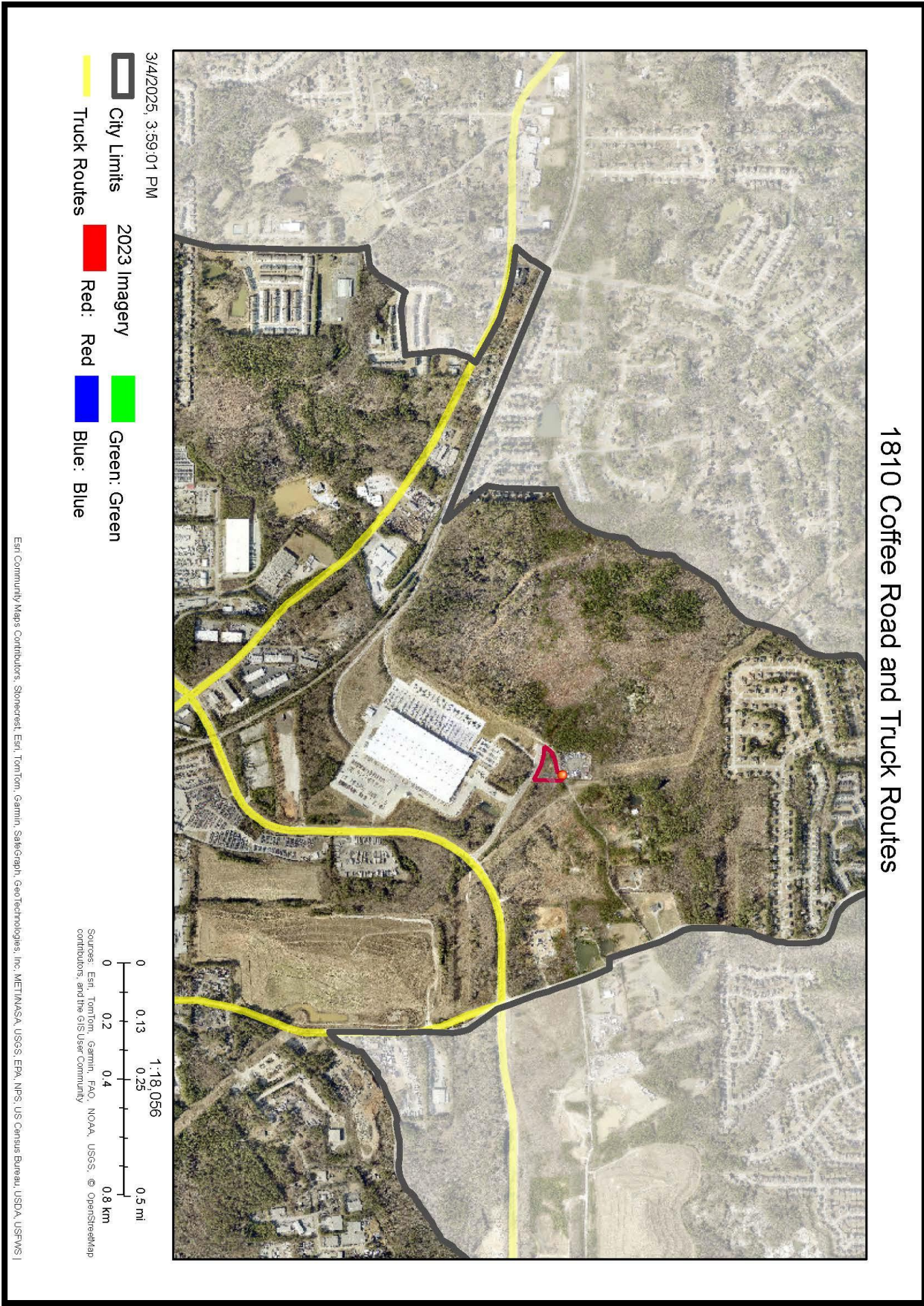
Maximum Density, Units/Acre: n/a

Permitted Districts: OD, C2, MU 4-5, M





1810 Coffee Road and Truck Routes



TRIP GENERATION REPORT



1. A **Trip Generation Report** shall be submitted as a part of zoning applications for all Non-Residential and Mixed Use developments and for Residential Developments with greater than 10 proposed units. Applicants should follow this sample report:

| Land Use (ITE Code) | Intensity | Daily | A.M Peak | | P.M. Peak | | | |
|----------------------|--------------------------|--------------|------------|-----------|------------|-----------|------------|------------|
| | | Total | In | Out | Total | In | Out | Total |
| General Office (710) | 50,000 Gross Square Feet | 782 | 95 | 13 | 108 | 23 | 112 | 135 |
| Townhouse (230) | 200 Units | 1,157 | 15 | 75 | 90 | 71 | 35 | 106 |
| TOTAL | | 1,939 | 110 | 88 | 198 | 94 | 147 | 241 |

2. A **Traffic Impact Study** shall be submitted as part of the zoning application for developments that produce 100 or more peak hour trips or at the discretion of the Public Works Department based on review of the request at the pre-application meeting.
3. The minimum requirements of the Traffic Impact Study shall be as follows:

| Land Use | ITE Code | Variable | Rate Trips/ Var | Minimum Size for 100 Peak Hour Trips |
|-------------------------|----------|---------------|-----------------|--------------------------------------|
| Residential | | | | |
| Single Family Detached | 210 | Housing Units | 1.01 | 99 Units |
| Apartment | 220 | Housing Units | 0.62 | 161 Units |
| Townhome/Condo | 230 | Housing Units | 0.52 | 192 Units |
| Retail | | | | |
| Shopping Center | 820 | 1000 sf GLA | 3.71 | 26 ksf GLA |
| Specialty Center | 826 | 1000 sf GLA | 5.02 | 20 ksf GLA |
| Pharmacy -no drive-thru | 880 | 1000 sf | 8.4 | 11.5 ksf |
| Pharmacy -w/drive-thru | 881 | 1000 sf | 9.91 | 10 ksf |
| Services | | | | |
| Fast Food | 934 | 1000 sf | 45.42 | 2.2 ksf |
| Sit Down Restaurant | 932 | 1000 sf | 10.81 | 9 ksf |
| Coffee/Donut Shop | 937 | 1000 sf | 100.58 | 1 ksf |
| Bank no drive-thru | 911 | 1000 sf | 12.13 | 8 ksf |
| Bank w/drive-thru | 912 | 1000 sf | 24.3 | 4 ksf |
| Gas Station | 944 | Pumps | 13.87 | 7 pumps |
| Institutional | | | | |
| Day Care | 565 | Students | 0.81 | 123 Students |
| Private School (K-8) | 534 | Students | 0.9 | 111 Students |
| Private School (K-12) | 536 | Students | 0.81 | 123 Students |
| Office | | | | |
| General Office | 710 | 1000 sf | 1.56 | 64 ksf |
| Medical Office | 720 | 1000 sf | 3.57 | 28 ksf |
| Lodging | | | | |
| Hotel | 310 | Rooms | 0.6 | 166 Rooms |

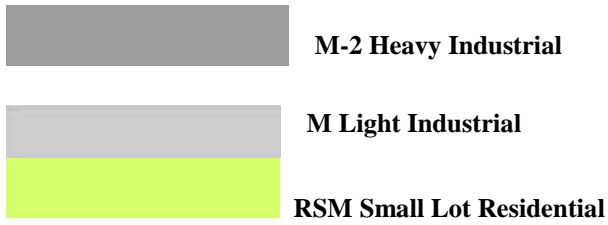


Item VIII. f.

Zoning Map



Legend



Future Land Use Map



Legend





Item VIII. f.

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CITY OF STONECREST, GEORGIA

STANDARDS OF ZONING MODIFICATION REVIEW

[Section 7.3.5](#) of the Stonecrest Zoning Ordinance list eight factors to be considered in a technical review of a zoning case completed by the Community Development Department and Planning Commission. Each element is listed with staff analysis.

A. Whether the zoning proposal is in conformity with the policy and intent of the comprehensive plan.

The Stonecrest Future Land Use Map within the Comprehensive Plan shows the Subject Property as having a land use designation of Heavy Industrial. The proposed rezoning to M is compatible with the Heavy Industrial land use designation. The current surrounding zoning district is industrial, both light and heavy.

B. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property or properties.

The zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties. The rezoning of the Subject Property is consistent with the surrounding area and abutting properties which are also located within the Heavy Industrial and Light Industrial Land Use District. The proposed M (Light Industrial) designation allows for a broader range of light manufacturing, warehousing, and distribution activities. The surrounding area is primarily characterized by industrial development, aligning with the proposed Light Industrial zoning. However, the request does not meet the requirement of the TMOD23-001 on distance of 750 feet from residentially zoned property for truck parking.

C. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.

1810 Coffee Road is currently zoned as M-2 (Heavy Industrial). This zoning classification permits various heavy industrial activities, such as manufacturing, processing, and other intense uses. Therefore, the property does have reasonable economic use under its current zoning designation. The proposal to rezone the property to M (Light Industrial) aims to accommodate a broader range of light industrial uses, including warehousing, and truck parking distribution centers, and light manufacturing. This change could potentially enhance the property's marketability and align its use more closely with the surrounding area's development trend.

D. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property or properties.

The zoning proposal will adversely affect the existing use or usability of adjacent or nearby property. The proposed rezoning is to develop a truck parking lot which will provide additional noise, fumes and odor to the nearby residential uses. Rezoning from heavy to light industrial would potentially reduce the intensity of permitted uses, which might lessen any adverse effects on adjacent properties however for the proposed use it would not.



CITY OF STONECREST, GEORGIA

E. Whether there are other existing or changing conditions affecting the use and development of the property, which gives supporting grounds for either approval or disapproval of the zoning proposal.

The City of Stonecrest has placed some emphasis on the clean-up of the Lithonia Industrial Park area. The Subject Property has been vacant for well over a decade and another truck parking lot would not align with the intent of what the governing body is intending. Also, there is wetland on the property that appears to be covered over without any plan for mitigation. These factors provide supporting grounds to disapprove the proposed rezoning request.

F. Whether the zoning proposal will adversely affect historic buildings, sites, districts, or archaeological resources.

Based on available information, there is no direct indication that the proposed zoning changes for 1810 Coffee Road in Stonecrest, GA, would adversely affect historic buildings, sites, districts, or archaeological resources. The zoning request is primarily for the development of a truck storage lot, which involves adjustments to access points and buffer requirements. It does not involve any construction or land use that would impact historically significant structures or areas.

G. Whether the zoning proposal will result in a use that will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

The zoning proposal for 1810 Coffee Road in Stonecrest, GA, is requesting a change from a heavier industrial designation (M-2) to a lighter industrial designation (M), primarily for the development of a truck storage lot. The proposed zoning modification will not have a significant impact on existing streets and transportation facilities. In terms of utilities, transportation facilities, and schools, there aren't any concerns. Industrial uses, particularly those like truck storage, generally have less impact on local school populations than residential developments. Furthermore, utility infrastructure is often designed to handle industrial uses, and the proposed use seems to align with the existing industrial zoning of the area.

H. Whether the zoning proposal adversely impacts the environment or surrounding natural resources.

The zoning proposal for 1810 Coffee Road in Stonecrest, GA, which seeks to change the property's zoning for the development of a truck storage lot, does not immediately suggest a significant adverse impact on the environment or surrounding natural resources. However, a few factors need to be carefully considered during the development process to ensure that environmental impacts are minimized or mitigated: **Stormwater Management:** Industrial developments like a truck storage lot can affect local drainage patterns due to the increase in impervious surfaces. This could potentially lead to increased runoff, flooding, or water quality issues. **Air, Noise Pollution and Lighting:** Truck storage facilities can sometimes generate noise and air pollution due to the operation of trucks, particularly during loading/unloading or when trucks are idling. The applicant states, the proposed use of the Subject Property will not generate any measurable dust, vibrations, odor, glare, emissions, or noise, if any, beyond the Subject Property. The Subject Property is located within an industrial area and is separated from the nearest residential area by a 145ft railroad track right of way. All lighting on the Subject Property must comply with the City's rules and regulations and must be downward facing. **Wildlife and Vegetation:** If the site contains significant natural resources like wetlands, forests, or wildlife habitats, these will need to be protected or mitigated during the development process. The land is relatively undeveloped, it will have to have an environmental assessment to identify any sensitive areas or species that may be impacted. **Soil and Erosion Control:** Erosion control measures will be required to prevent soil erosion.



CITY OF STONECREST, GEORGIA

STAFF RECOMMENDATION

Staff recommends **DENIAL** of this request due to the use not meeting the distance requirement from a residentially zoned property within 750 feet and not containing the minimum five (5) acres in size as set forth in TMOD23-001-*approved* August 28, 2023.

PLANNING COMMISSION (PC) RECOMMENDATION – March 4, 2024.

The Planning Commission recommends a **FULL CYCLE DEFERRAL** to include an updated application, site plan, and architectural drawings.



CITY OF STONECREST, GEORGIA

APPLICATION PACKAGE



Battle Law

I. LETTER OF INTENT

GTB GHA Coffee Road JV, LLC (the "Applicant") is the owner of 1810 Coffee Road and 6821 Stonecrest Industrial Way (collectively, the Subject Property) and 6831 Stonecrest Industrial Way (the "Pepsico Site"). The Pepsico Site is currently zoned M and developed with the Pepsico warehousing and distribution center. The Subject Property is adjacent to the Pepsico Site but is zoned M-2. Both the Subject Property and the Pepsico Site have a land use designation of Heavy Industrial. The Applicant is seeking to submit a lot combination plat for the Subject Property and the Pepsico Site (as combined, the "Master Site") in order to allow for the development of additional improvements including a parking area and new Light Industrial/Light Manufacturing building on the Master Site. In order to achieve this goal the Pepsico Site and the Subject Property must both have the same zoning designation. Therefore, the Applicant is seeking to rezone the Subject Property from M-2 to M.

This document serves as a statement of intent, analyzes the criteria under the Stonecrest Code of Ordinances, and contains notice of constitutional allegations as a reservation of the Applicant's rights.



Amendment Application

All applications and plans must be submitted through the [Citizenserve Online Portal](#)



Amendment Application

| PROPERTY | | | |
|--|---|-------------------------|---|
| Site Address(es): 1810 Coffee Road Stonecrest, GA | | Parcel #: 16-132-02-002 | Zip: 30058 |
| Project Name (If applicable): | | | |
| Current Zoning | M-2 (Heavy Industrial) | Proposed Zoning | M-1 (Light Industrial) |
| Current Use | vacant | Proposed Use | (+/-) 20,000 sq. ft. building / 24 parking spaces |
| OWNER INFORMATION | | | |
| Name: | GTB-GHA Coffee Road JV, LLC, C/O BATTLE LAW, P.C. | | |
| Address: | 3562 Habersham at Northlake, Bldg. J, Suite 100, Tucker, GA 30084 | | |
| Email: | mlb@battlelawpc.com | Phone: | 404-723-6266 |
| APPLICANT | | | |
| Name: | GTB-GHA Coffee Road JV, LLC, C/O BATTLE LAW, P.C. | | |
| Address: | 3562 Habersham at Northlake, Bldg. J, Suite 100, Tucker, GA 30084 | | |
| Email: | mlb@battlelawpc.com | Phone: | 404-723-6266 |

| AFFIDAVIT | |
|---|---|
| To the best of my knowledge, this application form is correct and complete. If additional materials are determined to be necessary, I understand that I am responsible for filing additional materials as specified by the City of Stonecrest Zoning Ordinance. I understand that failure to supply all required information (per the relevant Applicant Checklists and Requirements of the Stonecrest Zoning Ordinance) will result in the rejection of this application. I have read the provisions of the Georgia Code Section 36-67A-3 as required regarding Campaign Disclosures. My Signed Campaign Disclosure Statement is included. | |
| Applicant's Name: | GTB-GHA Coffee Road JV LLC BY: GH Andco, Inc., ITS: Manager |
| Applicant's Signature: | <i>[Signature]</i> Lorraine Ferguson, Treasurer Date: 11-16-2025 |
| NOTARY | |
| Sworn to and subscribed before me this | 16 th Day of Jan 2025 |
| Notary Public: | <i>[Signature]</i> Polleen Wasukhi |
| Signature: | <i>[Signature]</i> Polleen Wasukhi Date: 11-16-2025 |





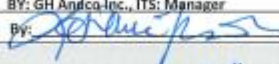
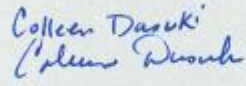

Amendment Application

All applications and plans must be submitted through the Citizenserve Online Portal



Property Owner(s) Notarized Certification

The owner and petitioner acknowledge that this amendment application form is correct and complete. By completing this form, all owners of the subject property certify authorization of the filing of the application for amendment(s), and authorization of an applicant or agent to act on their behalf in the filing of the application including all subsequent application amendments.

| Property Owner | | | |
|--|--|--------------|-------------|
| Name: | GTB-GHA Coffee Road JV, LLC | | |
| Address: | 50 Glenlake Parkway, Suite 350 | City, State: | Atlanta, GA |
| | BY: GH Andco Inc., ITS: Manager | | Zip: 30328 |
| Signature: |  Lorraine Ferguson, Treasurer | | |
| Sworn to and subscribed before me this <u>16th</u> day of <u>January</u> , 20 <u>25</u> | | | |
| Notary Public: |   | | |

| Additional Property Owner (if applicable) | | | |
|---|--|--------------|------|
| Name: | | | |
| Address: | | City, State: | Zip: |
| Signature: | | Date: | |
| Sworn to and subscribed before me this _____ day of _____, 20____ | | | |
| Notary Public: | | | |

| Additional Property Owner (if applicable) | | | |
|---|--|--------------|------|
| Name: | | | |
| Address: | | City, State: | Zip: |
| Signature: | | Date: | |



CITY OF STONECREST, GEORGIA

Amendment Application

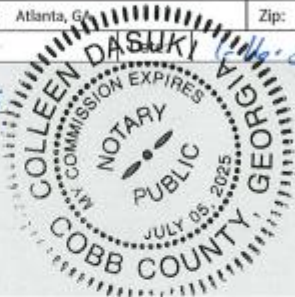
All applications and plans must be submitted through the [Citizenserve Online Portal](#)



Applicant(s) Notarized Certification

The petitioner acknowledged that this amendment application form is correct and complete. By completing this form, all applicant of the subject property certifies authorization of the filing of the application for amendment(s), and authorization of an applicant or agent to act on their behalf in the filing of the application including all subsequent application amendments.

| | | | |
|--|---|--------------------------|------------|
| Applicant | | | |
| Name: | GTB-GHA Coffee Road JV, LLC | | |
| Address: | 50 Glenlake Parkway, Suite 350 BY: GH Apdco, Inc. ITS: Manager | City, State: Atlanta, GA | Zip: 30328 |
| Signature: | By: <i>[Signature]</i> Lorraine Ferguson, Treasurer | | |
| Sworn to and subscribed before me this <u>16th</u> day of <u>January</u> , 20 <u>25</u> | | | |
| Notary Public: | <i>Colleen Dasuki</i> <i>Colleen Dasuki</i> | | |



| | | | |
|---|--|--------------|------|
| Applicant (if applicable) | | | |
| Name: | | | |
| Address: | | City, State: | Zip: |
| Signature: | | Date: | |
| Sworn to and subscribed before me this _____ day of _____, 20 _____ | | | |
| Notary Public: | | | |

| | | | |
|----------------------------------|--|--------------|------|
| Applicant (if applicable) | | | |
| Name: | | | |
| Address: | | City, State: | Zip: |
| Signature: | | Date: | |



CITY OF STONECREST, GEORGIA

Amendment Application

All applications and plans must be submitted through the [Citizenserve Online Portal](#)




Campaign Disclosure Statement

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the City of Stonecrest City Council or a member of the City of Stonecrest Planning Commission?

Yes

No

| Applicant/Property Owner | | | |
|--------------------------|--|--------------------------|------------|
| Name: | GTB-GHA Coffee Road JV, LLC 50 Glenlake Parkway, Suite 350 | | |
| Address: | BY: GH Andco, Inc. ITS: Manager | City, State: Atlanta, GA | Zip: 30328 |
| Signature: | By:  Lorraine Ferguson, Treasurer | Date: | 1-16-2025 |

If the answer above is yes, please complete the following section:

| Date | Government Official & Position | Description | Amount |
|------|--------------------------------|-------------|--------|
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CITY OF STONECREST, GEORGIA

RZ Application

All applications and plans must be submitted through the [Citizenserve Online Portal](#)



Campaign Disclosure Statement

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the City of Stonecrest City Council or a member of the City of Stonecrest Planning Commission?

Yes

No

| | | | |
|--|--|--------------------------------|-------------------|
| Applicant/Property Owner Battle Law, P.C. | | | |
| Name: | Michele L. Battle | | |
| Address: | c/o Battle Law, P.C., 3562 Habersham at Northlake, Bldg J, Suite 100 | City, State: Tucker, GA | Zip: 30084 |
| Signature: | | Date: | 12/3/2024 |

If the answer above is yes, please complete the following section:

| Date | Government Official & Position | Description | Amount |
|------|--------------------------------|-------------|--------|
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CITY OF STONECREST, GEORGIA



CITY OF STONECREST, GEORGIA

Community Planning Information Meeting (CPIM)

Summary Minutes

February 13, 2025, at 6:00 P.M.

Planning-zoning@stonecrestga.gov

***IN-PERSON MEETING**

[Stonecrest's YouTube Broadcast Link](#)

Citizens wishing to actively participate and comment during the public hearing portion of the meeting may comment in person. You may also submit your request including your full name, address, and position on the agenda item you are commenting on (for or against) via email to Planning-zoning@stonecrestga.gov by 2 p.m. the day before the meeting to be read into the record at the meeting.

- I. CALL TO ORDER AND INTRODUCTIONS:** Deputy Director Ellis Still, Senior Planner Ramona Eversley, Planner Felleshia Blair, Zoning Administrative Technician Abeykoon Abeykoon, and Cobi Brown, Planning Administrative Technician were in attendance.

The meeting was called to order at 6:00 p.m.

- II. REVIEW OF THE PURPOSE AND INTENT OF THE COMMUNITY PLANNING INFORMATION MEETING AND RULES OF CONDUCT – Ramona Eversley**

- III. Item(s) of Discussion:**

PETITION: RZ24-005
PETITIONER: Michele Battle of Battle Law, P.C.
LOCATION: 1810 Coffee Rd
PETITIONER'S REQUEST: The request is for a rezoning and map amendment of the parcel from M-2 (Heavy Industrial) to M (Light Industrial).

Jordan Battle of Battle Law, P.C. came up to speak. It was stated that the rezoning is for the consolidation of two adjacent parcels for the development of a paved truck storage lot. The location is behind the existing PepsiCo building.

Renee Kale a resident asked about the type and amount of trucks that will be that will be parked in the storage area. She stated her concern for the surrounding residents.

Jordan Battle stated that they did not have a set time for the trucks to be parked in one of the twenty proposed spaces that deliver products for the company. It was also stated that the parcel is over 750 feet away from the nearby residential parcels.

PETITION: SLUP24-009
PETITIONER: Leatha Spivey of Peaches and Cream Academy, Inc
LOCATION: 3356 Panola Road
PETITIONER'S REQUEST: The petitioner is seeking a Special Land Use Permit (SLUP) to operate as a Type 2 Home Occupation for a child daycare business.

Thomas Dortch came up to speak for Ms. Spivey. He stated that the business has been in operation for three decades. Countless families have trusted her to take care of their children and many of the students have excelled in higher education as well as careers later in their lives. The academy has also contributed to the community by hosting back-to-school drives and other events. She has been in good standing with the State



CITY OF STONECREST, GEORGIA

regulations.

Carol Dortch mother of Thomas Dortch stated that Ms. Spivey has done well for many years and she has many testimonials to prove it. She also stated that there was confusion due to Ms. Spivey having an up-to-date state license.

| | |
|------------------------------|--|
| PETITION: | SLUP25-001 |
| PETITIONER: | Rufaro Moyo of Moyo Capital, Inc |
| LOCATION: | 4989 Thompson Mill Road |
| PETITIONER'S REQUEST: | The petitioner is seeking a Special Land Use Permit (SLUP) to operate as a Type 2 Home Occupation for a personal care home business. |

Rufaro Moyo the applicant came up to speak. The proposal will cater to those in the elderly community who are in need of assistance with day-to-day tasks. He stated that the parcel is in a good location considering that Thomspen Mill Rd has minimum traffic and the home is also near several shopping centers, pharmacies, and the hospital.

Samantha Verver a neighbor of the applicant stated that she is in support of the petition and that personal care homes are needed in the community.

Pam Alimanzi a resident also stated that she supports the petition. She has been a CNA for 20 years and from her experience in the industry knows that the proposed use is a need for the community.

IV. ADJOURNMENT The meeting was adjourned at 6:24 p.m.

Americans with Disabilities Act

The City of Stonecrest does not discriminate on the basis of disability in its programs, services, activities, and employment practices.

If you need auxiliary aids and services for effective communication (such as a sign language interpreter, an assistive listening device or print material in digital format) or reasonable modification to programs, services or activities contact the ADA Coordinator, Sonya Isom, as soon as possible, preferably 2 days before the activity or event.

| | |
|------------------------------------|------------|
| APPROVED: <i>Ellis Still</i> | 2/17/2025 |
| DEPUTY DIRECTOR, PLANNING & ZONING | DATE |
| ATTEST: <i>Cobi Brown</i> | 02/17/2025 |
| SECRETARY | DATE |



CITY COUNCIL AGENDA ITEM

SUBJECT: Resolution to approve Fleet Policy Revisions Recommendation

AGENDA SECTION: *(check all that apply)*

- PRESENTATION PUBLIC HEARING CONSENT AGENDA OLD BUSINESS
 NEW BUSINESS OTHER, PLEASE STATE: Click or tap here to enter text.
-

CATEGORY: *(check all that apply)*

- ORDINANCE RESOLUTION CONTRACT POLICY STATUS REPORT
 OTHER, PLEASE STATE: Click or tap here to enter text.
-

ACTION REQUESTED: DECISION DISCUSSION, REVIEW, or UPDATE ONLY

Previously Heard Date(s): 03/10/25 & Click or tap to enter a date.

Current Work Session: Click or tap to enter a date.

Current Council Meeting: Monday, March 24, 2025

SUBMITTED BY: Reginald Powell, Facilities Operations Manager

PRESENTER: Reginald Powell, Facilities Operations Manager

PURPOSE: Present Resolution and Fleet Policy Revisions to Council for approval

FACTS: The current fleet policy for the City of Stonecrest was reviewed and is in need of revisions to make sure the city is in compliance with policies, regulations, insurance coverage and city guidelines.

OPTIONS: Choose an item. Click or tap here to enter text.

RECOMMENDED ACTION: Click or tap here to enter text.

ATTACHMENTS:

- (1) Attachment 1 - Resolution with Redline Mark ups
- (2) Attachment 2 - Revised Policy
- (3) Attachment 3 - Amendment Chart model for policy revisions for the current fleet policy
- (4) Attachment 4 - Click or tap here to enter text.
- (5) Attachment 5 - Click or tap here to enter text.

STATE OF GEORGIA
COUNTY OF DEKALB
CITY OF STONECREST

1 **A RESOLUTION BY THE MAYOR AND COUNCIL OF THE CITY OF**
2 **STONECREST, GEORGIA TO AMEND THE FLEET POLICY BY**
3 **ADOPTING CERTAIN REVISIONS; TO PROVIDE AN EFFECTIVE**
4 **DATE; TO PROVIDE FOR SEVERABILITY; AND FOR OTHER LAWFUL**
5 **PURPOSES.**
6

7 **WHEREAS**, the governing authority of the City of Stonecrest (“City”) is the Mayor and Council
8 thereof; and
9

10 **WHEREAS**, pursuant to the City charter the city council shall have the authority to adopt and
11 provide for the execution of such ordinances, resolutions, policies, rules, and
12 regulations, not inconsistent with this Charter and the Constitution and the laws of
13 the State of Georgia, which it shall deem necessary, expedient, or helpful for the
14 peace, good order, protection of life and property, health, welfare, sanitation,
15 comfort, convenience, prosperity, or well-being of the inhabitants of the City of
16 Stonecrest and may enforce such ordinances by imposing penalties for violation
17 thereof.; and
18

19 **WHEREAS**, the purpose of the City’s Fleet Policy is to establish guidelines, responsibilities and
20 procedures to ensure proper acquisition, operation, maintenance, disposal and
21 recordkeeping for all vehicles operated by the City; and
22

23 **WHEREAS**, the City desires to amend the Fleet Policy to adopt certain revisions to the current
24 Fleet Policy.
25

26 **NOW THEREFORE, BE IT AND IT IS HEREBY RESOLVED BY THE MAYOR AND**
27 **COUNCIL OF THE CITY OF STONECREST, GEORGIA:**
28

29 **BE IT FUTHER RESOLVED**, the City of Stonecrest Fleet Policy is hereby
30 amended by adopting the provisions set forth in Exhibit A attached hereto and made
31 a part by reference.
32

33 **BE IT FUTHER RESOLVED**, the preamble of this Resolution shall be
34 considered to be and is hereby incorporated by reference as if fully set out herein.

BE IT FURTHER RESOLVED, to the extent any portion of this Resolution is
declared to be invalid, unenforceable, or nonbinding, that shall not affect the
remaining portions of this Resolution.

BE IT FURTHER RESOLVED, all City resolutions are hereby repealed to the
extent they are inconsistent with this Resolution.

BE IT FINALLY RESOLVED, this Resolution shall take effect immediately.

RESOLVED this _____ day of _____, 2025.

**STATE OF GEORGIA
COUNTY OF DEKALB
CITY OF STONECREST**

CITY OF STONECREST, GEORGIA

Jazzmin Cobble, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM BY:

City Attorney

**STATE OF GEORGIA
COUNTY OF DEKALB
CITY OF STONECREST**

Item XII. a.

EXHIBIT A

It is the policy of the City of Stonecrest ("City") to promote cost-effective vehicle management through efficient acquisition, operation, maintenance, disposal and recordkeeping.

1.0 Purpose

This policy establishes guidelines, responsibilities and procedures to ensure proper acquisition, operation, maintenance, disposal and recordkeeping for all vehicles operated by the City of Stonecrest. The City Manager has designated the ~~Parks & Recreation Department facility manager~~ Facility Operations Manager or ~~and~~ their designee to perform the duties of Fleet Management to ensure accountability and operational efficiency.

2.0 Persons Affected

All elected officials and ~~Employee, except temporary Employees,~~ of the City of Stonecrest.

This Policy does not apply to temporary Employees.

3.0 Definitions

3.1 Authorized Driver means an elected official or an Employee, ~~except temporary who Employees, who have s~~ been vetted ~~by through~~ the City Manager. ~~'s process and approved to drive a vehicle that is owned/leased by the City of Stonecrest.~~

3.2 Cost-benefit analysis means an assessment of various alternatives to compare their costs versus benefits.

3.3 Employee means an elected official, appointed officer or staff personnel with the City of Stonecrest.

3.4 Fuel Card PIN, ~~also known as Driver Identification (ID) means~~ means the six (6) digit numerical Personal Identification Number (PIN) selected by the Employee for use with the fuel card.

3.5 ~~Facility Coordinator Operations Manager means an Employee designated to be responsible for the, use, and maintenance of City of Stonecrest vehicles.~~ The Facility Operations Coordinator-Manager is housed within the Parks & Recreation Department and the Department Director may designate additional Parks &

Recreation personnel to assist with Fleet Management.

- 3.6 Stonecrest Vehicle means a motor vehicle or trailer for which the City of Stonecrest holds title or registration. This includes vehicles that were obtained through lease, purchase, donation, forfeiture or surplus. The City of Stonecrest vehicles display the City of Stonecrest logo and have a governmental license plate.
- 3.7 Agile Fleet Management is the program the ~~City Citycity~~ has chosen to regulate and monitor vehicle use for maintenance and inventory purposes.
- 3.8 GPS refers to the record retention and asset tracking devices that are

installed in all City of Stonecrest vehicles. The GPS units are active 24 hours per day and for the benefit of safety, budgeting efficiency and asset protection are constantly collecting vehicle data relative to fuel consumption, miles driven, speed and braking conditions, driving history and location.

4.0 **Responsibilities**

4.1 The ~~Parks & Recreation Department~~Facility Manager ~~Facility Operations Manager~~ is responsible for:

- 4.1.1 Managing and overseeing all agency vehicles (including inventory, use, repair, and maintenance) and the issuance and use of fuel cards.
- 4.1.2 Providing training for the use of the City's vehicle program, Agile Fleet Management, and WEX, the City's gas cards, and the creation of individual accounts for Authorized Drivers.
- 4.1.3 Serving as the liaison for accounting and maintenance of vehicles used by the City of Stonecrest.
- 4.1.4 Ensuring that the City of Stonecrest is following fleet requirements set forth under state law.
- 4.1.5 Approving, denying, or revoking an Employee's authorization to drive a City vehicle based on the individual's motor vehicle report (i.e., driving record). The City Manager or Finance Director may also revoke an Employee's status as an Authorized Driver.
- 4.1.6 Acquire vehicles utilizing all acquisition methods as described in the City's Purchasing Policy, (even when payment is not required), including, but not limited to, the following:
 - 4.1.6.1 Donation.
 - 4.1.6.2 Surplus property procedures.
 - 4.1.6.3 Sponsored projects and similar contractual processes.

- 4.1.7 _Disposing of existing vehicles in accordance with State of Georgia and the City of Stonecrest surplus property procedures.
- 4.1.8 Ensuring that all the information for new vehicles is entered into Agile Fleet Management before any use by Authorized Driver's. This includes purchasing and installing any wiring harnesses or GPS modules, and all City identifiers have been labeled and assigned in the system. The Department will complete an annual audit of the records for all vehicles in the system.
- 4.1.9 Accounting for assigned Stonecrest Vehicles and fuel cards.

- 4.1.10 Maintaining and repairing Stonecrest Vehicles in accordance with the City of Stonecrest's and manufacturer's guidelines, (including vehicle inspection requirements) and compiling the maintenance and repair history to the Fleet records sharepoint drive on a quarterly basis.
- 4.1.11 Ensuring that all Authorized Drivers complete an inspection report. The Department designee is responsible for completing the maintenance and reconciliation of monthly mileage reports no later than the tenth workday of the following month.
- 4.1.12 Ensuring that all new vehicles have proper registration, tags and insurance and updating all Fleet vehicles for proper registration, tags and insurance on an annual basis.
- 4.2 The City Manager and Department Directors are responsible for:
- 4.2.1 Submitting Employee names to the ~~Assistant Director of Parks & Recreation~~ Facility Manager-Facility Operations Manager for consideration to become an Authorized Driver. Names will be submitted from Human Resources upon hiring via signed MVR Report Form, or as requested by the Department Director.
- 4.2.2 Authorized Drivers are responsible for: Operating Stonecrest Vehicles in a safe and courteous manner.
- 4.2.3 Ensuring assigned Stonecrest Vehicles are returned with adequate fuel at the end of the reserved period. Adequate fuel means at least one quarter (1/4) of fuel remaining in the vehicle.
- 4.2.4 Returning the keys to the lockbox at the conclusion of a day's use. All keys retained at City Hall must have keys placed in the Fleet lockbox daily. Keys for Operations or Parks & Recreation vehicles will be returned to the lockbox onsite daily.
- 4.2.5 Completing an inspection report and submitting it to the

Authorized Driver's department or program's vehicle coordinator.

4.2.6 Notifying ~~Parks & Recreation the Facility Manager~~ Facility Operations Manager of any changes to the Authorized Driver's driving status including but not limited to traffic warnings; traffic tickets; driver's license suspensions; driver's license revocations; and any other motor vehicle-related citations.

4.2.7 Reporting any vandalism, theft, accidents, damages losses, or any problems that occur to assigned vehicles.

5.0 **Financial Responsibility**

5.1 The Department Director is responsible for ensuring the proper use of vehicles by Authorized Drivers in their department.

- 5.2 The Authorized Driver is responsible for paying all traffic and parking fines incurred during the use of a Stonecrest Vehicle. Unauthorized use of a Stonecrest Vehicle or fuel card or failure to follow policies and guidelines may result in disciplinary action, up to and including termination of employment or prosecution.
- 5.3 The Authorized Driver is also responsible for the vehicle keys that are lost or stolen while in the Employee's possession. If keys cannot be returned by the Authorized Driver within 24 hours of demand by the City, the Authorized Driver will reimburse the City for the cost of a replacement FOB in the amount it cost to replace keys from the dealership. This cost from the dealership is the responsibility of the Employee up to \$500.
- 5.4 Any of the instances below will result in the costs being assumed by the Authorized Driver. The City does not assume liability or expense incurred by Authorized Drivers resulting from:
- 5.4.1 Unauthorized or prohibited use of a Stonecrest Vehicle.
 - 5.4.2 Improper use of a fuel card.
 - 5.4.3 Towing, storage or impound charges resulting from an improper parking violation.
 - 5.4.4 Damage, mechanical failure, or losses incurred to a Stonecrest Vehicle resulting from driver negligence.
 - 5.4.5 Misuse including, but not limited to, personal use, abuse or use of a Stonecrest Vehicle while impaired.
 - 5.4.6 If a City vehicle is smoked in or requires additional cleaning because of misuse, the user shall be responsible for the actual cost of cleaning and detailing the vehicle, up to \$500.

6.0 Authorized Drivers

6.1 Prior to operating ~~a Stonecrest~~ Stonecrest a City Vehicle, an Authorized Driver must complete and submit to Parks & Recreation the Facility Operations Manager and Human Resources, a City of Stonecrest's Driver Acknowledgement Form, and complete the fleet vehicle training. Completion indicates the individual is an authorized driver indicating ~~Indicating that the Authorized Driver~~

6.1.1 Possesses a valid Georgia driver's license, and be at least 18 years of age.

~~6.1.16.1.2~~ Agree to authorized driver expectations, and responsibilities as discussed in the vehicle training.

~~6.1.26.1.3~~ Agrees to use vision correction measures, if applicable, while operating a Stonecrest Vehicle.

~~6.1.3~~ 6.1.4 Agrees to utilize the City's Agile Fleet Management Reservation Program for EVERY use of a City vehicle. Vehicle use is documented daily, and keys must always be returned to the rental location's Kiosk or Lock Box.

6.1.5 Agrees to timely report any ticket or warning received while operating any motorized vehicle but must report any ticket or warning received while operating a City vehicle immediately.

~~6.1.4~~

~~6.1.5~~ 6.1.6 Has no more than six (6) points on their vehicle report.

~~6.1.6~~ 6.1.7 Has not had an "at fault" accident in the previous three (3) years.

~~6.1.7~~ 6.1.8 Has not received charges or convictions within the previous three (3) years and has no pending charges for any of the following offenses:

~~6.1.7.1~~ ~~6.1.8.1~~ 6.1.8.1 Driving under the influence (known as "driving while intoxicated" in some states).

~~6.1.7.2~~ ~~6.1.8.2~~ 6.1.8.2 Refusing to take a test for intoxication (including, but not limited to, breath, blood or other sobriety tests). Or taking a test and receiving an inconclusive result.

~~6.1.7.3~~ ~~6.1.8.3~~ 6.1.8.3 Leaving the scene of an accident.

~~6.1.7.4~~ ~~6.1.8.4~~ 6.1.8.4 Driving aggressively or exceeding the speed limit by more than nineteen (19) miles per hour.

6.2 The ~~Assistant Director~~ Facility Manager Facility Operations Manager must check the motor vehicle record of any Employee applying to become an Authorized Driver. Accordingly, an Employee seeking to become an Authorized Driver must authorize the Georgia Department of Driver Services to release the Employee's motor vehicle record (MVR) to the ~~Assistant Director~~ Facility Manager Facility Operations Manager as authorized by the City Manager's Office. Authorization is given

by the Employee completing Driver Services' Request for Motor Vehicle Report (DDC-18).

6.2.1. ~~Parks & Recreation~~The Facility Manager Facility Operations Manager must check Authorized Drivers' MVRs annually.

6.2.2. Failure to consent to the MVR check will make an Employee ineligible to become or remain an Authorized Driver.

6.3 A change to an Authorized Driver's status, such as receiving a traffic ticket or warning or losing the ability to hold a driver's license must be reported immediately to the Authorized Driver's immediate supervisor and ~~Assistant~~

~~Director of Parks & Recreation~~ the Facility Manager Facility Operations Manager
~~on the City of Stonecrest's Driver Notification Form and entered~~
~~into the Fleet Management program.~~ The ~~Assistant Director or~~
~~designee~~ Facility Manager Facility Operations Manager will
 review the changes and decide whether the Employee's status as
 an Authorized Driver should be revoked.

6.3.1 The ~~Assistant Director~~ Facility Manager Facility Operations Manager will notify the relevant department head and the driver of the decision in writing.

6.3.2 ~~If the decision is made to revoke, documentation~~
~~will be placed in the revoked Authorized Driver's~~
~~file in Parks & Recreation's shared drive folder~~
~~labeled as and Fleet Management files~~ as well as
 the individual personnel file in Human Resources
 and notification will be sent to the City Manager.

6.4 Authorized Drivers are subject to random drug testing.

6.4.1 Costs associated with drug testing will be the responsibility of the Authorized Driver's division, department or program.

6.4.2 A failed drug test will immediately terminate an Employee's status as an Authorized Driver. A failed drug test cannot be appealed without a documented medical reason for a re-test.

6.4.3 An Employee who has failed a drug test or receives inconclusive results may be subject to disciplinary action, up to and including termination of employment.

6.5 Use of Reservation System

6.6 The City has adopted the use of Agile Fleet Management for the purposes of maintaining vehicle inventory, regulating maintenance and ensuring safety for all users. An Authorized Driver who is required to use a City Vehicle daily may reserve the same vehicle for their use up to one month in advance.

Keys must still be returned daily.

6.7 Fleet Management Data Collection

6.7.1 The Authorized Driver acknowledges with the signing of this Policy that they are aware City of Stonecrest vehicles are equipped with GPS systems.

6.7.2 The Fleet GPS and vehicle computers are tied into the City's Fleet Management System and vehicle use, location, mileage, fuel consumption and other data is collected instantly while City vehicles are in use.

6.7.3 Information is collected for the proper tracking and recording of City vehicles to ensure proper maintenance and care of City property.

6.7.4 The City does not monitor vehicle use, however, the Fleet Management System is equipped with the ability to send alerts for excessive speeding, constant hard braking and long idle times, as well as vehicle use that occurs when a vehicle has not been properly checked out.

6.7.5 These reports will be reviewed on a regular basis by the ~~Fleet Facility Manager~~ Facility Operations Manager ~~designee~~ and any excessive alerts will be sent to the Authorized User's Department Head ~~or~~ and City Manager. Excessive speeding, hard braking, idling or use without a reservation may result in the loss of Authorized Driver status and/or Employee disciplinary action.

7.0 Authorized Use of Stonecrest Vehicles

7.1 Use of Stonecrest Vehicles to Authorized Drivers is to be used to perform official City business only.

7.2 Authorized Drivers must observe all traffic laws and proper driving etiquette.

7.3 Authorized Drivers may travel to eateries for lunch meetings in the role of performing City business, and Authorized Drivers may purchase food for meals, including using a drive-thru, while performing City business. However, food may not be eaten while driving a City vehicle, food must be taken back to the office or other locations for consumption.

7.4 Authorized uses of Stonecrest Vehicles include:

7.4.1 Travel between the place from where the Stonecrest Vehicle is dispatched and the place where the official City business is performed.

7.4.2 Transport of Employees when they are on official City business. Each ~~All people~~ Person riding in a City Vehicle must be participating in official City business;

7.4.3 Transport of materials, supplies, parcels, luggage and other items belonging to or serving the interests of the ~~City~~ City; and

7.4.4 Transport of any person or item in the event of a declared emergency.

7.5 In addition to the uses listed in Section 7.3, authorized uses of Stonecrest Vehicles when in official travel status include:

7.5.1 Travel between the place of City business and/or the place of temporary lodging; and

7.5.2 Any of the following when on official travel status and the distance is

not reasonable for walking:

- 7.5.2.1 Dining ~~establishments;~~ establishments.
- 7.5.2.2 Places to obtain medical assistance, including drug ~~stores;~~ stores.
- 7.5.2.3 Dry cleaners and ~~laundromats;~~ laundromats.
- 7.5.2.4 Similar places ~~required~~ are required to sustain the health, welfare or efficient performance of the Authorized Driver, excluding places of entertainment.

7.6 The City Manager or designee will approve all authorized drivers for take home vehicle use. This section establishes requirements for authorizing Employees to take City owned vehicles home To travel between their home and work site(s) with the intent to limit the number of take-home Vehicle assignments. A Stonecrest vehicle may be driven to an Authorized Driver's home after work hours under the following ~~circumstances~~ circumstances:

- 7.6.1 The Authorized Driver must be on approved travel status with prior take-home vehicle approval from the City Manager or ~~designee;~~ designee.
- 7.6.2 ~~The Authorized Driver must travels to different work sites as a part of routine duties. directly to a remote site from his or her home the next business day; or~~
- 7.6.3 ~~The Authorized Driver will suffer great inconvenience by having to pick up or drop a vehicle off at his or her office at the beginning or end of a workday during which the Authorized Driver has used the vehicle in an authorized manner.~~
- 7.6.4 The authorized driver who is responsible for responding to emergency situations to protect life and property.

~~7.6.3 This policy establishes requirements for authorizing Employees to take City owned vehicles home to travel between their home and work site(s). The City's intent is to limit the number of take-home vehicle assignments to Employees who have a primary~~

~~responsibility to respond to emergency situations to protect life and property or when there is a demonstrated economic benefit to the City.~~

8.0 Service Animals

8.1 In accordance with the provisions with the Americans with Disabilities Act (ADA), service animals shall be permitted in Stonecrest Vehicles under the following conditions:

The Authorized Driver may be asked by the Facility ~~Operations~~ ~~Coordinator~~

Manager to answer the following questions to determine if the animal is a service animal: (a) is the service animal required because of a disability? and (b) what work or task has the service animal been trained to perform?

8.1.1

~~(b) what work or task has the service animal been trained to perform?~~

~~8.1.28.1.1~~ The service animal must be kept in a secured crate or transport container while the Stonecrest Vehicle is in motion.

9.0 Unauthorized Use of Vehicles

9.1 Unauthorized use or misuse of a Stonecrest Vehicle includes, but is not limited to the following:

9.1.1 Use by unauthorized personnel.

9.1.2 Driving violations committed by the Authorized Driver.

9.1.3 Any personal use by the Authorized Driver.

9.1.4 Use of a wireless device, other than a hands-free device, while operating a Stonecrest Vehicle.

9.1.5 Smoking or use of any form of tobacco in or within twenty (20) feet of a Stonecrest Vehicle.

9.1.6 Use of alcohol or any illicit substance use in a Stonecrest Vehicle or while operating a Stonecrest Vehicle.

9.1.7 Travel to attend a sporting or entertainment event, including hunting and fishing, that is not in the service of the City.

9.1.8 Off-road use that is not in the service of the City.

9.1.9 Travel and tasks that are beyond a vehicle's rated capacity and/or hauling more people than the vehicle capacity allows.

9.1.10 Towing vehicles or trailers, unless a vehicle is designed and designated for that specific purpose.

9.1.11 Travel to engage in soliciting votes; and

9.1.12 Unauthorized extension of the period that a Stonecrest Vehicle is in the Authorized Driver's possession.

9.1.13 Transport of:

9.1.13.1 Anyone to restaurants, cafes, drug stores or other places when not in the service of the City or another authorized use;

9.1.13.2 Relatives, friends, associates and other people who are not Employees of the City or serving the interest of the City; Hitchhikers;

9.1.13.3 Cargo that is unrelated to official City business.

9.1.13.4 Any item or equipment projecting from the side, front or rear of a vehicle in a way that obstructs safe driving or creates a hazard to pedestrians or other vehicles.

9.1.13.5 Political campaign literature or matter or any person or persons soliciting votes in any election; and

9.1.13.6 Acids, explosives, weapons, ammunition and highly flammable material, except by the Operations team performing specific duties for the City, or specific authorization from the City Manager or their designee or in a declared emergency.

9.2 When in doubt about whether a specific use is authorized, the decision of the Authorized Driver must be based on whether the use would serve the interest of the City (rather than the driver or others) and would be defensible in the event of questions from the public, a higher government authority or an auditor.

10.0 **Fuel Cards.**

10.1 Each vehicle is assigned a fuel card that must always remain in the console or glovebox. Each Authorized Driver selects their own personal identification number (PIN). An Authorized Driver can only use his or her assigned PIN. Sharing a Fuel Card PIN is strictly prohibited.

10.2 Except in, described in Section 9.4 below, the fuel card must be used only at fuel stations where it is accepted. If a service station refuses to honor the card, the Authorized Driver must make reasonable efforts to locate a fuel station that will honor it.

10.3 When refueling a City vehicle with a fuel card, the Authorized Driver must follow the proper procedures, which include

entering the assigned Fuel Card PIN and the vehicle's current odometer reading.

10.4 The City does not reimburse for cash or personal credit card purchases of fuel for City vehicles. However, if a driver cannot access a fuel station that honors the fuel card, the City Manager or their designee has the authority to approve reimbursement.

10.5 Fuel cards may be used to purchase gas for City purposes for use in City owned mowers, tractors, generators or fuel cans. When this is done, the user must enter personal PIN, and designate gas cans with a number five (5), and other City equipment with a number ten (10), in place of the milage.

10.6 If the Authorized Driver loses the fuel ~~card, or card or~~ finds that the fuel card

is missing from the vehicle, they must immediately notify the Assistant Director of Parks & Recreation Facility Manager
Facility Operations Manager

10.7 Fuel cards cannot be used to purchase:

10.7.1 Fuel for non-City vehicles; and

10.7.2 Food, candy, beverages or similar items; Fuel card use violations will subject the offending Authorized Driver to disciplinary action, up to and including termination of employment or prosecution.

11.0 Vehicle Cleanliness

11.1 Eating food in Stonecrest Vehicles is prohibited, however, drinking bottled water is allowed.

11.2 Stonecrest Vehicles must be always kept clean.

11.3 Authorized Drivers must remove litter from Stonecrest Vehicles after each use.

11.4 Authorized Drivers are responsible for ensuring the assigned Stonecrest Vehicle is washed and the interior cleaned by using an authorized car wash vendor (the interior is the responsibility of the Authorized Driver of record).

11.4.1 Authorized Drivers must identify themselves as City of Stonecrest Employees.

11.5 If an Authorized Driver repeatedly returns Stonecrest Vehicles that are not clean, the Authorized Driver may lose the right to use a Stonecrest Vehicle.

12.0 Driver Safety

12.1 Authorized Drivers and passengers must properly use all available safety devices, including safety belts, and follow all of the vehicle manufacturer's safety guidelines.

12.2 Authorized Drivers must always:

Begin each day by filling out the Daily Vehicle Checklist before driving. A notebook will be maintained in every vehicle with a daily checklist that must be completed and signed prior to each use;

12.2.1 Turn off and lock Stonecrest Vehicles when left unattended.

12.2.2 Park Stonecrest Vehicles in well-lit areas at night or in populated areas during the day.

12.2.3 Remove from view, valuables that are inside the Stonecrest Vehicle

when it is left unattended; and

12.3 Check for items left in Stonecrest Vehicles before returning them to City Hall, or to the Facility Operations Coordinator Manager. Authorized Drivers must always report acts of vandalism or theft to:

12.3.1 Local law enforcement.

12.3.2 The insurance company immediately by calling the number on the insurance card in the Stonecrest Vehicle.

12.3.3 The Authorized Driver must submit within 24 hours the following documents:

12.3.3.1 City of Stonecrest Liability Incident Report Form; and

12.3.3.2 City of Stonecrest Incident Report form.

12.4 Authorized Drivers should not leave a disabled Stonecrest Vehicle unattended along the roadway. Should a vehicle become disabled, the driver must take appropriate safety precautions to avoid injury and damage to the Stonecrest Vehicle. The Authorized Driver should also follow the posted instructions in the glovebox that give them the phone number and process to contact Roadside Assistance to have the vehicle towed.

13.0 Insurance

13.1 Stonecrest Vehicles are insured in accordance with state law.

13.2 An insurance card must remain in the Stonecrest Vehicle at all times.

13.3 Vehicle insurance coverage is in effect only when the Authorized Driver is operating the Stonecrest Vehicle for official City business.

13.4 Only Employees injured while engaged in official City business or an authorized use are covered by the City's Workers' Compensation program.

13.5 Liability insurance is in effect only when the Authorized Driver operates a Stonecrest Vehicle for official City business. It covers physical damage to the vehicles of and the personal injury to parties who are involved in an accident.

14.0 Accidents, Damages and Losses

14.1 If a Stonecrest Vehicle sustains damage and/or the Authorized Driver is involved in an accident, the driver must follow the following procedures (forms are kept in the vehicle glovebox and are available in the Fleet Manager Program):

14.1.1 Contact local law enforcement.

14.1.2 Follow the instructions on the insurance card in the vehicle. Notify ~~Parks & Recreation~~ the Facility Manager Facility Operations Manager and submit, within twenty-four (24) hours, the following documentation:

14.1.2.1 Driver Notification Form

14.1.2.2 Liability Incident Report Form

14.1.2.3 Incident Report Form

14.1.3 Notify their Department Director

14.2 The Department Director and/or ~~Fleet Facility Manager~~ Facility Operations Manager will:

14.2.1 Complete the Supervisor's Accident Follow-Up Form and include the City Manager within two (2) business days of learning about an accident. The supervisor should also send a copy of this form to Human Resources for inclusion in the driver's personnel file.

14.2.2 Send the driver to the nearest testing center for an immediate drug test.

Failure to report any accident-causing damage to a City Vehicle and obtaining a Police Report will result in disciplinary action including, but not limited to, suspension of driving privileges, probation, suspension from your job or termination.

15.0 Attachments

- CITY OF STONECREST's Incident Reporting form
- CITY OF STONECREST's Driver Acknowledgement form
- CITY OF STONECREST's Driver Notification form
- CITY OF STONECREST's Liability Incident Report form
- CITY OF STONECREST's Supervisor's Accident Follow-Up form
- CITY OF STONECREST's Daily Checklist
- "QUEST" drug testing form (C/O City of Stonecrest)?
- CITY OF STONECREST's Emergency Procedures Checklist
- Georgia Department of Driver Services' Request for Motor

Vehicle Report (DDS-18)

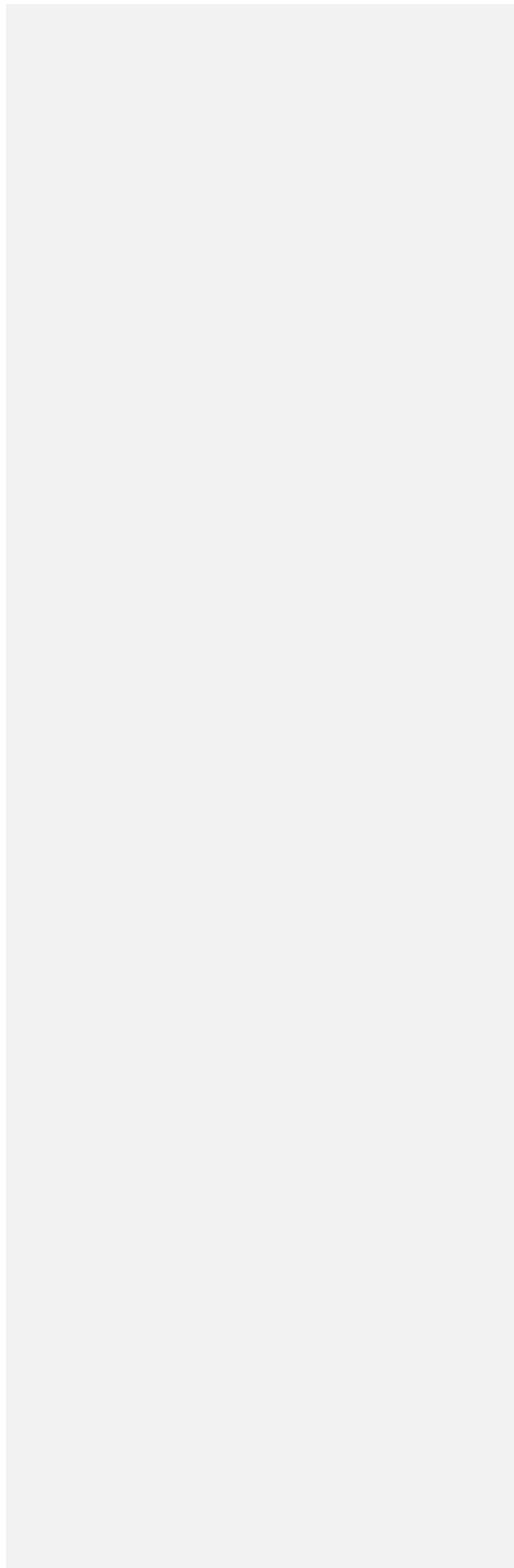
16.0 Revision History

| Date | Rev · No. | Change | Reference(s) |
|-------------|--------------------------|--------------------------|---------------------|
| 12/20/2021 | 1.0 | Initial Version | N/A |
| 01/04/22 | 2.0 | 1 st Revision | |

| | | |
|--|--------|--|
| 03/11/2025 02/25/2023 | Update | |
|--|--------|--|

Approved and Effective _____ day of the month of _____,
this 2021 by:

Gia Scruggs, M.B.A., CPM Finance Director



It is the policy of the City of Stonecrest (“City”) to promote cost-effective vehicle management through efficient acquisition, operation, maintenance, disposal and recordkeeping.

1.0 Purpose

This policy establishes guidelines, responsibilities and procedures to ensure proper acquisition, operation, maintenance, disposal and recordkeeping for all vehicles operated by the City of Stonecrest. The City Manager has designated the Facility Operations Manager or their designee to perform the duties of Fleet Management to ensure accountability and operational efficiency.

2.0 Persons Affected

All elected officials and Employees of the City of Stonecrest.

This policy does not include temporary employees.

3.0 Definitions

3.1 Authorized Driver means an elected official or an Employee, except temporary Employees who have been vetted by the City Manager.

3.2 Cost-benefit analysis means an assessment of various alternatives to compare their costs versus benefits.

3.3 Employee means an elected official, appointed officer or staff personnel with the City of Stonecrest.

3.4 Fuel Card PIN means the six (6) digit numerical Personal Identification Number (PIN) selected by the Employee for use with the fuel card.

3.5 The Facility Operations Manager is housed within the Parks & Recreation Department and the Department Director may designate additional Parks & Recreation personnel to assist with Fleet Management.

3.6 Stonecrest Vehicle means a motor vehicle or trailer for which the City of Stonecrest holds title or registration. This includes vehicles that were obtained through lease, purchase, donation, forfeiture or surplus. The City of Stonecrest vehicles display the City of Stonecrest logo and have a governmental license plate.

3.7 Agile Fleet Management is the program the City has chosen to regulate and monitor vehicle use for maintenance and inventory purposes.

3.8 GPS refers to the record retention and asset tracking devices that are installed in all City of Stonecrest vehicles. The GPS units are active 24 hours per day and for the benefit of safety, budgeting efficiency and asset protection are constantly collecting vehicle data relative to fuel consumption, miles driven, speed and braking conditions, driving history and location.

4.0 Responsibilities

4.1 The Facility Operations Manager is responsible for:

- 4.1.1 Managing and overseeing all agency vehicles (including inventory, use, repair, and maintenance) and the issuance and use of fuel cards.
- 4.1.2 Providing training for the use of the City's vehicle program, Agile Fleet Management, and WEX, the City's gas cards, and the creation of individual accounts for Authorized Drivers;
- 4.1.3 Serving as the liaison for accounting and maintenance of vehicles used by the City of Stonecrest.
- 4.1.4 Ensuring that the City of Stonecrest is in compliance with fleet requirements set forth under state law.
- 4.1.5 Approving, denying, or revoking an Employee's authorization to drive a city vehicle based on the individual's motor vehicle report (i.e., driving record). The City Manager or Finance Director may also revoke an Employee's status as an Authorized Driver.
- 4.1.6 Acquire vehicles utilizing all acquisition methods as described in the City's Purchasing Policy, (even when payment is not required), including, but not limited to, the following:
 - 4.1.6.1 Donation;
 - 4.1.6.2 Surplus property procedures;
 - 4.1.6.3 Sponsored projects and similar contractual processes.
- 4.1.7 Disposing of existing vehicles in accordance with State of Georgia and the City of Stonecrest surplus property procedures.
- 4.1.8 Ensuring that all of the information for new vehicles is entered into Agile Fleet Management before any use by Authorized Driver's. This includes purchasing and installing any wiring harnesses or GPS modules, and all City identifiers have been labeled and assigned in the system. The Department will complete an annual audit of the records for all vehicles in the system.
- 4.1.9 Accounting for assigned Stonecrest Vehicles and fuel cards.
- 4.1.10 Maintaining and repairing Stonecrest Vehicles in accordance with the City of Stonecrest's and manufacturer's guidelines, (including vehicle inspection requirements) and compiling the maintenance and repair history to the Fleet records sharepoint drive on a quarterly basis.
- 4.1.11 Ensuring that all Authorized Drivers complete an inspection report.

The Department designee is responsible for completing the maintenance and reconciliation of monthly mileage reports no later than the tenth workday of the following month.

4.1.12 Ensuring that all new vehicles have proper registration, tags and insurance and updating all Fleet vehicles for proper registration, tags and insurance on an annual basis.

4.2 The City Manager and Department Directors are responsible for:

4.2.1 Submitting Employee names to the Facility Operations Manager for consideration to become an Authorized Driver. Names will be submitted from Human Resources upon hiring via signed MVR Report Form, or as requested by the Department Director.

4.2.2 Authorized Drivers are responsible for: Operating Stonecrest Vehicles in a safe and courteous manner.

4.2.3 Ensuring assigned Stonecrest Vehicles are returned with adequate fuel at the end of the reserved period. Adequate fuel means at least one quarter (1/4) of fuel remaining in the vehicle.

4.2.4 Returning the keys to the lockbox at the conclusion of a day's use. All keys retained at City Hall must have keys placed in the Fleet lockbox daily. Keys for Operations or Parks & Recreation vehicles will be returned to the lockbox onsite daily.

4.2.5 Completing an inspection report and submitting it to the Authorized Driver's department or program's vehicle coordinator.

4.2.6 Notifying the Facility Operations Manager of any changes to the Authorized Driver's driving status including but not limited to: traffic warnings; traffic tickets; driver's license suspensions; driver's license revocations; and any other motor vehicle-related citations.

4.2.7 Reporting any vandalism, theft, accidents, damages losses, or any problems that occur to assigned vehicles.

5.0 Financial Responsibility

5.1 The Department Director is responsible for ensuring the proper use of vehicles by Authorized Drivers in their department.

5.2 The Authorized Driver is responsible for paying all traffic and parking fines incurred during the use of a Stonecrest Vehicle. Unauthorized use of a Stonecrest Vehicle or fuel card or failure to follow policies and guidelines may result in disciplinary action, up to and including termination of employment or prosecution.

5.3 The Authorized Driver is also responsible for the vehicle keys that are lost or

stolen while in the employee's possession. If keys cannot be returned by the Authorized Driver within 24 hours of demand by the City, the Authorized Driver will reimburse the City for the cost of a replacement FOB in the amount it cost to replace keys from the dealership. This cost from the dealership is the responsibility of the employee up to \$500.

5.4 Any of the instances below will result in the costs being assumed by the Authorized Driver. The City does not assume liability or expense incurred by Authorized Drivers resulting from:

- 5.4.1 Unauthorized or prohibited use of a Stonecrest Vehicle;
- 5.4.2 Improper use of a fuel card;
- 5.4.3 Towing, storage or impound charges resulting from an improper parking violation;
- 5.4.4 Damage, mechanical failure, or losses incurred to a Stonecrest Vehicle resulting from driver negligence;
- 5.4.5 Misuse including, but not limited to, personal use, abuse or use of a Stonecrest Vehicle while impaired.
- 5.4.6 If a City vehicle is smoked in or requires additional cleaning because of misuse, the user shall be responsible for the actual cost of cleaning and detailing the vehicle, up to \$500.

6.0 Authorized Drivers

- 6.1 Prior to operating a City vehicle, an Authorized Driver must complete and submit to the Facility Operations Manager and Human Resources, a City of Stonecrest's Driver Acknowledgement Form, and complete the fleet vehicle training. Completion indicates the individual is an authorized driver.
 - 6.1.1 Possesses a valid Georgia driver's license and be at least 18 years of age.
 - 6.1.2 Agree to authorized driver expectations, and responsibilities as discussed in the vehicle training.
 - 6.1.3 Agrees to use vision correction measures, if applicable, while operating a Stonecrest Vehicle.
 - 6.1.4 Agrees to utilize the City's Agile Fleet Management Reservation Program for EVERY use of a City vehicle. Vehicle use is documented daily, and keys must always be returned to the rental location's Kiosk or Lock Box.
 - 6.1.5 Agrees to timely report any ticket or warning received while operating any motorized vehicle but must report any ticket or warning received while operating a city vehicle immediately.

- 6.1.6 Has no more than six (6) points on their vehicle report.
- 6.1.7 Has not had an “at fault” accident in the previous three (3) years.
- 6.1.8 Has not received charges or convictions within the previous three (3) years and has no pending charges for any of the following offenses:
 - 6.1.8.1 Driving under the influence (known as “driving while intoxicated” in some states).
 - 6.1.8.2 Refusing to take a test for intoxication (including, but not limited to, breath, blood or other sobriety tests). Or, taking a test and receiving an inconclusive result.
 - 6.1.8.3 Leaving the scene of an accident.
 - 6.1.8.4 Driving aggressively or exceeding the speed limit by more than nineteen (19) miles per hour.
- 6.2 The Facility Operations Manager must check the motor vehicle record of any Employee applying to become an Authorized Driver. Accordingly, an Employee seeking to become an Authorized Driver must authorize the Georgia Department of Driver Services to release the Employee’s motor vehicle record (MVR) to the Facility Operations Manager as authorized by the City Manager’s Office. Authorization is given by the Employee completing Driver Services’ Request for Motor Vehicle Report (DDC-18).
 - 6.2.1. The Facility Operations Manager must check Authorized Drivers’ MVRs annually.
 - 6.2.2. Failure to consent to the MVR check will make an Employee ineligible to become or remain an Authorized Driver.
- 6.3 A change to an Authorized Driver’s status, such as receiving a traffic ticket or warning or losing the ability to hold a driver’s license must be reported immediately to the Authorized Driver’s immediate supervisor. The Facility Operations Manager will review the changes and decide whether the Employee’s status as an Authorized Driver should be revoked.
 - 6.3.1 The Facility Operations Manager will notify the relevant department head and the driver of the decision in writing.
 - 6.3.2 If the decision is made to revoke, documentation will be placed in the revoked Authorized Driver’s file as well as the individual personnel file in Human Resources after and the City Manager will be notified of the final decision.
- 6.4 Authorized Drivers are subject to random drug testing.

6.4.1 Costs associated with drug testing will be the responsibility of the Human Resources department.

6.4.2 A failed drug test will immediately terminate an Employee's status as an Authorized Driver. A failed drug test cannot be appealed without a documented medical reason for a re-test.

6.4.3 An Employee who has failed a drug test or receives inconclusive results may be subject to disciplinary action, up to and including termination of employment.

6.5 Use of Reservation System

6.6 The City has adopted the use of Agile Fleet Management for the purposes of maintaining vehicle inventory, regulating maintenance and ensuring safety for all users. An Authorized Driver who is required to use a City Vehicle on a daily basis may reserve the same vehicle for their use up to one month in advance. Keys must still be returned daily.

6.7 Fleet Management Data Collection

6.7.1 The Authorized Driver acknowledges with the signing of this Policy that they are aware City of Stonecrest vehicles are equipped with GPS systems.

6.7.2 The Fleet GPS and vehicle computers are tied into the City's Fleet Management System and vehicle use, location, mileage, fuel consumption and other data is collected instantly while city vehicles are in use.

6.7.3 Information is collected for the proper tracking and recording of city vehicles to ensure proper maintenance and care of city property.

6.7.4 The City does not monitor vehicle use, however, the Fleet Management System is equipped with the ability to send alerts for excessive speeding, constant hard braking and long idle times, as well as vehicle use that occurs when a vehicle has not been properly checked out.

6.7.5 These reports will be reviewed on a regular basis by the Facility Operations Manager and any excessive alerts will be sent to the Authorized User's Department Head and City Manager. Excessive speeding, hard braking, idling or use without a reservation may result in the loss of Authorized Driver status and/or employee disciplinary action.

7.0 **Authorized Use of Stonecrest Vehicles**

7.1 Use of Stonecrest Vehicles to Authorized Drivers is to be used to perform official City business only.

7.2 Authorized Drivers must observe all traffic laws and proper driving etiquette.

- 7.3 Authorized Drivers may travel to eateries for lunch meetings in the role of performing City business, and Authorized Drivers may purchase food for meals, including using a drive-thru, while in the course of performing City business. However, food may not be eaten while driving a City vehicle, food must be taken back to the office or other locations for consumption.
- 7.4 Authorized uses of Stonecrest Vehicles include:
- 7.4.1 Travel between the place from where the Stonecrest Vehicle is dispatched and the place where the official City business is performed;
 - 7.4.2 Each person riding in a City Vehicle must be participating in official City business;
 - 7.4.3 Transport of materials, supplies, parcels, luggage and other items belonging to or serving the interests of the City; and
 - 7.4.4 Transport of any person or item in the event of a declared emergency.
- 7.5 In addition to the uses listed in Section 7.3, authorized uses of Stonecrest Vehicles when in official travel status include:
- 7.5.1 Travel between the place of City business and/or the place of temporary lodging; and
 - 7.5.2 Any of the following when on official travel status and the distance is not reasonable for walking:
 - 7.5.2.1 Dining establishments.
 - 7.5.2.2 Places to obtain medical assistance, including drug stores.
 - 7.5.2.3 Dry cleaners and laundromats.
 - 7.5.2.4 Similar places required to sustain the health, welfare or efficient performance of the Authorized Driver, excluding places of entertainment.
- 7.6 The City Manager or designee will approve all authorized drivers for take home vehicle use. This section establishes requirements for authorizing employees to take city-owned vehicles home to travel between their home and work site(s) with the intent to limit the number of take-home vehicle assignments. A Stonecrest vehicle may be driven to an Authorized Driver's home after work hours under the following circumstances:

- 7.6.1 The Authorized Driver must be on approved travel status with prior take-home vehicle approval from the City Manager or designee.
- 7.6.2 The Authorized Driver travels to different work sites as a part of routine duties.
- 7.6.3 The Authorized Driver will suffer great inconvenience by having to pick up or drop a vehicle off at his or her office at the beginning or end of a workday during which the Authorized Driver has used the vehicle in an authorized manner.
- 7.6.4 The authorized driver who is responsible for responding to emergency situations to protect life and property.

8.0 Service Animals

8.1 In accordance with the provisions with the Americans with Disabilities Act (ADA), service animals shall be permitted in Stonecrest Vehicles under the following conditions:

The Authorized Driver may be asked by the Facility Operations Manager to answer the following questions to determine if the animal is a service animal: (a) is the service animal required because of a disability? and (b) what work or task has the service animal been trained to perform?

- 8.1.1 The service animal must be kept in a secure crate or transport container while the Stonecrest Vehicle is in motion.

9.0 Unauthorized Use of Vehicles

- 9.1 Unauthorized use or misuse of a Stonecrest Vehicle includes, but is not limited to the following:
 - 9.1.1 Use by unauthorized personnel;
 - 9.1.2 Driving violations committed by the Authorized Driver;
 - 9.1.3 Any personal use by the Authorized Driver;
 - 9.1.4 Use of a wireless device, other than a hands-free device, while operating a Stonecrest Vehicle;
 - 9.1.5 Smoking or use of any form of tobacco in or within twenty (20) feet of a Stonecrest Vehicle;
 - 9.1.6 Use of alcohol or any illicit substance use in a Stonecrest Vehicle or while operating a Stonecrest Vehicle;
 - 9.1.7 Travel to attend a sporting or entertainment event, including hunting and fishing, that is not in the service of the City;

- 9.1.8 Off-road use that is not in the service of the City;
- 9.1.9 Travel and tasks that are beyond a vehicle's rated capacity and/or hauling more persons than the vehicle capacity allows;
- 9.1.10 Towing vehicles or trailers, unless a vehicle is designed and designated for that specific purpose;
- 9.1.11 Travel to engage in soliciting votes; and
- 9.1.12 Unauthorized extension of the period that a Stonecrest Vehicle is in the Authorized Driver's possession.
- 9.1.13 Transport of:
 - 9.1.13.1 Anyone to restaurants, cafes, drug stores or other places when not in the service of the City or another authorized use;
 - 9.1.13.2 Relatives, friends, associates and other persons who are not Employees of the City if transport is not serving the interest of the City;
 - 9.1.13.3 Hitchhikers
 - 9.1.13.4 Cargo that is unrelated to official City business;
 - 9.1.13.5 Any item or equipment projecting from the side, front or rear of a vehicle in a way that obstructs safe driving or creates a hazard to pedestrians or other vehicles;
 - 9.1.13.6 Political campaign literature or matter or any person or persons soliciting votes in any election; and
 - 9.1.13.7 Acids, explosives, weapons, ammunition and highly flammable material, except by the Operations team performing specific duties for the City, or specific authorization from the City Manager or their designee or in a declared emergency.

- 9.2 When in doubt about whether a specific use is authorized, the decision of the Authorized Driver must be based on whether the use would serve the interest of the City (rather than the driver or others) and would be defensible in the event of questions from the public, a higher government authority or an auditor.

10.0 Fuel Cards.

- 10.1 Each vehicle is assigned a fuel card that must always remain in the console or glovebox. Each Authorized Driver selects their own personal identification number (PIN). An Authorized Driver can only use his or her assigned PIN.

Sharing a Fuel Card PIN Is strictly prohibited.

- 10.2 Except in described in Section 9.4 below, the fuel card must be used only at fuel stations where it is accepted. If a service station refuses to honor the card, the Authorized Driver must make reasonable efforts to locate a fuel station that will honor it.
- 10.3 When refueling a City vehicle with a fuel card, the Authorized Driver must follow the proper procedures, which include entering the assigned Fuel Card PIN and the vehicle's current odometer reading.
- 10.4 The City does not reimburse for cash or personal credit card purchases of fuel for City vehicles. However, if a driver cannot access a fuel station that honors the fuel card, the City Manager or their designee has the authority to approve reimbursement.
- 10.5 Fuel cards may be used to purchase gas for City purposes for use in City owned mowers, tractors, generators or fuel cans. When this is done, the user must enter a personal PIN, and designate gas cans with a number five (5), and other City equipment with a number ten (10), in place of the milage.
- 10.6 If the Authorized Driver loses the fuel card or finds that the fuel card is missing from the vehicle, they must immediately notify the Facility Operations Manager.
- 10.7 Fuel cards cannot be used to purchase:
 - 10.7.1 Fuel for non-City vehicles; and
 - 10.7.2 Food, candy, beverages or similar items; Fuel card use violations will subject the offending Authorized Driver to disciplinary action, up to and including termination of employment or prosecution.

11.0 Vehicle Cleanliness

- 11.1 Eating food in Stonecrest Vehicles is prohibited, however, drinking bottled water is allowed;
- 11.2 Stonecrest Vehicles must be kept clean at all times;
- 11.3 Authorized Drivers must remove litter from Stonecrest Vehicles after each use;
- 11.4 Authorized Drivers are responsible for ensuring the assigned Stonecrest Vehicle is washed and the interior cleaned by using an authorized car wash vendor (the interior is the responsibility of the Authorized Driver of record);
 - 11.4.1 Authorized Drivers must identify themselves as City of Stonecrest Employees.
- 11.5 If an Authorized Driver repeatedly returns Stonecrest Vehicles that are not

clean, the Authorized Driver may lose the right to use a Stonecrest Vehicle.

12.0 Driver Safety

12.1 Authorized Drivers and passengers must properly use all available safety devices, including safety belts, and follow all of the vehicle manufacturer's safety guidelines.

12.2 Authorized Drivers must always:

Begin each day by filling out the Daily Vehicle Checklist before driving. A notebook will be maintained in every vehicle with a daily checklist that must be completed and signed prior to each use;

12.2.1 Turn off and lock Stonecrest Vehicles when left unattended;

12.2.2 Park Stonecrest Vehicles in well-lit areas at night or in populated areas during the day;

12.2.3 Remove from view, valuables that are inside the Stonecrest Vehicle when it is left unattended; and

12.3 Check for items left in Stonecrest Vehicles before returning them to City Hall, or to the Facility Operations Manager. Authorized Drivers must always report acts of vandalism or theft to:

12.3.1 Local law enforcement;

12.3.2 The insurance company by immediately calling the number on the insurance card in the Stonecrest Vehicle;

12.3.3 The Authorized Driver must submit within 24 hours the following documents:

12.3.3.1 City of Stonecrest Liability Incident Report Form; and

12.3.3.2 City of Stonecrest Incident Report form.

12.4 Authorized Drivers should not leave a disabled Stonecrest Vehicle unattended along the roadway. Should a vehicle become disabled, the driver must take appropriate safety precautions to avoid injury and damage to the Stonecrest Vehicle. The Authorized Driver should also follow the posted instructions in the glovebox that give them the phone number and process to contact Roadside Assistance to have the vehicle towed.

13.0 Insurance

13.1 Stonecrest Vehicles are insured in accordance with state law;

13.2 An insurance card must remain in the Stonecrest Vehicle at all times;

- 13.3 Vehicle insurance coverage is in effect only when the Authorized Driver is operating the Stonecrest Vehicle for official City business;
- 13.4 Only Employees injured while engaged in official City business or an authorized use are covered by the City's Workers' Compensation program;
- 13.5 Liability insurance is in effect only when the Authorized Driver operates a Stonecrest Vehicle for official City business. It covers physical damage to the vehicles of and the personal injury to parties who are involved in an accident.

14.0 Accidents, Damages and Losses

- 14.1 If a Stonecrest Vehicle sustains damage and/or the Authorized Driver is involved in an accident, the driver must follow the following procedures (forms are kept in the vehicle glovebox and are available in the Fleet Manager Program):
 - 14.1.1 Contact local law enforcement;
 - 14.1.2 Follow the instructions on the insurance card in the vehicle. Notify the Facility Operations Manager and submit, within twenty-four (24) hours, the following documentation:
 - 14.1.2.1 Driver Notification Form
 - 14.1.2.2 Liability Incident Report Form
 - 14.1.2.3 Incident Report Form
 - 14.1.3 Notify their Department Director
- 14.2 The Department Director and/or Facility Operations Manager will:
 - 14.2.1 Complete the Supervisor's Accident Follow-Up Form and include the City Manager within two (2) business days of learning of an accident. The supervisor should also send a copy of this form to Human Resources for inclusion in the driver's personnel file;
 - 14.2.2 Send the driver to the nearest testing center for an immediate drug test.

Failure to report any accident-causing damage to a City Vehicle and obtaining a Police Report will result in disciplinary action including, but not limited to, suspension of driving privileges, probation, suspension from your job or termination.

15.0 Attachments

- CITY OF STONECREST's Incident Reporting form
- CITY OF STONECREST's Driver Acknowledgement form
- CITY OF STONECREST's Driver Notification form

- CITY OF STONECREST's Liability Incident Report form
- CITY OF STONECREST's Supervisor's Accident Follow-Up form
- CITY OF STONECREST's Daily Checklist
- "QUEST" drug testing form (C/O City of Stonecrest)?
- CITY OF STONECREST's Emergency Procedures Checklist
- Georgia Department of Driver Services' Request for Motor Vehicle Report (DDS-18)

16.0 Revision History

| Date | Rev. No. | Change | Reference(s) |
|-------------|-----------------|--------------------------|---------------------|
| 12/20/2021 | 1.0 | Initial Version | N/A |
| 01/04/22 | 2.0 | 1 st Revision | |
| 03/11/2025 | | Update | |

Approved and Effective this _____ day of the month of _____, 2025 by:

Gia Scruggs, M.B.A., CPM City Manager



Fleet Policy Amendment Recommendations

| <u>Staff Recommendations</u> | <u>Proposed Amendment Section</u> | <u>Current Language</u> | <u>Proposed Language</u> |
|---|-----------------------------------|-------------------------------|---|
| Change the language to reflect appropriate responsible party | Various sections | Parks and Rec Dept. | Facility Operations Manager |
| Change the language to reflect appropriate responsible party | Various sections | Facility Coordinator | Facility Operations Manager |
| Policy needed to reflect to exclude temporary employees as Authorized Drivers | 2.0 | Revised | This Policy does not apply to temporary employees |
| Define who is an Authorized Driver for the City | 3.1 | Revised | Authorized Driver means an elected official or an Employee, who has been vetted by the City Manager. |
| The department for the Facility Operations Manager is defined | 3.5 | Revised | The Facility Operations Manager is housed within the Parks & Recreation Department and the Department Director may designate additional Parks & Recreation personnel to assist with Fleet Management. |
| Define how an Employee becomes an Authorized Driver | 6.1 | Revised | Prior to operating a City Vehicle, an Authorized Driver must complete and submit to the Facility Operations Manager and Human Resources a City of Stonecrest Driver Acknowledgement Form. The Authorized Driver must also complete the fleet vehicle training. Completion indicates the individual is an Authorized Driver. |
| Policy needed to include state name in the valid drivers license statement as well as set an age limit. | 6.1.1 | Valid Drivers license | Possesses a valid Georgia drivers license and be at least 18 years of age. |
| Make sure Authorized Driver is aware of expectations. | 6.1.2 | Statement added | Agree to Authorized driver expectations, and responsibilities as discussed in the vehicle training. |
| Define who is allowed ride in a City Vehicle | 7.4.2 | Revised | Each person riding in a City Vehicle must be participating in official City business; |
| Recommending that the City Manager has the authority to approve all take home vehicle request. | 7.6 | Revised section of the policy | The City Manager or designee will approve all authorized drivers for take home vehicle use. This section establishes requirements for authorizing employees to take city-owned vehicles home to travel between their home and work site(s) with the intent to limit the number of take-home vehicle assignments |
| Emergency responders included in the take home policy | 7.6.4 | Added statement | The authorized driver who is responsible for responding to emergency situations to protect life and property. |
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CITY COUNCIL AGENDA ITEM

SUBJECT: Resolution to approve Purchasing Policy Revisions Recommendation

AGENDA SECTION: *(check all that apply)*

- PRESENTATION PUBLIC HEARING CONSENT AGENDA OLD BUSINESS
 NEW BUSINESS OTHER, PLEASE STATE: Click or tap here to enter text.
-

CATEGORY: *(check all that apply)*

- ORDINANCE RESOLUTION CONTRACT POLICY STATUS REPORT
 OTHER, PLEASE STATE: Click or tap here to enter text.
-

ACTION REQUESTED: DECISION DISCUSSION, REVIEW, or UPDATE ONLY

Previously Heard Date(s): 03/10/25 & Click or tap to enter a date.

Current Work Session: Click or tap to enter a date.

Current Council Meeting: Monday, March 24, 2025

SUBMITTED BY: Tanisha Boynton, Procurement Manager

PRESENTER: Tanisha Boynton, Procurement Manager

PURPOSE: Discuss updates to Purchasing Policy

FACTS: In an effort to standardize purchasing and procurement processes and procedures, revisions to the current Purchasing Policy is needed. The intent is to ensure compliance with the State Purchasing Act (Official Code of Georgia Annotated in O.C.G.A. Section 50-5-50 et seq, Georgia Statutes, City Charter, State of Georgia Commission of Ethics, Georgia Office of Inspector General (GOIG), National Institute of Government Purchasing (NIGP), the Institute for Supply Management (ISM), and applicable additional requirements when utilizing SPLOST, ARPA, and Federal Grant funds.

OPTIONS: Approve, Deny, Defer Click or tap here to enter text.

RECOMMENDED ACTION: Approve Click or tap here to enter text.

ATTACHMENTS:

(1) Attachment 1 - Resolution



CITY COUNCIL AGENDA ITEM

- (2) Attachment 2 - Purchasing Policy and Procurement Processes and Procedures Resolution
- (3) Attachment 3 - [Click or tap here to enter text.](#)
- (4) Attachment 4 - [Click or tap here to enter text.](#)
- (5) Attachment 5 - [Click or tap here to enter text.](#)

STATE OF GEORGIA
COUNTY OF DEKALB
CITY OF STONECREST

1 **A RESOLUTION BY THE MAYOR AND COUNCIL OF THE CITY OF**
2 **STONECREST, GEORGIA TO AMEND THE PURCHASING POLICY BY**
3 **ADOPTING CERTAIN REVISIONS; TO PROVIDE AN EFFECTIVE**
4 **DATE; TO PROVIDE FOR SEVERABILITY; AND FOR OTHER LAWFUL**
5 **PURPOSES.**
6

7 **WHEREAS,** the governing authority of the City of Stonecrest (“City”) is the Mayor and Council
8 thereof; and
9

10 **WHEREAS,** pursuant to the City charter the city council shall have the authority to adopt and
11 provide for the execution of such ordinances, resolutions, policies, rules, and
12 regulations, not inconsistent with this Charter and the Constitution and the laws of
13 the State of Georgia, which it shall deem necessary, expedient, or helpful for the
14 peace, good order, protection of life and property, health, welfare, sanitation,
15 comfort, convenience, prosperity, or well-being of the inhabitants of the City of
16 Stonecrest and may enforce such ordinances by imposing penalties for violation
17 thereof.; and
18

19 **WHEREAS,** the purpose of the City’s Purchasing Policy is to provide guidance to personnel
20 engaged in the purchasing process throughout the City of Stonecrest; and
21

22 **WHEREAS,** the City desires to amend the Purchasing Policy to adopt certain revisions to the
23 purchasing policy.
24

25 **NOW THEREFORE, BE IT AND IT IS HEREBY RESOLVED BY THE MAYOR AND**
26 **COUNCIL OF THE CITY OF STONECREST, GEORGIA:**
27

28 **BE IT FUTHER RESOLVED,** the City of Stonecrest Purchasing Policy is hereby
29 amended by adopting the provisions set forth in Exhibit A attached hereto and made
30 a part by reference.
31

32 **BE IT FUTHER RESOLVED,** the preamble of this Resolution shall be
33 considered to be and is hereby incorporated by reference as if fully set out herein.

BE IT FURTHER RESOLVED, to the extent any portion of this Resolution is
declared to be invalid, unenforceable, or nonbinding, that shall not affect the
remaining portions of this Resolution.

BE IT FURTHER RESOLVED, all City resolutions are hereby repealed to the
extent they are inconsistent with this Resolution.

BE IT FINALLY RESOLVED, this Resolution shall take effect immediately.

RESOLVED this _____ day of _____, 2025.

**STATE OF GEORGIA
COUNTY OF DEKALB
CITY OF STONECREST**

CITY OF STONECREST, GEORGIA

Jazzmin Cobble, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM BY:

City Attorney

**STATE OF GEORGIA
COUNTY OF DEKALB
CITY OF STONECREST**

Item XII. b.

EXHIBIT A



**PURCHASING POLICY, OF THE
CITY OF STONECREST,
GEORGIA ~~PROCUREMENT
PROCESSES AND PROCEDURES~~**

LAST REVISED: 02.10.25, 03,10,25

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Item XII. b.

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DISCLAIMER OF LIABILITY FOR IMPROPER PURCHASING: THE CITY DISCLAIMS ANY AND ALL RESPONSIBILITY AND LIABILITY FOR ANY PURCHASE, EXPENDITURE, PROMISE OR AGREEMENT FOR EXPENDITURE ARISING FROM ANY PROCUREMENT MADE IN ITS NAME OR IN THE NAME OF ANY AGENCY, AUTHORITY, COMMISSION, OR OTHER GOVERNMENTAL BODY UNDER ITS AUTHORITY, BY AN UNAUTHORIZED PERSON OR ANY PERSON ACTING IN VIOLATION OF THIS PURCHASING POLICY OR OUTSIDE OF THE AUTHORIZATION OR DELEGATION AS PROVIDED BY THIS POLICY. THE EXPENSE OF ANY SUCH TRANSACTION SHALL BECOME THE PERSONAL LIABILITY OF THE INDIVIDUAL AT FAULT UNLESS OTHERWISE RATIFIED OR EXEMPTED BY MAYOR AND COUNCIL.

SECTION I – GENERAL PROVISIONS

(1) PURPOSE AND OBJECTIVE

The purpose of this policy is to **provide guidance to personnel engaged in the purchasing process throughout the City of Stonecrest. Officially publish the administrative rules governing the City's purchasing and procurement activities for acquisition and contracting of Goods, Services, Professional Services, Real Estate, and Capital Assets. This policy is to ensure compliance with the State Purchasing Act (Official Code of Georgia Annotated in (O.C.G.A.) Section 50-5-50 et seq.), Georgia Statutes, City Charter, City Procurement Code (Reference Purchasing Policy, Procurement Processes and Procedures), State of Georgia Commission of Ethics, and Georgia Office of Inspector General (GOIG), and National Institute of Government Purchasing (NIGP) and the Institute for Supply Management (ISM) and applicable additional requirements when utilizing SPLOST, ARPA, Federal Grant Funds.**

Additionally, this policy provides clarification on the duties, responsibility and authority of City Council, City Manager, Procurement Official and City staff participating in purchasing and procurement activities on the behalf of the City. This policy defines the Procurement Departments functions and outlines processes and procedure providing internal oversight, controls, and mechanisms needed to allow the City to meet the following goals:

- A. Ensure that tax dollars are spent in the most **transparent**, economical **and efficient manner**;
- B. Maintain at all times and under all conditions a continuous supply of Goods and Services necessary for the operation of the City;
- C. Encourage and promote fair and equal opportunity for all persons doing, or seeking to do, business with the City;
- D. Safeguard the quality and integrity of the City's procurement process;
- E. Ensure compliance with **state, local, and federal** laws and regulations pertaining to procurement;
- F. Manage procurement and inventories of purchased Goods to meet the use requirements of City departments at the most advantageous cost to the City;
- G. Administer procurement contracts and contract amendments;
- H. Properly dispose of all material and equipment declared to be surplus or **obsolete; and**
- I. **Maintain proper record keeping of all purchasing and procurement activities.**

In addition, this policy is to set a standard of environmentally preferable procurement and demonstrate the City's commitment to environmental, economic, and social stewardship. The City has a unique opportunity to further expand its leadership in the area of environmentally preferable purchasing, and through its actions, elicit changes in the marketplace. By further incorporating environmental considerations into public purchasing, the City will positively impact human health

and the environment, remove unnecessary hazards from its operations, reduce costs and liabilities, and improve the environmental quality of the region. This policy will guide the City's efforts in procuring environmentally preferable Goods and Services.

The philosophy behind this policy is one of separating the need for Goods and Services from the function of negotiation and executing the necessary contractual purchase agreement.

(2) SCOPE OF POLICY

This policy and the award of bid provisions herein are solely for the fiscal responsibility and benefit of the City of Stonecrest, and confer no rights, duties or entitlements to any vendor, bidder or proposer.

The scope of this purchasing policy covers the procurement of most Goods and Services for non-construction purposes without regard to the past method by which the material or service has been or is customarily procured. The policy covers all contractual and purchase agreements between the City and another Person. The procurement function includes the initial agreement/purchase, changes and/or re-negotiations. This policy establishes the specific responsibility and authority of the procurement of materials and services.

As part of the audit process, the internal controls and accounting processes outsourced to municipal services Vendors will be evaluated and a measure of assurance given as a requirement of completion of the City's annual audit. The staff of outsourced municipal services Vendors assigned to work at City offices and perform purchasing activities on behalf of the City is not exempt from the City's adopted Purchasing Policy. Furthermore, unless due to the lack of competitive options, the City will not typically procure Goods and Services from outsourced municipal services Vendors not expressly stated in their contract to provide municipal services or which do not have a direct impact on the Vendor's ability to provide those contracted services.

The provisions of this policy do not apply to procurements for the following:

- A. Public works construction contracts to the extent governed by O.C.G.A. §36-91-1 *et seq.*;
- B. Services and construction whose procurement falls under a conflicting federal or Georgia statute;
- C. Works of art for public places, or other creative/artistic endeavors that require a particular and demonstrated skill or talent to include, but not limited to, artists, musicians, and writers;
- D. Antiques and other unique assets of historical value, including restoration of these items;
- E. Real Property, including but not limited to transactions governed by O.C.G.A. § 36-37-1 *et seq.*, real estate brokerage and appraising, abstract of titles for real property, title insurance for real property, and other related costs of disposition and/or acquisition of real property, except as provided in Section VII(F) (Real Estate Acquisitions);
- F. Employee Benefits and health related services procured through a quotation and negotiating process conducted by an expert in the field, or to maintain continuity of

- employee-health records;
- G. Travel, entertainment, conferences, training, speakers, instructors, facilitators, and meeting expenses, or other expenditures covered by another City policy;
- H. Dues, memberships, and board member fees;
- I. Insurance procured through a negotiating process;
- J. Legal services, litigation, experts and materials, and related legal expenses;
- K. Items or services procured for resale or to generate a revenue;
- L. Advertisements including, but not limited to, bid/proposal solicitations and legal advertisements required by law or by City policy;
- M. Financial Instruments: Professional services and instruments/products related to the City's financial well-being, including but not limited to the following areas: marketing of bonds and other forms of debt or debt management, investments, banking, assets, and pension assets;
- N. Subscriptions and dues established during the budget process;
- O. Utilities;
- P. Seized Property included in a court order authorizing disposal;
- Q. Grant awards or agreements that require certain firms or individuals to perform the work;
- R. Contracts involving federal funding whose procurement falls under a conflicting federal or Georgia statute or regulation, except as provided in Section VIII.

(3) DEFINITIONS

When used in this policy, the following words, terms and phrases, and their derivations, shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning:

- A. **ADDENDUM** means a change, clarification or correction in the Solicitation Documents, prior to the award of a Contract.
- B. **AMENDMENT** means an agreed upon change order, addition to, deletion from, correction or modification of a Contract including a Contract Extension or a Contract Renewal.
- C. **BID / PROPOSAL BOND** means a form of bid security executed by the Bidder (or Proposer) as principal and by a Surety, to guarantee that the Bidder (or Proposer) will enter into a Contract within the time specified in the Invitation for Bid or Request for proposals, and will furnish the necessary bonds and insurance, and meet any other requirements of those documents.

- D. **BIDDER** means a person or entity submitting a bid or quote to the City for the supply of Goods or Services.
- E. **CAPITAL ASSET** is an item of personal property having a normal life expectancy of three years or more other than components.
- F. **CITY** means the City of Stonecrest and, as the context warrants, those persons or bodies authorized to act on its behalf, including, but not limited to, the City Council, committees, boards and staff.
- G. **CITY ETHICS POLICY** shall mean Article X, Ethics, of Chapter 2, Administration, of the Code of the City of Stonecrest, Georgia.
- H. **CITY FINANCE DIRECTOR/FINANCE DIRECTOR** means the City Accountant as described in the City Charter, his agent, or the department head of the City Finance Department, if such a department is in existence.
- I. **COMPETITIVE AWARD** means a procurement based upon the outcome of one of the competitive processes set forth in this Policy, where award is made based on the lowest quotation or Bid submitted by a responsible and responsive Bidder or to the most qualified or advantageous Proposer based on the qualitative and/or quantitative factors identified for the procurement. A Competitive Award can be made even if only a single bid or proposal has been received from a Bidder or Proposer who is determined to be responsible and responsive.
- J. **CONSTRUCTION** means the process of building, altering, improving or demolishing any public structure or building, or other public improvements of any kind to any public real property including the provision of materials therefor. The term “Construction” does not include the routine operation, repair and/or maintenance of existing structures, buildings or real property.
- K. **CONSTRUCTION SERVICES** means services rendered by an independent and licensed contractor having expertise in Construction.
- L. **CONTRACT** means all types of City agreements for the purchase or disposal of Goods, Real Estate or Capital Assets, and the procurement of Services, Professional Services or Construction Services regardless of what they may be called, including contracts for a fixed price, cost plus a fixed fee, incentive contracts, and contracts providing for the issuance of job or task orders, leases, letter contracts and purchase orders. Contracts also include Amendments, modifications and supplemental agreements with respect to any of the foregoing. Every Contract must be duly authorized and approved prior to execution.
- M. **CONTRACT EXTENSION** means an Amendment to a Contract that includes an increase in the term of a Contract, for which no options to renew the Contract beyond the current expiration date exist.

- N. **CONTRACT RENEWAL** means an exercise of an approved, existing option to increase the term of a Contract. Options to renew a Contract are often done in annual increments.
- O. **COOPERATIVE PURCHASE** means a group of public entity purchasers organized for the purpose of creating contracts or pricing agreements in order to take advantage of group or quantity buying discounts or special pricing from which members of the group can benefit.
- P. **EMPLOYEE** means an individual drawing a salary or wage from the City whether on a full-time or part-time basis. The term shall encompass all members of the City Council without regard to whether or not such individuals are compensated. For purposes of this Purchasing Policy the term “employee” shall include, any Vendor or any employee of such Vendor who has entered into a Contract with the City to provide administrative and department services contemplated in Section 2.12 of the Charter of the City.
- Q. **EMERGENCY** means a situation that occurs suddenly and unexpectedly and demands immediate action to prevent delays which may vitally affect the health, safety or welfare of the public or City Employees and affects the continuation of services to the citizens, and/or serious loss or injury to the City. Emergency shall also mean a condition, malfunction, or occurrence in which the immediate procurement of an item (i.e. Good, Services, or Professional Service) is essential to comply with regulatory requirements.
- R. **EMERGENCY PROCUREMENT means any procurement of Goods, Capital Assets, Services or Professional Services in the context of an Emergency.**
- S. **END USER means the Department/Division that uses the goods, services, or work after purchasing or receiving it and directly benefits from its use. End Users have the authority and responsibility for determining the need for an item or service, its related specifications, and need date. The End User is responsible for funding the need and advising Purchasing of the approved funding and the specific budget account number. The End User is responsible for authorizing the purchases of all materials, services, repairs, leases and rentals in which the negotiated price exceeds the approved funding.**
- T. **ENVIRONMENTALLY PREFERABLE GOODS AND SERVICES** means Goods and Services that have a lesser or reduced negative effect on human health and the environment when compared with competitive Goods and Services that serve the same purpose.
- U. **GEORGIA PROCUREMENT REGISTRY** means the state’s central bid registry established by the Department of Administrative Services, which provides a public listing of solicitations posted by state entities and local governments.
- V. **GIFTS or FAVORS** means anything of any service or value. Value shall as defined in any City of Stonecrest ethics policy.
- W. **GOODS or COMMODITIES** means supplies, apparatus, materials, equipment and other forms of tangible personal property used by a City department in the accomplishment of

its responsibilities other than Capital Assets.

- X. GOVERNING AUTHORITY means the Mayor and City Council of the City of Stonecrest or its designee(s).
- Y. INFORMAL WRITTEN QUOTES (IWQ) means all documents utilized for soliciting quotations for Goods, Services, or Professional Services, in which award is made based on the lowest responsive and responsible quotation and in which the type or cost of the procurement does not require a more formal Bid or proposal process.
- Z. INVITATION TO BID (ITB) means **a method used solicit competitive sealed bid responses based on price.. A contract/PO can be issued to the lowest responsive and responsible bidder. This method requires a well-defined scope of work/services, bid line items and additional relevant information is needed to ensure bidders have sufficient information to submit a final bid cost proposal in response to the solicitation.**
- AA. LATE BID/PROPOSAL means a Bid or proposal received after the time or date such bid or proposal was due, as stated in the Solicitation Documents.
- BB. LIFE CYCLE COST ASSESSMENT means the comprehensive accounting of the total cost of ownership, including initial costs, energy and operational costs, longevity and efficacy of service and disposal costs.
- CC. MULTIPLE AWARD CONTRACT means a Contract based upon one solicitation awarded to two or more Vendors to supply Goods or Services.
- DD. NEGOTIATED AWARD means a procurement made as the result of negotiations between the City and a Supplier, such as a Sole Source Procurement or Single Source Procurement or another instance, including competitive Invitation to Negotiate, where a Contract award based on direct negotiations with a Supplier of Goods or Services is appropriate.
- EE. OFFICIAL means any City elected or appointed person who holds office or any person appointed by the mayor and council of the City to serve on (1) the planning commission of the City, (2) any board or commission of the City having quasi-judicial authority; and, (3) any authority created by the City, either individually or jointly with other local governments pursuant to Georgia law.
- FF. ORDINANCE means related Administration Ordinance in Chapter 2 of the City's Municipal Code.
- GG. PAYMENT TERMS means the established due date for payments by the City to pay an invoice. Absent any agreement otherwise stated, the City's payment term will be Net 30.
- HH. PERFORMANCE BOND means a bond provided by a contractor/supplier in which a surety guarantees to the City that the Goods or Capital Assets are delivered or the Services or Construction Services are performed in accordance with the Contract documents. A letter of credit issued by a financial institution that meets the City's requirements may, at

the reasonable discretion of the City, be substituted for the performance bond.

- II. PERSON means any business, entity, company, firm, individual, union, committee, club or other organization or group of individuals.
- JJ. **PIGGYBACK PURCHASE means using an existing contract to acquire the same commodities or services at the same or lower price from another public entity contract. Suppliers must offer the City the same prices, terms and conditions as that of the issuing entity.**
- KK. PRACTICAL means satisfactory and within reason when considering price, performance, availability, compatibility with specified operation, and public safety.
- MM. PRE-QUALIFICATION means the part of a competitive procurement process in which the City determines, based on standards developed for a specified product or service, which interested Vendors meet those standards and are eligible for further consideration in the purchasing process.
- NN. **PROCUREMENT means the process of acquiring products, goods, and services by balancing and negotiating prices, resources, and time for business purposes. It involves strategic selection and purchasing to ensure the organization has the necessary resources to operate competitively and effectively. Procurement represents more strategic and less purely transactional process. Procurement involves strategic selection and purchasing of materials by finding the right suppliers, negotiating contracts, and assisting with managing relationships with stakeholders, Vendors and the community.**
- OO. **PROCUREMENT OFFICIAL means the principal purchasing official directing, monitoring and overseeing purchasing and procurement activities of the City (Section III – Procurement Official). This person is appointed by the City Manager. The Procurement Official is authorized to purchase a range of Goods, Capital Assets, Real Estate, Services, Construction Services, or Professional Services on a routine basis.**
- PP. PROFESSIONAL SERVICES means services rendered by an independent contracting individual or firm having expertise in a particular industry or subject matter due to specialized education, training, licensure or skill, and consisting primarily of advice reports, conclusions, recommendations or other outputs resulting from the time and effort of the service provider, as opposed to the acquisition of specific commodities, or of services not requiring any specialized education, licensing, training or skill (e.g. janitorial services). Professional Services include, but are not limited to, evaluations, consultations, management systems, management consulting, compiling statistical data, support of planning and operating activities, appraisal services, and research and development studies or reports.
- QQ. PROPOSER means a Person submitting a proposal or qualifications to the City for the supply of Goods, Capital Assets, Real Estate, Construction Services, Services, or Professional

Services.

- RR. PURCHASE ORDER means a document approved and issued by the **Procurement Official** or designee and accepted by the Vendor to obtain Goods, Capital Assets, and Services.
- SS. PURCHASING is the **organized acquisition of goods and services on behalf of the buying entity. Purchasing is also** the process of securing real estate, capital assets, materials, services, repairs, leases and rentals necessary for the operation and support of the City..
- TT. REAL ESTATE means land and any improvements and appurtenances thereto.
- UU. REAL ESTATE ACQUISITION means the acquisition of a fee interest, estate for years or usufruct in Real Estate by purchase or lease.
- VV. REQUEST FOR PROPOSALS (RFP) means all documents utilized for soliciting proposals for Goods, Capital Assets or Services, including those attached or incorporated by reference. These include a scope of work and all contractual terms and conditions applicable to the procurement. This method is used when factors in addition to price are considered for award.
- WW. REQUEST FOR QUALIFICATIONS (RFQ) means all documents utilized for soliciting qualifications for Goods, Services, Capital Assets, Construction Services or Professional Services.
- XX. **REQUESTOR means the employee entering a Purchase Requisition into Tyler or submitting a Purchase Requisition Request Package to the Procurement Department seeking authorization and assistance to procure good and/or services.**
- YY. REQUISITION means an internal document, provided by a department to the **Procurement Official** that contains the fund source, approvals, descriptions, quantities and other information about the Goods, Capital Assets, Real Estate, Services, Construction Services or Professional Services in order to proceed with the procurement. The Requisition becomes valid when properly completed and approved.
- ZZ. RESPONSIBLE BIDDER OR PROPOSER means a Person, who, in the exclusive judgment of the City, (a) has the capability in all respects to fully perform the Contract requirements; and (b) the integrity, experience, qualification, and reliability which assures good faith performance.
- VV. RESPONSIVE BIDDER OR PROPOSER means a Person, who, in the exclusive judgment of the City, has submitted a bid or proposal that conforms in all material respects to the Solicitation Documents.
- WW. SERVICES mean any performance of effort or labor, for which the City has contracted other than Professional Services or Construction Services. Services include, but are not limited to, janitorial, landscaping, and street striping.
- XX. SHORTLISTING means the part of a competitive procurement process in which the City

determines, based on criteria developed for a specified Good, Service, or Professional Service which of the interested Vendors are the best qualified to be eligible for further consideration in the purchasing process.

- YY. SINGLE-SOURCE PROCUREMENT means identifying and using, without first completing a competitive process, one source for Goods, Capital Assets, Real Estate, Services, Professional Services or Construction Services among others in a competitive marketplace, which, for justifiable reasons, is found to be most advantageous for the purpose of fulfilling a given Purchasing need of the City.
- ZZ. SOLE-SOURCE PROCUREMENT means identifying and using, without first completing a competitive process, one source for Goods, Capital Assets, Real Estate, Services, Professional Services or Construction Services when that source is the only one available that can fulfill a given Purchasing need of the City.
- AAA. SOLICITATION DOCUMENTS means an Invitation for Bids, Request for proposals, Request for Qualifications, Request for Quotations, or an Invitation to Negotiate including all of the associated forms and documents of each solicitation, or any other types of documents used by the City to procure Goods, Services, Capital Assets, Real Estate, Construction Services or Professional Services.
- BBB. SPECIFICATION OR SCOPE OF WORK means any description of the physical or functional characteristics, or of the nature of Goods, Services, Capital Assets, Real Estate, Construction Services or Professional Services. Specifications or Scope of Work may include any function and other criteria that will be required to perform the work and a description of any requirement for inspection, testing, or delivery.
- CCC. SUPPLIER, MERCHANT OR VENDOR means a Person currently supplying or in the business of supplying Goods, Services, Capital Assets, Real Estate, Construction Services or Professional Services.
- DDD. SURETY means an organization who, for a consideration, promises in writing to make good the debt or default of another organization. The Surety must be satisfactory to the City and licensed to do business in Georgia.

SECTION II – ETHICS IN PROCUREMENT

Every person, business, or entity involved in the procurement process must adhere to a high standard of ethics. Each will be bound by the City Code of Ethics and this Section II. Whenever this Section II conflicts with the City Code of Ethics, the City Code of Ethics shall control.

A. Employee Conflict of Interest

It shall be unethical for any City Employee or Official to transact any business or participate directly or indirectly in a procurement Contract when the Employee or Official knows that:

1. The Employee or Official or immediate family of such Employee or Official has a substantial interest pertaining to the procurement Contract, except that the purchase of

- Goods and Services from businesses which a member of the City Council or other City Employee has a substantial interest is authorized as per O.C.G.A. § 36-1-14, or the procurement Contract is awarded pursuant to O.C.G.A. § 45-10-22 and § 45-10-24, or the transaction is excepted from said restrictions by O.C.G.A. § 45-10-25, interpreting such statutes as if they were applicable to a municipality.
2. Any other person, business or organization with whom the Employee, Official or immediate family of such Employee or Official is negotiating or has an arrangement concerning prospective employment is involved in the procurement Contract.
 3. An Employee, Official or any immediate family of such Employee or Official who holds a substantial interest in a disclosed blind trust shall not be deemed to have a conflict of interest with regard to matters pertaining to that substantial interest. *See Appendix C for Sample City Employee/Official Conflict of Interest Disclosure*
 4. All Employees and Officials will be asked to sign a disclosure document indicating his or her compliance with the City Ethics Policy.
 5. The terms “immediate family” and “substantial interest” shall have the meaning given to such terms in the City Code of Ethics.

B. Gratuities, Rebates or Kickbacks

1. *Gratuities and other benefits.* It shall be unethical for any Employee or Official to directly or indirectly solicit, demand, receive, accept, or agree to receive any gratuity, reward, offer of employment, services, or thing of value from any person, business, or entity in connection with any award, decision, approval, disapproval, recommendation or preparation of any part of a program requirement or a purchase request, influencing the content of any specification or procurement standard, rendering of advice, investigation, auditing or in any other advisory capacity in any proceeding or application, request for ruling, determination, claim or controversy, or other particular matter, pertaining to any program requirement or a Contract or subcontract, or to any solicitation or proposal.

It shall further be unethical for any person, business, or entity to offer, give, or agree to give or offer to give any Employee or Official any gratuity, reward, offer of employment, services, or thing of value with the purpose of influencing any award, decision, approval, disapproval, recommendation or preparation of any part of a program requirement or a purchase request, influencing the content of any specification or procurement standard, rendering of advice, investigation, auditing or in any other advisory capacity in any proceeding or application, request for ruling, determination, claim or controversy, or other particular matter, pertaining to any program requirement or a Contract or subcontract, or to any solicitation or proposal.

i. A “thing of value” shall not include:

- a. Any gift with a value less than \$100.00;
- b. Food or beverage consumed at a single meal or event;
- c. An award, plaque, certificate, memento, or similar item given in recognition of the recipient's civic, charitable, political, professional, or public service;

- d. Promotional items generally distributed to the general public or to public officers;
 - e. Rebates normally or routinely offered to customers in the ordinary course of business of such person, business or entity for the purchase of their Goods and Services are acceptable and are the property of the City; and
 - f. Educational events, materials, and meals as described in subparagraph (ii).
- ii. *Educational Events.* Nothing in this section shall preclude an Employee or Official of the City from attending seminars, courses, lectures, briefings, or similar functions at any person, business, or entity's facility or at any other place if any such seminar, course, lecture, briefing, or similar function is for the purpose of furnishing the Official, Employee, or Agent with knowledge and information relative to the person, business, or entity's products or services and is one which the City Manager determines would be of benefit to the City. In connection with any such seminar, course, lecture, briefing, or similar function, nothing shall preclude the Employee or Official from receiving meals or educational materials and business related items of not more than nominal value from a person, business, or entity. However, no Employee or Official shall accept or receive free travel or lodging for less than the value thereof from a person, business, or entity.
2. *Kickbacks and Rebates.* It shall be unethical for any payment, gratuity, or offer of employment to be made by or on behalf of a subcontractor under a Contract to the prime contractor or higher tier subcontractor, or any person associated therewith, as an inducement for the award of a subcontract or order.
3. *Contract Clause.* The prohibition against gratuities, rebates and kickbacks prescribed in this Section shall be referenced in every Contract and Solicitation.

C. Prohibition Against Contingent Fees

It shall be unethical for any Person to be retained, or to retain a Person, to solicit or secure a Contract upon any agreement or understanding for a contingent fee, except for agreements with manufacturer representatives, or agents, including, but not limited to, commercial services sales agents engaged in the business of soliciting contracts on behalf of Vendors. A "contingent fee" as used in this subsection C, means any commission, percentage, brokerage, or other fee that is contingent upon the success that a Person has in securing a city Contract.

D. Use of Confidential Information

It shall be unethical for any Employee or Official to knowingly disclose or use confidential information for actual or anticipated personal gain, or for the actual or anticipated personal gain of any other person.

E. Unauthorized Purchases

~~No purchases of Goods and Services shall be made in the name of the City or one of its~~
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departments, except such as is required for official use by the City or one of its departments. Purchases in the name of the City or a department for personal use by an individual or for other than official use are prohibited, and no City funds will be expended or advanced therefore.

F. Penalties and Sanctions

1. *Legal or disciplinary action by City Council.* The City Council may take appropriate legal and/or disciplinary actions pursuant to the City Code of Ethics against any Employee, Official or other Person in violation of these ethical standards.
2. *Legal or disciplinary action by City Manager.* The City Manager is authorized to take any appropriate legal and/or disciplinary actions, including dismissal, of any Employee violating this Ethics Policy.
3. *Administrative penalties for Employees.* The City Manager may impose any one or more of the following penalties or sanctions on an Employee for violations of the ethical standards in this Section as appropriate to the situation, subject to the Personnel Manual or other appropriate appeals procedures:
 - a) Oral or written warnings or reprimands.
 - b) Suspensions with or without pay for specified periods of time.
 - c) Termination of employment.
4. *Administrative penalties for outside contractors/Vendors.* The City may impose any one or more of the following penalties or sanctions on a Vendor or other Person or organization for violations of these ethical standards:
 - a) Written warnings or reprimands.
 - b) Termination of Contracts.
 - c) Debarment or suspension.

G. Vendor Contact During Open Solicitations

Persons seeking an award of a City contract may not initiate or continue any verbal or written communications regarding a solicitation with any Official, Employee or other City representative other than the **Procurement Official** named in the solicitation between the date of the issuance of the solicitation and the date of the final contract award. The City Manager or designee will review violations. If determined that such communication has compromised the competitive process, the offer submitted by the individual, firm or business may be disqualified from consideration for award.

H. Evaluator Conflict of Interest

The role of an Evaluation Committee is to objectively evaluate bids/proposals and to identify and recommend the most advantageous bid/proposal. A conflict of interest arises where an Evaluation Committee has some other interest that could materially interfere with their duty to act impartially in the evaluation process.

Evaluation Committee members will be asked to sign a disclosure indicating any conflict of interest before participating in the evaluation. *See* Appendix D for the Sample City Evaluator Conflict of Interest Disclosure. Evaluation Committees may include external specialists and technical experts, if required. Each members' impartiality is equally important as their professional expertise and proficiency throughout the evaluation process. To participate on the Evaluation Committee, each person agrees to declare any conflict of interest, discharge their obligations and responsibilities to the highest standards of integrity, carry out the duties impartially and fairly and refrain from fraud and corruption. They must follow the evaluation rules set out in the bidding documents and the instructions provided to them by the Evaluation Committee Chair.

SECTION III – PROCUREMENT OFFICIAL

The City Council appoints the City Manager, or such other Employee designated by the City Manager, to serve as the **Procurement Official** for the City, until such time an independent third party is appointed and contracted by the City Council to serve as the **Procurement Official** under the direction and control of the City Manager.

A. Duties and Responsibilities

The **Procurement Official** shall faithfully discharge the following duties and powers of said office:

1. Direct efforts to procure Goods, Capital Assets, Real Estate, Services, Construction Services and Professional Services in accordance with the requirements of this Purchasing Policy, **City of Stonecrest Code of Ordinances**, and Georgia law, **local, and federal rules, requirements, regulations when applicable.**
2. Arrange and negotiate the purchase or Contract for all equipment, supplies and contractual services for the City or any using agency; arrange and negotiate for the sale or otherwise dispose of all surplus equipment and supplies or real estate of the City or any using agency, in accordance with the requirements of this Purchasing Policy, the Code of the City of Stonecrest and Georgia law.
3. Manage and supervise purchasing staff.
4. **Review and approve requisitions.**
5. **Review and approval solicitation drafts prior to release.**
6. Control and supervise all City storerooms and warehouses.
7. Maintain and adhere to all City purchasing procedures and the Purchasing Policy.
8. Recommend revisions to the Purchasing Policy and related procedures to provide for compliance with laws related to bidding, Contracting and Purchasing as set forth in the State of Georgia Code and Regulations, by examining the applicable laws and

developing procedures for bidding, Contracting and procurement processes. Revisions to this Purchasing Policy shall be subject to the approval of City Council.

9. Plan and implement processes for the ongoing protection of the City's interests.
10. Establish guidelines, within the Purchasing Policy, governing the review and approval of specifications for procurement of Goods, Capital Assets and Services based on recyclability, energy and water conservation, life cycle cost, and other environmental considerations.
11. Maintain an inventory record of all materials, supplies, software, or equipment stored in city storerooms, warehouses, and elsewhere, including monthly reports to the Finance Director that include:
 - a) Titles of all formal solicitations and the method of source selections to be used.
 - b) Contracts authorized by the City Council, the method of source selection used and the total dollar amount.
 - c) Emergency Contracts awarded pursuant to Section 1.03 of the City's Charter.
 - d) Change orders or Contract modifications authorized by the City Council and the dollar amount and reason.
 - e) Amendments or change orders authorized by the **Procurement Official** and the dollar amount and reason.
 - f) Explanation of any changes, and the costs involved, in the scope of services made between the time a Contract is awarded and the time that the Contract is authorized by the City Council.
 - g) Documentation of the types, quantities, and dollar amounts of environmentally preferable Goods (including the percentage of post-consumer and total recovered material content) and Services purchased. The report shall also include dollar amounts of non-environmental or conventional Goods and Services, identify and discuss instances where this policy is waived or its requirements found impracticable, and highlight barriers to the procurement of environmentally preferable Goods and Services, if applicable.
12. Secure all necessary approvals of the City Manager or its designee, and the City Council prior to execution of a Contract or purchase agreement.
13. Determine the most advantageous method of procurement in accordance with the requirements of this Purchasing Policy, the Code of the City of Stonecrest and Georgia law.
14. Ensure that all Contracts are reviewed and approved by the City Attorney pursuant

to Section 3.08 of the City Charter.

15. Ensure Council is notified as soon as reasonably possible of all upcoming and active competitive procurements.
16. **Create agenda items when solicitations, piggyback, cooperative purchases require the approval of City Council.**
17. Whenever possible, utilize City-generated and City Attorney-approved standard goods/services purchasing agreements.
18. Consult with the City Attorney if a contracting party breaches or is reasonably anticipated to breach its Contract with the City.
19. Where in the best interest of the City, require Bid/Proposal Bonds, insurance and other forms of protection for the City on the process of procuring Goods, Capital Assets, Services and Construction Services for the City.
20. Terminate solicitations for bids for any Goods, Capital Assets, Services, Construction Services and Professional Services when, in the opinion of the **Procurement Official**, it is in the City's best interest to do so.
21. Reject any and all bids, when in the opinion of the **Procurement Official** it is in the City's best interest to do so.
22. Advise the Finance Director and City Manager on the status of negotiations, as well as Contract provisions and their impacts on the City.
23. Make recommendations on Contract approval, rejection, Amendment, and cancellation.
24. Provide Contract administration and supervision of Contracts. Such tasks shall include, but not be limited to, monitoring Amendments, obtaining applicable insurance certificates and monitoring applicable progress.
25. Provide and update all forms to procure Goods, Services, and Professional Services, as needed.

SECTION IV – PROCUREMENT PROCESSES AND PROCEDURES

The procurement process begins when the need to obtain goods or services is identified. All functions that pertain to the acquisition, including competitive procurement, contract negotiation and award, and all phases of contract administration are included in the procurement process.

To initiate a procurement process, the following initial steps must be taken:

1. **Determine Need:** The End User is responsible for determining the need for a good or service and providing appropriate documentation and justification therefore, including a purchase requisition.
2. **Determine Funding:** The End User is responsible for ensuring funds are budgeted and made availability prior to initiating any purchases. The End User must provide the specific budget account numbers.
3. **Determine Specifications:** The End User is responsible for determining the quantity, quality, dimensions, duration and all other necessary specifications essential to the determination of what is to be procured. The specifications must, where applicable, conform to the approved City standards for identity and continuity.

Note: All purchase requests must be submitted far enough in advance to allow the Procurement Official time to review the request, ensure sufficient information has been provided, ensure purchases and expenditures are authorized, and facilitate a proper procurement process.

Note: Acceptance of Procured Item or Service: End User's are responsible for advising the Procurement Department in writing when goods have been received and when services have been completed to their satisfaction. Invoices for payment must be signed and dated.

Note: Returns/Unsatisfactory Services: All returns must be initiated by the End User through the Procurement Department.

Note: Contract/Agreement Changes: The Procurement Official will review and process all Contract/Agreement Amendments, Modifications or cancellations. Such requests must be submitted to Procurement@stonecrestga.gov.

A. **Small Purchases (Under \$4,999.99):** Requisitions/Purchase Orders are not required. However, End User's must attempt to obtain additional quotes (verbal, written) to obtain fair and reasonable pricing whenever possible. Refer to Page 21-24, for additional information.

1. **Purchase Orders:** ~~Requisition~~ **Purchase Orders:** Vendors may require a Purchase Order prior to providing goods and/or services. If so, the Requestor must complete a Purchase Requisition Request Form and provide supporting documentation (if available quote, price list, etc.). The request must be submitted to the Procurement Department at Procurement@stonecrestga.gov for review and processing.
2. End User may create a Purchase Requisition in Tyler as a "Requestor". The

Purchase Requisition should include quotes/price list whenever available. Purchase Requisitions will be reviewed and approved by the department director and Procurement. Upon completion of the review and approval process, a Purchase Order will be issued. Refer to Page 21-24 for additional information. **Upon completion of Procurement Training departments will submit purchase requisitions into Tyler.

- 3. Invoices: A Purchase Requisition is created, reviewed and approved to generate a Purchase Order to encumber funds and process payments. End Users may create a Purchase Requisition to generate Purchase Order and encumber funds which will be used to make payment to Vendors. Invoices process through the Procurement Department must be signed and dated. Please submit such request to Pavable@stonecrestga.gov.**

B. Purchase Requisition & Purchase Orders (\$5,000.00 – 49,999.99):

A Purchase Requisition is required to initiate the procurement process. A Requisition is a request to purchase Goods, Capital Assets, **obtain Services**, Construction Services or Professional Services. **End Users must complete and submit a Purchase Requisition Package to Procurement@stonecrestga.gov for review and processing.** See Appendix C for sample **Purchase Requisition Request Form**.

1. Purchase Requisition Package must contain the following information and supporting documentation:

- ✓ **Requestor’s / End User’s** information – name and contact information of the department/division, **department director information and signature** and Employee preparing the purchase Requisition.
- ✓ Date **request submitted to Procurement.**
- ✓ Need **by** date – must state a definitive delivery date or date/duration of service (lead time of at least one week, must be allowed).
- ✓ Complete description **of items being purchased or scope of work/services to be provided or performed, technical** specifications of goods or services. **This information should be provided in the quote/proposal/estimate provided by the Vendor.**
- ✓ **Quantity(ies).**
- ✓ **Total or** Estimated cost.
- ✓ Delivery destination **(address).**
- ✓ Complete budget account number **to be encumbered.**
- ✓ **Vendor Name and Vendor Registration ID No. If the Vendor is not registered as a Vendor with the City, please contact Procurement for assistance.**

- ✓ Previous purchase information, quotation, or contract (if known).
- ✓ **Names and contact information of Known or suggested Vendor(s).**
- ✓ **Additional supporting documentation (Approved Emergency, Sole/Single Source Justification Forms, Certificates of Insurance as applicable, etc.)**

NOTE: Obtain all required approvals prior to submitting a request to the Procurement Department. Refer to Page 21-24

C. Purchase Orders (PO's)

Purchase Order's (PO's) are generated in Tyler upon the completion of the purchase requisition review and approval process. Refer to Page 21-24.

1. Purchase Requisition Entered by the Procurement Department:

- ✓ **The End User will complete and submit a Purchase Requisition Request Package to Procurement@stonecrestga.gov.**
- ✓ **A Purchase Requisition will be created by the Procurement Department. All required supporting documentation will be attached.**
- ✓ **The Purchase Requisition will be submitted for review and approval. Refer to Page 21-24**
- ✓ **Upon completion of the review and approval process, a copy of the PO will be e-mailed to the Requestor.**
- ✓ **The End User will receive an e-mail containing a copy of the PO.**
- ✓ **The End User will provide a copy of the PO prior to requesting or receiving any goods or services.**
- ✓ **The Vendor MUST reference the PO No. on the invoice.**
- ✓ **The End User must ensure the PO No. is referenced on the invoice prior to submitting for processing of payment.**

2. Purchase Requisitions Entered by End Users (Requestor):

- ✓ **Purchase Requisition: Upon completion of the review and approval process, a copy of the PO will be e-mailed to the Requestor.**
- ✓ **The Requestor will receive an e-mail containing a copy of the PO.**
- ✓ **The Requestor will provide a copy of the PO prior to requesting or receiving any goods or services.**

- ✓ **The Vendor MUST reference the PO No. on the invoice.**
 - ✓ **The Requestor must ensure the PO No. is referenced on the invoice prior to submittal for processing of payment.**
3. **PO Change Orders:** Change orders are permissible when there is a need to correct budgetary information, correct account distribution **information**, quantity(ies), addition/deletion of line items, change in description and unit price. The **Procurement Official** will review all **requests** for change orders. **Change orders cannot be used to circumvent the procurement process and the original scope of work/services cannot substantially change the Contract/Agreement/PO.** Change orders may be necessary to address unforeseen circumstances (as applicable).
- ✓ **Note:** If there is a change to the quoted price, a change order will be required. If the change order is more than \$49,999 and not associated with an existing contract (City Contract/Agreement, piggyback, co-operative), additional information and **Requisition** additional approval is required and must follow the established purchasing thresholds. *Refer to Page 22-23, Section V.*
- D. **Contracts:** All Contracts not arising out of the proprietary functions of the City shall conform with O.C.G.A § 36-60-13.
1. **Contracts/Agreements < \$50,000.00:** Require the approval of the Department Director, Procurement Official, City Attorney, and City Manager. The Procurement Official will obtain the required approvals and facilitate the contract execution process.
 2. **Contracts/Agreements > than \$50,000.01** Require the approval and signature of the Department Director, Finance Director, Procurement Official, City Manager, City Attorney, and Mayor with City Council approval.
 3. If a City Contract/Agreement is required and appropriate upon the completion of a procurement process, the Procurement Official with the assistance of Procurement staff will draft the Contract, obtain required approvals and complete the execution process within both the City Manager and City Council award authorities.
 4. If a City Contract/Agreement is required and appropriate and requires the City Council and Mayor's approval, the Procurement Official will work with the End User to create and submit an agenda item for the next most feasible City Council meeting.
 5. If a Vendor Contract/Agreement is required and appropriate, the Procurement Official will review the Contract/Agreement for form, completeness, insurance considerations, legal implications, and any other items dictated by each situation.

6. **The Procurement Official will route Contracts/Agreements to Legal for review and approval.**
7. **Upon receipt of Legal approval, the Procurement Official will secure all approvals prior to execution of a Contract/Agreement.**
8. **The Procurement Department will provide a copy of the executed contract to the Vendor and End User.**
9. **BidNet Contract Management System is utilized to store and monitor City contracts. Contract renewal alerts are sent to the responsible parties for review and processing. Contracts are uploaded to the Vendor's Registration in Tyler. However, upon activation of the Contract Module in Tyler, all contracts will be added and monitored through Tyler in addition to the services provided through Bid Net.**
10. **City contract terms are One (1) year with Four *(4) One (1) year renewal option for a total possible term of five (5) years, when applicable.**
 - **Vendor Performance Evaluations are to be performed annually prior to renewing a Contract/Agreement. End User's (Assigned Project Manager) will complete the Vendor Performance Evaluation Form.**
 - **Vendor Evaluations will be uploaded to Tyler and Bidnet.**
11. **Contract/Agreement Termination for Unsatisfactory Performance Process: Contracts may be terminated for convenience and cause due to failure to meet/perform the obligations in accordance with the Contract/Agreement. Except where public health and safety are at risk, the work or services will be halted. The Contract/Agreement may be terminated immediately if in the best interest of the City.**
 - **Unsatisfactory Performance: Requires a Vendor Performance Evaluation form to be completed. End User (Assigned Project Manager/Management) must submit the completed form to the Procurement Department with supporting documentation.**
 1. **A meeting will be held to discuss concerns with the Vendor. A Verbal Warning will be given with a 30-day timeframe to remediate and take corrective action(s).**
 2. **A second meeting will be held to discuss concerns with the Vendor in reference to failure to remediate and take corrective action(s). A written warning will be given with a 30-day or less timeframe to remediate and take corrective action(s).**
 3. **A third meeting will be held to discuss termination of**

Contract/Agreement consistent with the terms and conditions of the executed contract.

- 4. If a performance and payment bond is in place, the City will follow appropriate steps and work with surety company to address alternative options as needed and required by the State Purchasing Act.**
12. Once a Contract is awarded by the City, the Contract may be amended, without the necessity of rebidding such Contract, provided the original Contract amount and the scope of the Contract is not substantially altered.
13. The **Procurement Official** will review all change orders. Change orders will be processed to correct the account distribution, quantity, addition/deletion of line items, change in description and unit price.
14. If a quoted price of the change order is more than **\$50,000**, it shall require additional Requisition and approval from all necessary parties pursuant to the Purchasing Thresholds. The **Procurement Official** cannot use the change order process to circumvent the Purchasing Policy. Change orders cannot substantially change the scope of the Contract.

E. **Retainage:**

- I. **Retainage: Public Projects/Public Works: The Georgia retainage laws governing public works projects is found under GA Code §13-10-80. These rules apply to almost every type of public construction project in Georgia. The only exceptions being projects contracted by the Department of Transportation or contracts whose value or duration is less than \$150,000 or 45 days. Any other construction project funded by a Georgia state or local government is subject to these provisions.**

After work has commenced at the construction site, progress payments to be made on some periodic basis, and at least monthly, based on the value of work completed as may be provided in the contract documents plus the value of materials and equipment suitably stored, insured, and protected at the construction site and at the owner's discretion such materials and equipment suitably stored, insured, and protected off site at a location approved by the owner's authorized contract representative when allowed by the contract documents, less retainage; and

- A. **Retainage to a maximum of 5 percent of each progress payment. At the discretion of the owner and with the approval of the contractor, the retainage of each subcontractor may be released separately as the subcontractor completes his or her work.**
- B. **At substantial completion of the work or such other standard of completion as may be provided in the contract documents and as the owner's authorized contract representative determines the work to be reasonably satisfactory, the owner shall, within 30 days after invoice and other appropriate documentation as may be required by the contract documents are provided, pay the retainage to the contractor.**

➤ If at that time there are any remaining incomplete items, an amount equal to 200 percent of the value of each item as determined by the owner's authorized contract representative shall be withheld until such item or items are completed. The reduced retainage shall be shared by the contractor and subcontractors as their interests may appear.

- C. The contractor shall, within ten days from the contractor's receipt of retainage from the owner, pass through payments to subcontractors and shall reduce each subcontractor's retainage by the same percentage amount as the contractor's retainage is reduced by the owner; provided, however, that the work of the subcontractor is proceeding satisfactorily and the subcontractor has provided or provides such satisfactory reasonable assurances of continued performance and financial responsibility to complete his or her work, including any warranty work as the contractor in his or her reasonable discretion may require, including, but not limited to, a payment and performance bond.
- D. The subcontractor shall, within ten days from the subcontractor's receipt of retainage from the contractor, pass through payments to lower tier subcontractors and shall reduce each lower tier subcontractor's retainage in the same manner as the subcontractor's retainage is reduced by the contractor; provided, however, that the work of the lower tier subcontractor is proceeding satisfactorily and the lower tier subcontractor has provided or provides such satisfactory reasonable assurances of continued performance and financial responsibility to complete his or her work, including any warranty work as the subcontractor in his or her reasonable discretion may require, including, but not limited to, a payment and performance bond.
- E. Nothing shall preclude a payor under this Code section, prior to making a payment, from requiring the payee to submit satisfactory evidence that all payrolls, material bills, and other indebtedness connected with the work have been paid.

2. Deposits/Partial Payment Requests

Deposits (Partial Payments) are permissible when this is a standard requirement of the Vendor to obtain goods and services. (Examples: Advertisement, Branding, Entertainment). Refer to Travel Policy for travel related purchases and expenses.

SECTION V – PURCHASING THRESHOLDS

The following dollar amounts and approvals apply to all city departments. **In accordance with the City Code of Ordinances and Resolution No. (effective 2/10/25)**

(1) PURCHASING THRESHOLDS MATRIX

| | Procurement Method* | Purchase Requisition & Internal Request Forms Required Approvals | Award Authority | Amendments/Change Orders |
|-------------------------------|---|--|---|---|
| ≤ \$4,999.99 | Requisition/Purchase Order necessary, unless requested by Vendor, paid with P-Card and payment to be made upon receipt of invoice. | <ol style="list-style-type: none"> 1. Department Director 2. Finance Department (as needed) 3. Procurement Official | <ol style="list-style-type: none"> 1. City Manager (contracts/agreements) 2. City Attorney (contracts/agreements) | Increases greater than \$50,000 (excluding any contingency) require additional Requisition and approval from all necessary parties |
| \$5,000 - \$9,999.99 | Three verbal quotes - Requisition, Purchase Order, and/or Contract as appropriate | <ol style="list-style-type: none"> 1. Department Director 2. Finance Department (as needed) 3. Procurement Official | <ol style="list-style-type: none"> 1. City Manager (contracts/agreements) 2. City Attorney (contracts/agreements) | |
| \$10,000 - \$49,999.99 | Competitive Procurement: Informal Solicitation - Requisition, Purchase Order, and/or Contract as appropriate | <ol style="list-style-type: none"> 1. Department Director 2. Finance Department (as needed) 3. Procurement Official 4. City Manager 5. City Attorney (contracts/agreements) | <ol style="list-style-type: none"> 1. City Manager (contracts/agreements) 2. City Attorney (contracts/agreements) | |
| \$50,000 & > | Competitive Procurement: Formal Solicitation - Requisition, Purchase Order, and/or Contract as appropriate | <ol style="list-style-type: none"> 1. Department Director 2. Finance Department (as needed) 3. Procurement Official 4. City Manager (contracts/agreements) 5. City Attorney (contracts/agreements) | <ol style="list-style-type: none"> 1. City Manager 2. City Attorney (contracts/agreements) 3. City Council 4. Mayor | |

| | |
|--|---|
| <p>Note: Purchase Requisitions & Internal Request Forms REQUIRED approvals requires written approval on all applicable forms. If a requisition is submitted in Tyler, the review and approval process will follow as indicated as applicable.</p> | <p>* The Procurement Methods listed above are not applicable to Sole Source Procurement, Single Source Procurement, Emergency Procurement, Cooperative Purchasing, and Real Estate Acquisition. <i>See</i> Section VII (Noncompetitive Procurements). Piggyback Purchases exceeding the City Manager award authority will require City Council approval. Notwithstanding this exclusion, the Required Approvals must still be obtained based on the applicable purchasing threshold unless otherwise provided in Section VII.</p> <p>**City Council: Expenditures which exceed the original award amount and available annual budget requires City Council approval.</p> <p>**Communications/IT Purchases: COMPUTER SOFTWARE/HARDWARE AND MARKETING/MEDIA CONTENT MUST BE APPROVED BY THE COMMUNICATIONS/IT DIRECTOR</p> |
|--|---|

(2) PURCHASING THRESHOLDS EXPLAINED

Though competitive procurement may not be required under the applicable purchasing threshold, the **Procurement Official** may require the purchase to be competitively procured if he or she deems it necessary to best serve the interests of the City.

A. Small Purchases (“Discretionary Purchases”): Purchases made up to \$4,999.99 are considered “Discretionary Purchases”. Within this threshold amount, End Users can obtain at least one quote/estimate/proposal written or verbal to obtain goods and services. End Users must attempt to obtain fair and reasonable pricing whenever possible. Verbal quotes/estimates/proposals are acceptable. However, if a quote/estimate/proposal is available and offered, please obtain one.

- ✓ **A purchase requisition is not required unless the Vendor requires a PO or payment is made with a Purchasing Card (P-Card). If a PO is required, Please refer to Purchase Requisitions Form for additional information.**
- ✓ **Required Approval: Department Director. Failure to obtain prior approval will require written justification signed by the Department Director.**
- ✓ **If a Vendor Contract/Agreement is involved, submit a copy with supporting documentation to the Procurement Department for review and processing prior to requesting or obtaining goods and/or services.**
 - **DO NOT SIGN Contracts/Agreements. The City Manager and Mayor are the only ones authorized to sign and bind the City.**
 - **All Contracts/Agreements must be reviewed and approved by the City Attorney**

B. Purchases from \$5000 - \$9,999.99 a Purchase Requisition is required within this purchasing threshold. Upon completion of the review and approval process, a Purchase Order will be issued and sent to the Vendor. Please refer to Page 19 – 20 – Purchase Requisitions for additional information.

- ✓ **A minimum of three written quotes/estimates/proposals are required. The Procurement Official / End User shall attempt to obtain the Goods, Capital Assets, Services, Construction or Professional Services most advantageous to the City, price and other factors considered.**
 - **The Vendor must provide a detailed quote, estimate/proposal showing the total cost to obtain the goods or services.**
 - **If after due diligence, the End User cannot reasonably find a third quote, the Procurement Official can waive the quote requirement if presented with sufficient written justification from End User.**
- ✓ **End Users must submit a Purchase Requisition Request Package to the Procurement Department for review and approval unless the Requestor submits a Purchase Requisition in Tyler for review and approval.**
- ✓ **A Purchase Order will be issued.**
- ✓ **The End User will receive a copy of the PO and send it to the Vendor.**
- ✓ **Required Approval: Department Director, Finance Director (as needed), and Procurement Official. Failure to obtain prior approval will require written justification signed by the Department Director.**

C. Purchases from \$10,000 - \$49,999.99 a Purchase Requisition is required within this purchasing threshold amount. Upon completion of the review and approval process, a Purchase Order will be issued and sent to the Vendor. Please refer to Page 19 – 20 – Purchase Requisitions for additional information.

- ✓ **A minimum of three written quotes/estimates/proposals is required. The Procurement Official / End User shall attempt to obtain the Goods, Capital Assets, Services, Construction or Professional Services most advantageous to the City, price and other factors considered.**
 - **The Vendor must provide a detailed quote, estimate/proposal showing the total cost to obtain the goods or services.**
 - **If after due diligence, the End User cannot reasonably find a third quote, the Procurement Official can waive the quote requirement if presented with sufficient written justification from End User.**

- ✓ **End Users must submit a Purchase Requisition Request Package to the Procurement Department for review and approval unless a Purchase Requisition is submitted in Tyler for review and approval.**
 - ✓ **A Purchase Order will be issued.**
 - ✓ **The End User will receive a copy of the PO and send it to the Vendor.**
 - ✓ **Required Approval: Department Director, Finance Director (as needed), and Procurement Official, and City Manager. Failure to obtain prior approval will require written justification signed by the Department Director.**
- D. Purchases from \$50,000 and greater a Solicitation Request Package is required for this purchasing threshold amount to initiate a formal procurement process. Upon completion of the procurement and award process, a Purchase Requisition may be created and a Purchase Order may be issued when applicable or a Contract/Agreement may be executed *See Formal Solicitations.*; Section VI (2)**
- ✓ **Required Approvals: Department Director, Procurement Official, Finance Director, City Manager, and City Council must approve the purchase.**
 - ✓ **If a Contract/Agreement is involved, it must be reviewed and approved by the City Attorney and executed by the Mayor or City Manager.**
 - ✓ **If procuring through non-competitive methods, please refer to the applicable section herein.**
- E. Purchase Orders to Pay Invoices: A Purchase Requisition and the issuance of a Purchase Order (PO) is required to process payments to Vendors and to encumber the department's funds, except when payment is made with a Purchase Card (P-Card). All invoices must be emailed to Payables@stonecrestga.gov for processing. End Users Invoices must signed, dated and included the required supporting documentation (original quote/estimate, additional quote/estimate, copy of Contract / Agreement packing slip/receipt, etc. as applicable).**
- F. State/Federal Grants or Funds.* Periodically, the City may be given private/public grants and donations from sources such as the State and Federal Government and private corporations. These types of solicitations are more restrictive and may dictate the procurement process and methodology that the City is to follow for an award. *See Projects Using Federal Aid Highway Program (FAHP), GDOT Funding, Section VIII.* Both federal and state procurement supersedes the purchasing requirements of the City when buying goods and services using federal or state grant monies. Departments should refer to the Federal Acquisition Regulations for guidance on specific federal procurement policies.

SECTION VI – COMPETITIVE PROCUREMENTS PROCESS

(1) INFORMAL SOLICITATIONS

Requests for informal quotes, bids, and proposals are Informal Solicitations (“IS”) that are prepared and issued with the goal of obtaining competitive responses. IS shall be used for all Purchases from **\$10,000 - \$49,999.99**, unless otherwise provided by this policy. The steps to complete an IS are outlined below. Unless otherwise provided in this policy and procedures: **If procuring through non-competitive methods, please refer to the applicable section herein.**

To **initiate** **initiate** an Informal Solicitation the End User must complete the following: A Purchase Requisition Package and submit it to the Procurement Department at Procurement@stonecrestga.gov for review, approval and processing.

1. **The Purchase Requisition Package must include the following:**
2. **For Goods: General specifications, technical specifications.**
3. **For Services: A detailed Scope of work/services to be performed.**
4. **Cost estimate, with an itemized price list, if known**

Note: The Procurement Official may determine a formal solicitation is needed.

5. **A list of Vendors to be contacted, as applicable.**

- A. *Public Notice.* The **Procurement Official** shall, at a minimum, post a copy of the IS on the City’s website, and provide any additional public advertisement if required by law, **as required by the State of Georgia and as amended.**
- B. **Procurement Official** and **End** User shall evaluate the responses to the IS. On or after the due date indicated in the IS, the **Procurement Official** shall determine which quote, bid, or proposal best serves the City’s interests. **A certificate of Insurance will be requested, as required by the State of Georgia requirements, as required by the State of Georgia and as amended.**
 1. Tie informal quotes/bids shall be handled in the same way as tie formal bids. A split or partial award may be given to the lowest cost provider of each item or reasonable grouping of items if:
 2. The IS requires multiple Goods or Services;
 3. More than one Vendor provides a quote/bid/proposal that meets the specifications for the Goods or Services;
 4. A price comparison can be made between the Goods or Services; AND
 5. An acquisition, delivery, and other requirements can be reasonably administered.

(2) FORMAL SOLICITATIONS

Purchases from **\$50,000 and greater** a **Solicitation Request Package is required for this purchasing threshold amount to initiate a formal procurement process. The Solicitation**

Request Package must be submitted to Procurement@stonecrestga.gov for review, approval and processing.

The Procurement Official shall determine the best procurement method appropriate based on the type of goods and services being solicited and information provided by the End User.

Note: A Bid/ Proposal Bond or Performance Bond may be required **as a part of the solicitation requirements.**

A. **Invitation ~~for~~ To Bids**

Invitation ~~for~~ To Bids (ITB) are prepared and issued with the goal of obtaining competitive responses in the procurement of Goods, Capital Assets, Services and Construction Services. **A PO or Contract/Agreement will be awarded to the lowest responsive and responsible bidder meeting the requirements of the solicitation.**

The process to initiate and complete an ITB is outlined below:

- 1. End User prepares a Solicitation Request Package and submits it to the Procurement Department for review and processing.**
- 2. The Procurement Department will review the package for completion and work with the End User to obtain sufficient information to finalize the solicitation draft.**
- 3. The solicitation draft and Solicitation Review Form will be e-mailed to the End User for review.**
- 4. The End User will review the solicitation draft, provide suggested revisions if needed, complete and return the Solicitation Review form to the Procurement Department for review.**
- 5. If revisions are needed, the Procurement Department will make the revisions and return the revised solicitation draft to the End User for Final review and approval to release the solicitation.**
- 6. The Procurement Department will provide a copy of the advertised solicitation package to the End User.**
- 7. A calendar invite will be sent to the End User so they may attend the bid opening meeting (in-person/virtually via Microsoft Teams)**
- 8. Public Notice.** The **Procurement Official** shall advertise the ITB on the City's website, at City Hall, and provide additional public advertisement if required by law. Said public notice shall include such details and specifications as will enable the public to know the extent and character of the **ITB and** shall be advertised a

minimum of thirty (30) calendar days prior to the date set for bid opening, unless it can be demonstrated that an Emergency exists, pursuant to Section VII (D) Emergency Procurement. In such event, the requirement for public notice may be reduced by the **Procurement Official**.

9. *Correction/Withdrawal of Bids*. Correction or withdrawal of inadvertently erroneous bids is permitted in accordance to the terms indicated within the ITB; however, minor irregularities may be waived by the **Procurement Official**. No bid may be withdrawn for a period of ninety (90) days after the time scheduled for bid opening, or as otherwise stated in the ITB.

10. **Addendums: Changes/Modifications to the original solicitation, supporting documents, including changes to the pre-bid/pre-submittal/pre-proposal and site-visit meetings, bids due date, time and location will be addressed by posting an addendum.**

11. *Bid Openings (Opening of Sealed Bids)*. Interested persons shall have access to information regarding procurement transactions of the City in accordance with City policy and the Georgia Open Records Act, O.C.G.A. § 50-18-70 *et seq.*

- ✓ **Bids must be submitted electronically via BidNet (www.bidnet.com).**
- ✓ **Paper submittals will not be accepted.**
- ✓ **Bid submittals are due on or before 3:00pm of the scheduled bids due date.**
- ✓ **BidNet does not accept late bid submittals after the due date and time has elapsed.**
- ✓ **Bids shall be opened in the presence of the Procurement Official or the designee. Other City staff may assist in this process as needed to serve as an additional witness at the time and place designated in the Invitation for Bids.**
- **A calendar invite will be sent to the End User.**
- ✓ **Opening of sealed bids will be recorded (digitally recorded/virtually recorded via Teams).**
- ✓ **Opening of sealed bids will be open to the public (virtually or in-person) providing transparency in the procurement process.**
- ✓ **Opening of sealed bids will be recorded (digitally recorded/virtually recorded via Teams).**
- ✓ **Opening of sealed bids will be open to the public (virtually or in-person).**

- ✓ **Bid Tabulation Sheet: The Bid Tabulation Sheet generated from BidNet will be published once the bid opening meeting has ended.**
- **All relevant information, including each Bid amount and Bidder's name, will be recorded on a summary sheet.**
- ✓ **Procurement will create and release a corrected Bid Tabulation Sheet as needed to correct errors made by Bidders.**

12. *Evaluation of Bids.* Bids will be evaluated based on the qualification factors set forth in the ITB, which may include criteria to determine acceptability of Goods or Capital Assets (for example, inspection, testing, quality, workmanship, delivery, and suitability for a particular purpose), **vendor performance evaluation, lowest price, responsiveness and bidders ability to show responsibility in providing goods and services. Bidders must be deemed responsive and responsible to the requirements provided in the ITB, to be considered.**

- ✓ **Upon completion of the internal vetting process, the lowest responsive and responsible bidder bid package will be provided to the End User for review.**

The City reserves the right to waive any informalities or irregularities of bids, to request clarification of information submitted in any bid, to further negotiate with the Responsive and Responsible Bidder selected for Contract award, or to reject any or all bids for any reason whatsoever.

13. *Contracts.* **Upon completion of the solicitation and internal review process, the awarded bidder will receive a Purchase Order when it is feasible to do so as the Contract document. Awarded vendors providing professional services may receive a Contract. If a Contract is required, a Purchase Order will be issued to obtain goods and services as applicable and to process payments. Exceptions to the City standard Contracts will require review and approval by the City Attorney. The Procurement Official will prepare and process all contracts. If the bid response Awards exceeding the City Managers award authority of \$50,000.00, a recommendation for award will be presented to the City Council for review and approval.**

- ✓ **If a Contract/Agreement is appropriate, Procurement will draft the Contract/Agreement and submit to City Attorney for review and approval. Contract terms, exceptions, and/or modifications will be reviewed and approved by the City Attorney.**

~~✓ **The Procurement Official will obtain the Vendor and Department Director Signature and attach a copy of the Contract/Agreement to the agenda item.**~~

- ✓ **The Procurement Department will create an agenda item with the assistance of the End User to present a recommendation for award to City Council.**

Agenda Items shall include the following:

- ✓ **Cover Memo;**
- ✓ **Copy of the Final Solicitation Package;**
- ✓ **Copy Internal Procurement Vetting Form;**
- ✓ **Copy of the Notified Vendors List;**
- ✓ **Copy of the Bid Tabulation Sheet;**
- ✓ **Lowest Responsive and Responsible Bidder Submittal; and**
- ✓ **Contract/Agreement if appropriate.**

14. Upon the award of bid, User amends Requisition and **Procurement Official** shall prepare a Purchase Order or Contract, if appropriate.

- ✓ **A copy of the executed contract, award letter, copy of the signed resolution, PO (if applicable) with supporting documentation will be provided to the awarded Vendor and End User. Notice to proceed will be provided, if applicable.**
- ✓ **The Vendor will be required to provide a Certificate of Insurance, Performance Bond etc. prior to the commencement of any work.**
- ✓ **If a Purchase Order is appropriate, a requisition will be created and submitted to the appropriate approvers for approval. Supporting documentation consisting of the final solicitation, awarded bidders submittal, approved resolution and bid cost proposal, and signed resolution will be attached to the requisition and made a part of the Purchase Order (PO).**
- ✓ **Contract expenditure will be monitored in Tyler. Contract expiration dates will be monitored via Bidnet and Tyler when contracts have been added to the system.**

15. Multiple Awards: When feasible, bids may be awarded to multiple vendors (i.e. landscape services, goods such as OEM Parts). The City reserves the right to identify multiple source of supply for the same desired goods and/or services. Multiple awards should be made when it is not possible or practical to make a competitive low bid award. In the multiple award scenario, each supplier has equal standing and the state entity may choose amongst the awarded suppliers as permitted by the solicitation.

- ✓ **Award to multiple Contractor's is made for the convenience of the City and does not exempt the Primary Contractor, or any of the other awarded Contractor's from fulfilling their contractual obligations. Failure of any awarded Bidder to perform in accordance with the terms and conditions of the contract may result in the awarded Contractor being deemed in breach of contract.**

16. (Split/Partial Awards). ~~When feasible, bids may be awarded to multiple vendors (i.e. landscape services, goods (OEM Parts)).~~ Split or partial bid awards may be awarded with the same guidelines and restrictions as those provided for split or partial Informal Solicitations.

- ✓ In the *split award scenario*, the solicitation has been divided into two or more parts and each part will be awarded to the best ranked supplier for that particular part. In a split award scenario, more than one supplier may receive a contract award; however, there is no overlap of contract awards. For example, an RFQ may identify multiple products that may be purchased from separate sources or an RFP may identify several different locations or facilities to be serviced separately. A split award is more likely to occur on a multi-line RFQ than with an RFP.
- ✓ For an RFQ, each line item is awarded to the responsive and responsible supplier who had the lowest price for that particular line item and is clearly capable of performing and has reached agreement with the City as to contract terms. For an RFP, each part of the solicitation must be awarded to the supplier with the highest total score and with whom the state entity has reached agreement as to contract terms. Making a split award may or may not be the most economical solution for the state as there are costs associated in managing more than one contract. Ordinarily, split awards will not be made unless the saving to the state entity exceeds 5% of the total contract price or \$500.00, whichever is greater. However, the Procurement Official may make a split award even if those thresholds are not met, however the Procurement Official rationale should be documented.

8. **Primary/Secondary Awards:** In the *primary/secondary award scenario*, the state entity is identifying the primary source of supply for a particular contract and/or line item but is also designating a secondary (or "back up") source of supply for that same contract/line item. There are limited situations in which primary/secondary awards should be made as the state entity should reserve this award for a scenario in which backup sources of supply are expected to be needed on a continual basis. In the primary/secondary award scenario, the suppliers do not have equal standing. The state entity must attempt to use the primary supplier first and may only use the secondary (backup) supplier once certain conditions in the solicitation have been met.

- ✓ The City will award the contract to the three (3) lowest priced responsive, responsible Bidders, in the aggregate. To be considered for award, the Bidder must submit an offer on all items listed in the Solicitation.
- ✓ While the method of award prescribes the method for determining the lowest responsive, responsible Bidders, the City will award this contract to the designated lowest Bidder as the Primary Contractor; and will award this contract to the designated second lowest Bidder as the

Secondary Contractor respectively. The City may also make an award to the third lowest Bidder as the Tertiary Contractor.

- ✓ **The Primary Contractor shall have the first opportunity and responsibility to perform the services described in this Solicitation. If the Primary Contractor is unable or unavailable to respond in the time required by the City, the City shall have the right to request services from the Secondary Contractor. If the Secondary Contractor is unable to respond in the time required by the City, the City shall have the right to request service from the Tertiary Contractor.**
- ✓ **The City reserves the right to terminate any awarded Vendor/Contractor from the contract for poor service delivery or failure to perform or respond to service requests, at the City's sole discretion. Awarded Contractor's may also be terminated from the contract for engaging in any action that brings the City's name and/or image into ill-repute.**

8. *Tie Bids*. In the event two or more identical bids are received, the following procedure will be used when the basis of award is low bid:
- (i) A tie Bidder whose products are manufactured in Georgia would be recommended to the City Council for an award, over a Tie Bidder without products manufactured in Georgia. *See* Section IX (1).
 - (ii) If the procedures in (i) above do not result in an award, then the tie Bidder who has environmentally preferable goods and services would be recommended to the City Council for an award. *See* Section IX (2).
 - (iii) If the procedures in (i) and (ii) above do not result in an award, then to the extent permitted by law, a tie Bidder having an office within the limits of the City would be recommended to the City Council for an award over one without an office in the City. A Person within the state of Georgia would be recommended to the appropriate approving authority for an award over one without an office in Georgia.
 - (iv) If the procedures in (i) through (iii) above do not result in an award, the tie Bidders will be contacted and advised of the tie and asked if they wish to reduce their bid in writing submitted in a sealed envelope to be opened at the time and place stated by the **Procurement Official** or the designee of the **Procurement Official**. If one or more of the tied Bidders agrees to participate, award will be made to the new low bid. If none of the tied Bidders agree to participate or if the new bids are tied, then City staff shall break the tie by following the procedures described below, as necessary.
 - (v) If all of the procedures above do not result in an award, then, the **Procurement Official** or the designee of the **Procurement Official** in the presence of at least two witnesses will flip a coin one time. Award to the winner of the coin flip will be recommended to the City Council.

B. Request for Proposals (RFP)

When the **Procurement Official** determines the use of an Invitation for Bids is not practical or not advantageous because of existing market conditions or the type of items required, the City may procure Goods, Capital Assets, Services, or Construction Services through receipt of competitive sealed proposals. Competitive sealed proposals are solicited through the use of an RFP, with the goal of obtaining competitive responses.

1. To initiate and complete **an RFP procurement process the following outline as follows:**

- ✓ **End User prepares a Solicitation Request Package and submits it to the Procurement Department for review and processing.**
- ✓ **The Procurement Department will review the package for completion and work with the End User to obtain sufficient information to finalize the solicitation draft.**
- ✓ **The solicitation draft and Solicitation Review Form will be e-mailed to the End User for review.**
- ✓ **The End User will review the solicitation draft, provide suggested revisions if needed, complete and return the Solicitation Review form to the Procurement Department for review.**
- ✓ **If revisions are needed, the Procurement Department will make the revisions and return the revised solicitation draft to the End User for Final review and approval to release the solicitation.**
- ✓ **The Procurement Department will provide a copy of the advertised solicitation package to the End User.**
- ✓ **A calendar invite will be sent to the End User so they may attend the proposal opening meeting (in-person/virtually via Microsoft Teams)**

1. *Public Notice.* The **Procurement Official** shall advertise the RFP on the City's website, at City Hall, and provide additional public advertisement if required by law. Said public notice shall include such details and specifications as will enable the public to know the extent and character of the **RFP** and shall be advertised a minimum of thirty (30) calendar days prior to the date set for opening proposals, unless it can be demonstrated that an Emergency exists, pursuant to Section VII (D). In such event, the requirement for public notice may be reduced by the **Procurement Official**.

2. *Correction or Withdrawal of Proposals.* Correction or withdrawal of proposals is permitted in accordance with instructions contained within the RFP. No proposal

may be withdrawn for a period of ninety (90) days after the time scheduled for proposal opening, or as otherwise stated in the RFP.


3. ***Proposal Opening (Opening Sealed Proposals).***

- ✓ **Proposal must be submitted electronically via BidNet (www.bidnet.com).**
 - ✓ **Paper submittals will not be accepted.**
 - ✓ **Proposals submittals are due on or before 3:00pm of the scheduled proposal due date.**
 - ✓ **BidNet does not accept late submittals after the due date and time has elapsed.**
 - ✓ **Submittals shall be opened in the presence of the Procurement Official or designee. Other City staff may assist in this process as needed to services as an additional witness at the time and place designated in the RFP.**
 - **A Calendar Invite will be sent to the End User.**
 - ✓ **Opening of proposals will be recorded (digitally recorded/virtually recorded via Teams).**
 - ✓ **Proposals openings will be open to the public (virtually or in-person) providing transparency in the procurement process.**
 - ✓ **The meeting will be recorded (digitally recorded/virtually recorded via Teams).**
 - ✓ **Proposal Tabulation Sheet: The Proposal Tabulation Sheet generated from BidNet will be published once the bid opening meeting has ended.**
 - **Only the Proposers Name will be provided. Pricing will be provided upon completion of the evaluation process.**
 - ✓ **Procurement will create and release a corrected Proposal Tabulation Sheet as needed.**
4. ***Evaluation of Proposals.*** **The Procurement Official and Procurement staff will review proposals to ensure they meet the requirements specified in the solicitation and proposals address the criteria listed therein. Proposals that meet the requirements will be deemed Responsible and Responsive to the solicitation and its requirements.**
- ✓ **The Procurement Department will review all proposals to ensure it meets the requirements of the solicitation.**

- ✓ **If a proposal does not meet the requirements of the solicitation, the proposer will be deemed non-responsive and non-responsible to the solicitation and its requirement and will move forward in the procurement process.**
 - **The Procurement Department will provide a written explanation of the non-responsive and non-responsible determination.**
 - **The Proposal will not be provided to the Evaluation Committee for review or consideration.**
 - ✓ **An Evaluation Committee (EC) will be selected by the Director of Finance and Procurement Official. EC members will individually review, evaluate and score responsive and responsible proposals.**
 - ✓ **Price proposals will be opened, and the applicable score will be added to determine the final shortlist and ranking of the proposers, if applicable.**
 - ✓ **The Procurement Department will review the individual scores and calculate and verify the average scores for each proposer to determine shortlisting and ranking and post the information on Bidnet.**
 - ✓ **Price Proposal Negotiations may occur as applicable as defined in the RFP.**
 - ✓ **All Proposals (or the most acceptable proposals in the discretion of any committee evaluating proposals) will be ranked in order of their acceptability to the City, giving consideration to the criteria.**
- 5. Recommendation for Award. The Procurement Official shall submit a recommendation for award to City Council for approval and award.**
- ✓ **The Procurement Department will create an agenda item with the assistance of the End User to present a recommendation for award to City Council.**
- Agenda Items shall include the following:**
- **Cover Memo;**
 - **Copy of the Final Solicitation Package;**
 - **Copy Internal Procurement Vetting Form;**
 - **Copy of the Notified Vendors List;**
 - **Copy of the Bid Tabulation Sheet;**
 - **Lowest Responsive and Responsible Bidder Submittal; and**
 - **Contract/Agreement if appropriate.**

6. *Contract Award.*

- ✓ **If a Contract/Agreement is appropriate, Procurement will draft the Contract/Agreement and submit to City Attorney for review and approval. Contract terms, exceptions, and/or modifications will be reviewed and approved by the City Attorney.**

~~✓  Procurement Official will obtain the Vendor and Department Director Signature and attach a copy of the Contract/Agreement to the agenda item.~~

- ✓ **The Contract award will be awarded, if award is made, by the City Council to the Responsive and Responsible Proposer whose proposal is determined, in the City's exclusive discretion, to be the most advantageous to the City, taking into consideration price, qualifications, and other factors as indicated in the RFP.**
- ✓ **Unless otherwise provided by law, the City has no obligation to award the Contract to the Proposer who proposes the lowest price.**
- ✓ **A copy of the executed contract, award letter, copy of the signed resolution, PO (if applicable) with supporting documentation will be provided to the awarded Vendor and End User. Notice to proceed will be provided, if applicable.**
- ✓ **The Vendor will be required to provide a Certificate of Insurance, Performance Bond etc. prior to the commencement of any work.**
- ✓ **If a Purchase Order is appropriate, a requisition will be created and submitted to the appropriate approvers for approval. Supporting documentation consisting of the final solicitation, awarded proposers' proposal, approved resolution and price proposal (if applicable), and signed resolution will be attached to the requisition and made a part of the Purchase Order (PO).**

7. *Public Access to Proposal Documents.* Interested persons shall have access to information regarding procurement transactions of the City in accordance with City policy and the Georgia Open Records Act, O.C.G.A. § 50-18-70 *et seq.*

- ✓ All meetings of the City's Council are duly noticed public meetings and all documents submitted to the City as a part of or in connection with a Proposal may constitute public records under Georgia law regardless of any person's claim that proprietary or trade secret information is contained therein.
- ✓ Unless otherwise provided herein, by submission to the City, Proposers waive any claim to the proprietary nature of submitted information. The Proposer may designate in the smallest increments possible, that part of the qualifications which is deemed to be proprietary, which, subject to the City's

reasonable determination, shall be redacted for purposes of the public agenda.

- ✓ Proposals and all related correspondence are governed by the Georgia Open Records Act and shall be provided to anyone properly requesting same, after contract award. The City cannot protect proprietary data submitted in vendor proposals unless provided for under the open records law and clearly marked as proprietary by the Proposer.
- ✓ In the event the Proposer deems certain information to be exempt from the disclosure requirements, the Proposal must specify what content is considered exempt and cite the applicable provision of the law to support that assessment. In the event such information is requested under the open records law, the Proposer's assessment will be examined by the City Attorney who will make a determination. The decision to withhold or release the information will be at the City Attorney's sole discretion.

C. Request for Qualifications (RFQ)

Requests for Qualifications (RFQ) may be used if the **Procurement Official** determines that it is in the City's best interest to evaluate the experience and qualifications of a Service, Construction Service or Professional Service provider, without regard to price or prior to considering price. **An RFQ may also be used to establish a pool of qualified contractors/firms to provide various professional services to the City.**

The procedure for soliciting, opening and evaluating statements of qualifications shall be the same as described herein **and similar to the RFP procurement process**. Such service providers whose qualifications meet the criteria established in the RFQ, at the sole discretion of the City, may be considered for Contract award by participation in the completion price negotiation.

- ✓ The City shall attempt to negotiate a fee with the highest ranked firm. If no agreement is reached, the City shall begin negotiations with the next highest ranked firm. Negotiations will proceed in this manner until an agreement is reached.
- ✓ The City reserves the right to reject any or all responses for any reason. Clarification of information may be requested by the City.

D. Multi-step Solicitation

The City may initiate the multi-step solicitation process described below when: (a) the **Procurement Official** determines it is impractical to prepare an adequate or complete description of the Goods, Capital Assets, Services or Construction Services desired (due to insufficient data, uncertain requirements, unfamiliar market options, etc.), (b) the **Procurement Official** desires to identify a field of qualified Bidders, Proposers, Goods or Services, out of a broader field of Bidders, Proposers, Goods or Services, or (c) the **Procurement Official** determines that a multi-step process would best serve the City's interests.

1. The City may request that priced proposals be submitted in two separate envelopes, with pricing information contained in one envelope and all other requested information contained in the other envelope. In such case, proposals will be evaluated in accordance with the requirements set forth in the RFP, initially without regard to price and without opening the envelope containing pricing information. Based on such evaluation, the City will establish a field of at least three (if possible and available) qualified or most qualified Proposers. The City may conduct interviews with Proposers to aid in the identification of qualified or most qualified Proposers. In the event the City conducts interviews with Proposers, the City is not required to interview any Proposers deemed by the City to be unqualified or less qualified than other Proposers.
2. After establishing a field of qualified or most qualified Proposers, the City will open the pricing envelopes of only the qualified or most qualified Proposers, and evaluate such pricing information in the manner described in the RFP for purposes of recommending/making an award (e.g. most advantageous proposal, price and other factors considered or low price submitted by qualified Proposers). In the absence of specific instructions to the contrary in the RFP, pricing information will be evaluated together with all other information required by the RFP for purposes of selecting among the qualified field of Proposers the most advantageous proposal, price and other factors considered.

(3) SOLICITATIONS REQUIRING PUBLIC NOTICE IN GEORGIA PROCUREMENT REGISTRY (GPR)

The GPR is the state's central bid registry established by the Department of Administrative Services (DOAS) and managed by the agency's State Purchasing Division (SPD). The registry provides for the advertising of bid opportunities by state and local governments to ensure transparency and offer market competition, **as required and amended by the State of Georgia**.

- A. The City shall advertise all bid or proposal opportunities for **goods, services, or both** that are valued at **\$100,000.00 or more, as required and amended by the State of Georgia** in the GPR for a minimum of thirty (30) calendar days prior to the date set for opening bids/proposals. Each advertisement shall include such details and specifications as will enable the public to know the extent and character of the bid or proposal opportunity. *See* O.C.G.A. § 36-80-27.
- B. The City shall advertise all contract opportunities for **public works construction** that are valued at **\$100,000.00 or more, as required and amended by the State of Georgia** in the GPR for at least four continuous weeks prior to the opening of the sealed bids or proposals, unless otherwise provided by O.C.G.A. § 36-91- 20.
- C. The **Procurement Official** may adopt procedures requiring additional bid or proposal opportunities to be advertised on the GPR.

SECTION VII – NON-COMPETITIVE PROCUREMENTS

The provisions of this policy section shall apply to the procurement of Goods, Capital Assets, Services, Construction Services or Professional Services, when the purchase does not exceed **\$9,999.99** or when the **Procurement Official** determines that competitive procurement is not practical, feasible, or possible. Notwithstanding any other provision, any Contract or subcontract entered into by the City with any Person for the construction, reconstruction, or maintenance of all or part of a public road in the City including, but not limited to, a Contract or subcontract for the purchase of materials, for the hiring of labor, for professional services, or for other things or services incident to such work, shall be entered into in accordance with O.C.G.A. § 32-4-114.

A. Sole Brand Procurement

The City may obtain sole brand goods from a specific manufacturer or owner's brand through a competitive sole-brand solicitation. Sole Brand Procurements are available when only one specific brand of goods will meet the City's critical business requirements. Research must be conducted by the Procurement Official to determine if other brands exist which can also satisfy procurement requirements in a timely manner. A Sole/Single Source Procurement Justification Form and supporting documentation is required. Departments must receive written approval prior to obtaining such goods.

- ✓ **The Procurement Official must conduct research to determine if other brands exist which can satisfy procurement requirements in a timely manner.**
- ✓ **A sole-brand solicitation requires justification, supporting documentation consisting of previous purchase, warranty, be used only when it is the last justifiable option, and not as an attempt to contract for a favored brand of goods. *A Single/Sole Source Procurement Request Form must be submitted.***
 - **An example of the appropriate use of the sole-brand justification may include certain situations where a specific piece of equipment is needed to match existing equipment or is a replacement. If the desired good is only available from one source, then the sole source procurement method is appropriate.**
 - **A valid sole-brand justification allows the procurement professional to process a competitive solicitation with the insertion of "No Substitute" after the good is specified by brand name, model number, or some other designation identifying a specific good of a manufacturer.**

B. Sole Source Procurement

The City may acquire Goods, Capital Assets, Services, Construction Services or Professional Services pursuant to a Sole Source Procurement. Sole Source Procurement is available when Goods, Services, or Professional Services are limited to one source, or when they must be obtained from a specific **manufacturer's dealer when still under warranty, maintain continuity, consistency, connectivity to existing hardware,**

software and proprietary in nature, and valid competition among dealers does not exist. No Sole Source Procurement shall be valid without the prior authorization of the Governing Authority. For each instance in which the use of Sole Source Procurement is proposed, the User must provide to the Governing **Authority with** a written report that identifies the specific reasons justifying such use and shows the requirements stated herein are satisfied. The Governing Authority may authorize the use of Sole Source Procurement only if it determines that such use fully complies with the requirements stated herein. **A Sole/Single Source Procurement Justification Form and supporting documentation is required. Departments must receive written approval prior to obtaining such goods.**

C. Single Source Procurement

The City may acquire Services or Professional Services pursuant to a Single Source Procurement. A Single Source Procurement is a procurement made from one Person among others in a competitive **marketplace** which, for justifiable reasons, is found to be most advantageous for the purpose of fulfilling the given purchasing need. **A Sole/Single Source Procurement Justification Form and supporting documentation is required. Departments must receive written approval prior to obtaining such goods.**

Single Source Procurement is available only if the following conditions exist:

The proposed use of Single Source Procurement concerns any of the following situations:

1. To obtain the Services or Professional Services of any Person for the purpose of serving in any appointed position identified in Article III of the City Charter; or
2. To obtain the Professional Services of any Person where such Person establishes to the User that:
 - ✓ Regarding the provision of such Professional Services, he has significantly more experience than other prospective providers or has unique knowledge and experience that no other prospective provider possesses;
 - ✓ He has more historical knowledge of the particular issue/subject to be addressed by the procurement while other prospective providers have failed to demonstrate to the User that they have the same level of historical knowledge;
 - ✓ In comparison to other prospective providers, he is particularly suited to provide the procurement as he and the City had a satisfactory business relationship in his earlier provision of such Professional Services to the City; or
 - ✓ He has the capacity and willingness to provide such Professional Services to the City in an emergency situation while other prospective providers have failed to demonstrate to the User that they have such capacity and willingness.

- ✓ The Person desiring to provide the procurement has agreed, in writing, that he will not disclose to any third party any confidential information, trade secret or financial information of the City that he may obtain in the course of providing the procurement to the City.
- ✓ The User has analyzed the current open, competitive market conditions regarding the provision of such Services or Professional Services and has determined that the price to be paid to the proposed provider is substantially similar to the current price in the open, competitive market for such Services or Professional Services.

Note: No Single Source Procurement shall be valid without the prior authorization of the Governing Authority. For each instance in which the use of Single Source Procurement is proposed, the User must provide to the Governing Authority a written report that identifies the specific reasons justifying such use and shows the requirements stated herein are satisfied. The Governing Authority may authorize the use of Single Source Procurement only if it determines that such use fully complies with the requirements stated herein

D. Emergency Procurement

The City may acquire Goods, Capital Assets, Services, Construction Services or Professional Services by directly negotiating an award in the event of an Emergency. An Emergency exists when a situation occurs suddenly and unexpectedly and demands immediate action to prevent delays which may vitally affect the health, safety or welfare of the public or City Employees and affects the continuation of services to the citizens,

and/or serious loss or injury to the City. **Emergencies also exist** if a condition, malfunction, or occurrence in which the immediate procurement of an item (i.e. Good, Services, or Professional Service) is essential to comply with regulatory requirements. **An Emergency Procurement Justification Form is required with supporting documentation. End Users must receive prior approval before receiving goods or services.**

The City Manager shall make the determination when an Emergency exists. Such emergency procurements shall be made with as much competition as is practicable under the circumstances.

When the need for an emergency purchase occurs during normal working hours, the User shall request approval from the City Manager or his designee. If an Emergency situation should arise after office hours which requires immediate action on the part of the agency involved for the protection of the best interest of the City or if a like situation arises on a weekend or holiday and when it is not possible or convenient to reach the City Manager or **Procurement Official**, any purchase necessary shall be made by the official in charge of such department or agency, and such purchase reported to the **Procurement Official** within 24 hours.

As soon as practicable, a record of each Emergency procurement shall be made and shall set forth the contractor's name, the amount and type of the Contract, a listing of the item procured under the Contract, and the identification number of the Contract file. Moreover,

written determination of the basis for declaring the Emergency and for the selection of the particular Person for the provision of Goods, Capital Assets, Services, Construction Services or Professional Services shall be included in the Contract file. If the cost of the procurement is \$50,000 or more, City Council approval must be obtained at the next meeting following the emergency procurement.

E. Co-operative Purchasing

The City may acquire Goods, Capital Assets and Services by from a Supplier having a requirements Contract/Annual Agreement with any public entity (e.g., federal, state, county, city, authority, school board, Buying Cooperative, etc.) for Goods, Capital Assets or Services described in such contract and at prices or discounts no less favorable than any set forth in such Contracts. **Prior to making any purchase, the Procurement Official or User shall obtain approval from all necessary parties pursuant to the applicable purchasing threshold.**

Note: The Procurement Official will participate in the development of the solicitation when required by the lead agency/entity where required for Co-Op purchases.

~~Piggyback & Co-Operative Purchases:~~ The Procurement Official and End Users may use Contracts and awarded Vendors list available through the Purchasing Division of the State of Georgia and other Governmental Entity to procure supplies, services or construction items that have already been a competitive solicited and awarded to gaining access to cost savings and low price lists. ~~Piggyback and Co-Operative Purchases~~ will also include access to National Co-Ops (i.e.-U.S. Communities, Sourcewell, NASPO, OMNIA). The Procurement Official will utilize existing purchasing agreements that have been solicited and awarded by competitively when deemed to be in the best interest of the City. The City will utilize th original contract term and exercise the ability to continue to receive services if the contract term has ended with the governing entuty until services have been completed.

- ✓ The Procurement Department will seek out piggyback options where the contract terms are sufficient to complete an order of goods or complete requested services. Any existing work or project initiated under the piggyback agreement will terminated upon completion of services and receipt of goods when final acceptance has been completed. End Users may not request additional goods or services once the Citys contract with the vendor has officially ended.
- ✓ The Procurement Department will work with End Users to determine if goods, services, or construction items may be obtained through piggybacking when internal procurement lead times may not be completed in sufficient time to address the department's needs.
- ✓ The Procurement Department will obtain a copy of the final solicitation, submittals, bid tabulation sheet, pricings, evaluation documents (if

applicable), award documents (agenda, signed resolution, executed contract, if applicable).

- ✓ The Procurement Department will request written authorization to use the available Contracts/Agreement when required.
- ✓ The Procurement Official will review the documents to ensure the solicitation and contract (if applicable) includes the language that permits piggybacking/~~co-operative~~ purchase granting the use of their contract.
 - If the required language is not included in the solicitation and/or contract, the Procurement Official will deny the End User's request to piggyback or use the ~~co-operative~~ purchase method to obtain good or services.
- ✓ The End User will complete and submit a Piggyback/~~Co-operative~~ Purchase Request Form with supporting documentation once reviewed and approved by the Procurement Official.
- ✓ If anticipated expenditure exceeds the City Manager's award authority, Procurement will work with the End User and create an agenda item to obtain City Councils approval.

✓ ~~If a Contract is required, the Procurement Official obtain a copy of the lead entity contract with the awarded vendor. The City will use the original contract from the entity to procure goods and/or services. A copy of the contract will be kept in the procurement file and attached to the Purchase Order as supporting documentation. will draft the Contract/Agreement and receive approval from the City Attorney. The Procurement Official will obtain the required signatures and attach A copy of the the Contract/Agreement will be attached to the agenda item for City Council approval and execution.~~

- ✓ If a Purchase Order is appropriate, a requisition will be created. A copy of all supporting documentation and signed resolution and issued to the Vendor/Contractor.

~~F. **Right to Protest.**~~

~~Any actual Bidder or Proposer who is aggrieved in connection with the non-competitive procurement for ~~mal solicitation~~ or award of a Contract may protest to the City. Protestors shall seek resolution of their protests/complaints initially with the City Manager.~~

~~1. **Timeliness.**~~

- ~~a. Protests arising from factual or legal basis that the protestor knew or should have known prior to the submission of the bid/proposal must be submitted within **three business** days of the submission of the bid/proposal.~~

- ~~b. Protests arising from factual or legal basis that the protestor knew or should have known subsequent to the date the bid/proposal was submitted must be submitted within ten business days after the protestor knew or should have known of such basis, but in no event shall any protest be submitted more than ten business days after the award of the contract.~~
- ~~c. Untimely protests are invalid and shall be denied as such.~~
- ~~2. Contents of Protest. The protest shall, at a minimum, be in writing and include the following information:~~
 - ~~a. Identity and contact information of protestor;~~
 - ~~b. Appropriate identification of the subject solicitation or award;~~
 - ~~c. Detailed statement of the legal and factual grounds of the protest;~~
 - ~~d. Documentation supporting the protest and/or allegations;~~
 - ~~e. Statement of the specific relief requested; and~~
 - ~~f. Signed by an officer or person authorized to sign contracts on behalf of the protestor.~~
- ~~3. Submission of Protests. All protests shall be submitted to the City Manager via registered mail, overnight delivery, or hand delivery.~~
- ~~4. Protest Resolution. If a protest complies with subsections (1) through (3) above, the City Manager shall request a response from the Procurement Official. The Procurement Official's response will be returned to the City Manager within seven (7) business days from the submission of the protest. The City Manager is empowered to decide to uphold, dismiss or amend the decision of the Procurement Official.~~
- ~~5. Decision on Protest. The City Manager shall inform the protestor of the decision in writing within fifteen (15) business days of the submission of the protest or, if the City Manager requires more time to render a decision, the City Manager will advise the protestor within the initial ten (10) days of the additional amount of time required to render a decision.~~
- ~~6. Appeals. Any actual Bidder or Proposer who is aggrieved by the decision of the City Manager in connection with a protest shall file a notice of appeal with the City Manager and City Clerk within seven (7) days of receipt of the decision.~~
 - ~~a. Hearing. The City Manager shall set a hearing date before City Council not more than thirty (30) days from the date of receipt of the notice. The City Clerk shall cause notice of the hearing date, time, and location to be served upon the parties by registered mail. At the hearing, all parties shall be~~

~~provided with a fair and impartial hearing and shall be allowed to offer argument as to whether the City Manager’s decision should be affirmed or overturned. Said hearing will not be de novo but shall be of an appellate nature.~~

~~b. *Decision.* Within seven (7) days of the hearing, the City Council shall issue a written decision on the appeal, which shall either affirm or reject the City Manager’s decision. The City Clerk shall send a copy of the decision to the protestor(s) by registered mail.~~

~~e. *Finality.* A decision by the City Council under subsection 6(b) above shall be final and conclusive as to the City’s appeal process. Any further action shall be through the court.~~

~~7. *Stay of Procurement.* In the event a protest complies with subsections (1) through (3) above, the Procurement Official shall not proceed with the further solicitation or award of the Contract until all administrative remedies have been exhausted, or the City Manager or City Attorney makes a determination that the award of the contract without delay is necessary to protect the interests of the City.~~

G. Real Estate Acquisitions¹

- ✓ Compliance with Applicable Regulations

¹ Reference Note- See O.C.G.A. § 36-37-1 et seq. for provisions governing the disposition of municipal property or acceptance of gifts, grants, or donations of property

All real estate acquisition activities shall conform to applicable federal, state (e.g. O.C.G.A § 36-80-18 and O.C.G.A § 36-60-13) and local laws and regulations and shall be subject to the provisions of the City Code of Ethics.

- ✓ Confidentiality

The City Council and City staff shall maintain the confidentiality of potential and on-going real estate acquisitions and related information subject to the provisions of the Open Meetings and Open Records Acts.

- ✓ Formal Approval

All real estate transactions shall be formally approved by the City Council in a public meeting prior to the City entering a sales contract. This shall not prohibit or interfere with the City Council’s ability to discuss same and negotiate terms in Executive Session subject to the requirements of the Open Meeting and Open Records Acts.

- ✓ Appraisals

For any piece of real estate, for which a sales contract has been signed, the City will conduct at least one appraisal by an independent third-party who holds the Member of the Appraisal Institute (MAI) membership designation.

H. Land Acquisition Procurement Process

- a. City staff will investigate and identify properties for purchase that generally meet an approved plan or strategy. Furthermore, land purchased with a specific funding source will only be used for such purposes anticipated and/or authorized. If the City determines that the land cannot be used for its intended purpose, the City may dispose of the property in a manner consistent with Georgia law and funds raised through the sale of the property will be used for future land purchases consistent with the purposes authorized.
 - b. City staff may work with a Real Estate broker to gather information and make site visits related to properties under consideration for acquisition.
 - c. City staff will regularly brief the City Council in Executive Session on properties the city is considering purchasing to receive direction on “terms and price” from the City Council.
 - d. City staff will negotiate “Letters of Intent” with land owners on properties the City Council has provided staff with direction on “terms and price”.
 - e. City staff will conduct due diligence on the real estate to be purchased including at a minimum but not limited to:
 - i. Environmental testing (Phase I required, Phase II and specialized testing if warranted);
 - ii. Production of an ALTA survey of the property;
 - iii. Production of a MAI appraisal of the property;
 - iv. Complete title work on the property; and
 - v. Other reasonable due diligence activities as warranted.
6. Prior to requesting a resolution from the City Council authorizing the City Manager to execute any and all closing documents to complete the purchase of the property, the city staff will ensure completion of all due diligence item.

SECTION VIII – PROJECTS USING FEDERAL AID HIGHWAY PROGRAM (FAHP) FUNDING

The City shall use the competitive negotiation method for the procurement of engineering and design related services when FAHP funds are involved in the contract (as specified in 23 U.S.C. § 112(b)(2)(A) and 23 CFR § 172.5(a)(1)). The solicitation, evaluation, ranking, selection, and negotiation shall comply with the qualifications-based selection procurement procedures for architectural and engineering services codified under 40 U.S.C. § 1101 *et seq.*, commonly referred

to as the Brooks Act. *See* Appendix A.

SECTION IX – PREFERABLE GOODS AND SERVICES

(1) PREFERENCE FOR PRODUCTS MANUFACTURED IN GEORGIA

When contracting for or purchasing supplies, materials, equipment, or agricultural products, excluding beverages for immediate consumption, the City shall give preference, as far as may be reasonable, economical, and practicable, to such supplies, materials, equipment, and agricultural products as may be manufactured or produced in the State of Georgia. Such preference shall not sacrifice quality.

In determining whether such a preference is reasonable in any case where the value of a contract for or purchase of such supplies, materials, equipment, or agricultural products exceeds \$100,000.00, the City shall consider, among other factors, information submitted by the bidder which may include the bidder's estimate of the multiplier effect on gross state domestic product and the effect on public revenues of the state and the effect on public revenues of political subdivisions resulting from acceptance of a bid or offer to sell Georgia manufactured or produced goods as opposed to out-of-state manufactured or produced goods. Any such estimates shall be in writing. The City shall not divide a contract or purchase which exceeds \$100,000.00 for the sole purpose of avoiding these requirements.

(2) ENVIRONMENTALLY PREFERABLE GOODS AND SERVICES

- A. In determining which Goods, Capital Assets and Services to purchase, the City shall integrate environmental factors into the City's procurement decisions, when available and commercially practicable in the reasonable discretion of the User. Whenever possible or practicable, the City shall:
1. Purchase copy, computer, and fax paper with at least 30 percent post- consumer recycled content;
 2. Purchase non-emergency fleet vehicles that provide the best available net reduction in vehicle fleet emissions including, but not limited to, the purchase of alternative fueled and hybrid vehicles;
 3. Consider purchasing lower emission emergency fleet vehicles with comparable specifications for performance, safety, and fuel availability during emergencies as conventionally-powered emergency fleet vehicles;
 4. Purchase at least Energy Star rated equipment and appliances for use in local government facilities when practicable based upon considerations of Life Cycle Costs;
 5. Purchase water-saving products, including WaterSense labeled, whenever practicable, including but not limited to, high performance fixtures such as toilets (1.28 gallons per flush or less), urinals (0.5 gallons per flush or less), low-flow faucets (1.5 gallons per minute or less), aerators, and upgraded high-efficiency irrigation systems;

6. Replace disposable with re-usable, recyclable, or compostable Goods;
 7. Consider Life Cycle Cost Assessment; and
 8. Evaluate, as appropriate, the environmental performance of Vendors in providing Goods and Services.
- B. The analysis to determine environmentally preferable Goods and Services may include raw materials acquisition, production, manufacturing, packaging, distribution, reuse, operation, maintenance, disposal of products, or service delivery. Specifically, factors that should be considered by the User when determining that Goods have environmentally preferable attributes include, but are not limited to:
1. Minimization of virgin, unrecycled material used in Goods;
 2. Maximization of recycled materials used in Goods;
 3. Life cycle economics of Goods and Services;
 4. Reuse of existing Goods or materials in Goods;
 5. Recyclability, biodegradability and compostability of Goods;
 6. Minimization of packaging;
 7. Reduction of energy and fuel consumption;
 8. Reduction of water consumption;
 9. Toxicity reduction or elimination;
 10. Durability and maintenance requirements; and
 11. Ultimate disposal of the Goods.

SECTION X – PROTESTS, SUSPENSION, AND DEBARMENT

I. Right to Protest.

Any actual Bidder or Proposer who is aggrieved in connection with the formal solicitation or award of a Contract may protest to the City. Protestors shall seek resolution of their protests/complaints initially with the City Manager.

1. *Timeliness.*

- a. Protests arising from factual or legal basis of goods or services acquired by non-competitive procurement must be submitted 24 hours before the start of the public meeting at which the goods or services acquired by non-competitive procurement is approved.
- b. Protests arising from factual or legal basis that the protestor knew or should have known subsequent to the date the bid/proposal was submitted must be submitted within ten business days after the protestor knew or should have known of such basis, but in no event shall any protest be submitted more than ten business days after the award of the contract.
- c. Untimely protests are invalid and shall be denied as such.

2. *Contents of Protest.* The protest shall, at a minimum, be in writing and include the following information:
 - a. Identity and contact information of protestor;
 - b. Appropriate identification of the subject solicitation or award;
 - c. Detailed statement of the legal and factual grounds of the protest;
 - d. Documentation supporting the protest and/or allegations;
 - e. Statement of the specific relief requested; and
 - f. Signed by an officer or person authorized to sign contracts on behalf of the protestor.

3. *Submission of Protests.* All protests shall be submitted to the City Manager via registered mail, overnight delivery, or hand delivery. **Non-competitive procurement protests must be submitted to procurement@stonecrestga.gov.**

4. *Protest Resolution.* If a protest complies with subsections (1) through (3) above, the City Manager shall request a response from the **Procurement Official**. The **Procurement Official's** response will be returned to the City Manager within seven (7) business days from the submission of the protest. The City Manager is empowered to decide to uphold, dismiss or amend the decision of **the Procurement Official**.

5. *Decision on Protest.* The City Manager shall inform the protestor of the decision in writing within fifteen (15) business days of the submission of the protest or, if the City Manager requires more time to render a decision, the City Manager will advise the protestor within the initial ten (10) days of the additional amount of time required to render a decision.

6. *Appeals.* Any actual Bidder or Proposer who is aggrieved by the decision of the City Manager in connection with a protest shall file a notice of appeal with the City Manager and City Clerk within seven (7) days of receipt of the decision.
 - a. *Hearing.* The City Manager shall set a hearing date before City Council not more than thirty (30) days from the date of receipt of the notice. The City Clerk shall cause notice of the hearing date, time, and location to be served upon the parties by registered mail. At the hearing, all parties shall be provided a fair and impartial hearing and shall be allowed to offer argument as to whether the City Manager's decision should be affirmed or overturned. Said hearing will not be de novo, but shall be of an appellate nature.

 - b. *Decision.* Within seven (7) days of the hearing, the City Council shall issue a written decision on the appeal, which shall either affirm or reject the City Manager's decision. The City Clerk shall send a copy of the decision to the protestor(s) by registered mail.

 - c. *Finality.* A decision by the City Council under subsection 6(b) above shall be final and conclusive as to the City's appeal process. Any further action shall be through the court.

7. *Stay of Procurement.* In the event a protest complies with subsections (1) through (3) above, the Procurement Official shall not proceed with the further solicitation or award of the Contract until all administrative remedies have been exhausted, or the City Manager or City Attorney makes a determination that the award of the contract without delay is necessary to protect the interests of the City.

J. Suspension and Debarment

The **Procurement Official and Procurement staff will verify business licenses, suspensions and debarments status through the City and Department of Administrative Services website as well as other available resources during the internal review process for all responses received in response to a solicitation.**

Suspended and Debarred Suppliers | Georgia Department of Administrative Services - DOAS and City

1. *Authority to Suspend or Debar.* After reasonable notice to the Person involved and reasonable opportunity for that Person to respond, the **Procurement Official** shall have the authority to initiate proceedings to suspend or debar a Person from doing business with the City. The City Manager shall have the authority to order suspension or debarment as provided herein.
2. *Causes for Suspension or Debarment.* The causes for suspension or debarment include:
 - a. Conviction for commission of a criminal offense as an incident to obtain or attempting to obtain a public or private contractor subcontract, or in performance of such contract or subcontract;
 - b. Conviction of state or federal statutes of embezzlement, theft, forgery, bribery, falsification or destruction of records, receiving stolen property or any other offense indicating a lack of business integrity or business honesty which currently, seriously and directly affects responsibility as a city contractor;
 - c. Conviction of state or federal antitrust statutes arising out of the solicitation and submission of bids or proposals;
 - d. Violation of contract provisions of a character which is regarded by the **Procurement Official** to be so serious as to justify suspension action, which includes but is not limited to the following:
 - i. Failure to perform in accordance with the specifications within a time limit provided in a city contract;
 - ii. A recent record of failure to perform or unsatisfactory performance in accordance with the terms of one or more contracts, provided, that failure

- to perform or unsatisfactory performance caused by acts beyond the control of the Person shall not be considered to be a basis for suspension; or
- iii. Falsification of any documents.
- e. Commission or solicitation of any act that would constitute a violation of the ethical standards set forth in this Purchasing Policy and the City’s Code of Ethics.
 - f. Any other cause that is serious and compelling as to affect the Person’s responsibility as a city vendor, including debarment or suspension by another government entity.
3. *Initiation of Suspension or Debarment Action.* When the **Procurement Official** receives information from any source concerning a cause for suspension or debarment, he or she will promptly investigate the matter. If the **Procurement Official** finds cause that suspension or debarment is warranted, the **Procurement Official** shall prepare a written determination detailing the grounds for and length of the proposed suspension or debarment. Written notice of a proposed suspension or debarment action shall be sent by registered mail to the Person subject to the action, and shall also be sent to the City Manager and City Attorney.
 4. *Review of Proposed Suspension or Debarment.* Within fifteen (15) days of receiving said notice, the Person subject to the action shall submit any and all responsive records or documents in defense of the proposed suspension or debarment to the City Manager. Failure to submit a timely written response shall result in a waiver of review.
 5. *Final Decision.* After consultation with the City Attorney, the City Manager shall issue a final decision, which shall adopt, amend, or reject the proposed suspension or debarment. When suspension or debarment is ordered, the length of the suspension or debarment, the reasons for such action and to what extent affiliates are affected shall be set forth in writing and sent by registered mail to the Person subject to the action.
 6. *Effect of Suspension or Debarment.* A suspension or debarment decision shall take effect upon issuance and mailing of written notice of such decision to the Person subject to the action. After the suspension or debarment takes effect, the Person shall remain suspended or debarred until the period specified in the decision expires.
 7. *Duration of Suspension/Debarment.* Suspensions shall be for a period not to exceed 120 days. Debarment shall be for a period not to exceed three years, unless cause is based on a felony conviction for an offense related or associated with fraudulent contracting or misappropriation of funds. In such event, the debarment shall be for a period not to exceed seven years.
 8. *List of Suspended/Debarred Persons.* The **Procurement Official** shall create and maintain a list of all suspended and debarred Persons. All departments shall be routinely supplied with said list.

SECTION XI – PROPERTY DISPOSAL

A. Compliance with Applicable Regulations

The disposal of municipal property shall conform to applicable federal, state (*e.g.* O.C.G.A § 36-37-6) and local laws and regulations and shall be subject to the provisions of the City Code of Ethics.

B. Excess, Surplus, and Obsolete Materials

It shall be the duty of the User to report all excess, surplus or obsolete materials to the Procurement Official. At this point, the **Procurement Official** will examine alternatives as to the most advantageous disposition of the items. Items could be refurbished or reconditioned, transferred, traded in on new equipment or sold by auction or sealed bid, or destroyed. For property over \$5,000 in aggregate or \$1,000 individually, the City Council shall approve the request to have the property declared surplus. For other property, the **Procurement Official** shall present a list to the City Manager for approval.

1. *Transfer or Re-use.* The most gainful method for handling an item no longer needed by a department is to transfer it to another department that has a use for the item.
2. *Trade-In.* In replacing obsolete equipment, it may be financially advantageous to trade-in the old equipment. The invitation for bids on the replacement item should call for bid prices with or without trade-in and provide that award may be made either way.
3. *Sale.* Excess, surplus and obsolete items not transferred or traded-in may be consolidated and offered for sale to the highest responsible bidder either by auction or by sealed bid method. Auctions can be traditional or contemporary including online auctions such as www.Govdeals.com or similar websites. The consolidated list will be submitted to City Council for approval before an auction or sealed bid is organized. The property offered for sale will be on an "AS IS/WHERE IS" basis. Sealed bids will be opened at the time and place announced with the City, retaining the right to reject any and all. A tabulation of all bids received shall be available for public inspection following the opening of all bids. Said bids shall be retained and kept available for public inspection for a period not less than sixty (60) days from the date the bids were opened.
4. Public Notice of Sale: For the sale of personal property with an estimated value exceeding \$500.00, the City shall cause legal notice to be published in the official legal organ or newspaper of general circulation not less than fifteen (15) but no more than sixty (60) days preceding the day of the auction or the last day for the receipt of bids/proposals. The notice shall include a general description of the property to be sold.
 - a. The notice for sale by auction shall also contain the conditions of the proposed sale and shall state the date, time, and place of the proposed sale.
 - b. The notice for sale by sealed bids shall also contain an invitation for proposals and shall state the conditions of the proposed sale, the address at which bid blanks and

other written materials connected with the proposed sale may be obtained, and the date, time, and place for the opening of bids.

C. Sale to Employees

To avoid any appearance of impropriety in the disposition program, it is the City's policy to prohibit the direct sale of surplus property to any City Employee, Official or Agent. This policy does not prohibit any City Employee, Official or Agent from extending an offer at a public auction or in the form of a sealed bid.

D. Allocation of Proceeds

Proceeds from the sale of excess or surplus property will go into the City's Fund that held the asset.

APPENDICES

APPENDIX A:

PROJECTS USING FAHP FUNDING

In accordance with the requirements of the Brooks Act, (40 U.S.C. § 1101 *et seq.*), the following competitive negotiation procedures shall apply to City procurements for architectural, engineering, and related design services when Federal Aid Highway Program (FAHP) funds are involved in the project:

A. Solicitation.

The solicitation process shall be by public announcement, public advertisement, or any other public forum or method that assures qualified in-State and out-of-State consultants are given a fair opportunity to be considered for award of the contract. Procurement procedures may involve a single step process with the issuance of a request for proposal (RFP) to all interested consultants or a multiphase process with **the issuance** of a request for statements or letters of interest or qualifications (RFQ) whereby responding consultants are ranked based on qualifications and request for proposals are then provided to three or more of the most highly qualified consultants. Minimum qualifications of consultants to perform services under general work categories or areas of expertise may also be assessed through a prequalification process whereby statements of qualifications are submitted on an annual basis. Regardless of any process utilized for prequalification of consultants or for an initial assessment of a consultant's qualifications under an RFQ, a RFP specific to the project, task, or service is required for evaluation of a consultant's specific technical approach and qualifications.

B. Request for Proposal (RFP).

The RFP shall provide all information and requirements necessary for interested consultants to provide a response to the RFP and compete for the solicited services. The RFP shall:

1. Provide a clear, accurate, and detailed description of the scope of work, technical requirements, and qualifications of consultants necessary for the services to be rendered. The scope of work should detail the purpose and description of the project, services to be performed, deliverables to be provided, estimated schedule for performance of the work, and applicable standards, specifications, and policies;
2. Identify the requirements for any discussions that may be conducted with three (3) or more of the most highly qualified consultants following submission and evaluation of proposals;
3. Identify evaluation factors including their relative weight of importance in accordance with Sections C and D;
4. Specify the contract type and method(s) of payment to be utilized;
5. Identify any special provisions or contract requirements associated with the solicited services;

6. Require that submission of any requested cost proposals or elements of cost be in a concealed format and separate from technical/qualifications proposals as these shall not be considered in the evaluation, ranking, and selection phase; and
7. Provide a schedule of key dates for the procurement process and establish a submittal deadline for responses to the RFP which provides sufficient time for interested consultants to receive notice, prepare, and submit a proposal, which except in unusual circumstances shall be not less than 14 days from the date of issuance of the RFP.

C. Evaluation Factors.

Criteria used for evaluation, ranking, and selection of consultants to perform engineering and design related services must assess the demonstrated competence and qualifications for the type of professional services solicited. These qualifications-based factors may include, but are not limited to, technical approach (e.g., project understanding, innovative concepts or alternatives, quality control procedures), work experience, specialized expertise, professional licensure, staff capabilities, workload capacity, and past performance.

Price shall not be used as a factor in the evaluation, ranking, and selection phase. All price or cost related items which include, but are not limited to, cost proposals, direct salaries/wage rates, indirect cost rates, and other direct costs are prohibited from being used as evaluation criteria.

In-State or local preference shall not be used as a factor in the evaluation, ranking, and selection phase. State licensing laws are not preempted by this provision and professional licensure within a jurisdiction may be established as a requirement which attests to the minimum qualifications and competence of a consultant to perform the solicited services.

The following non-qualifications-based evaluation criteria are permitted under the specified conditions and provided the combined total of these criteria do not exceed a nominal value of ten percent of the total evaluation criteria to maintain the integrity of a qualifications-based selection:

1. A local presence may be used as a nominal evaluation factor where appropriate. This criterion shall not be based on political or jurisdictional boundaries and may be applied on a project-by-project basis for contracts where a need has been established for a consultant to provide a local presence, a local presence will add value to the quality and efficiency of the project, and application of this criteria leaves an appropriate number of qualified consultants, given the nature and size of the project. If a consultant outside of the locality area indicates as part of a proposal that it will satisfy the criteria in some manner, such as establishing a local project office, that commitment shall be considered to have satisfied the local presence criteria.
2. The participation of qualified and certified Disadvantaged Business Enterprise (DBE) sub-consultants may be used as a nominal evaluation criterion where appropriate in accordance with 49 CFR Part 26.

D. Evaluation, Ranking, and Selection.

1. Consultant proposals shall be evaluated by the City based on the criteria established and published within the public solicitation.
2. While the contract will be with the prime consultant, proposal evaluations shall consider the qualifications of the prime consultant and any sub-consultants identified within the proposal with respect to the scope of work and established criteria.
3. Following submission and evaluation of proposals, the City shall conduct interviews or other types of discussions to determine three of the most highly qualified consultants to clarify the technical approach, qualifications, and capabilities provided in response to the RFP. Discussions may be written, by telephone, video conference, or by oral presentation/interview. Discussions following proposal submission are not required provided proposals contain sufficient information for evaluation of technical approach and qualifications to perform the specific project, task, or service with respect to established criteria.
4. From the proposal evaluation and any subsequent discussions which have been conducted, the City shall rank, in order of preference, at least three consultants determined most highly qualified to perform the solicited services based on the established and published criteria.
5. Notification must be provided to responding consultants of the final ranking of the three most highly qualified consultants.
6. The City shall retain acceptable documentation of the solicitation, proposal, evaluation, and selection of the consultant in accordance with the provisions of 49 CFR 18.42.

E. Negotiation.

1. Independent estimate. Prior to receipt or review of the most highly qualified consultant's cost proposal, the City shall prepare a detailed independent estimate with an appropriate breakdown of the work or labor hours, types or classifications of labor required, other direct costs, and consultant's fixed fee for the defined scope of work. The independent estimate shall serve as the basis for negotiation and ensuring the consultant services are obtained at a fair and reasonable cost.
2. If concealed cost proposals were submitted in conjunction with technical/qualifications proposals, only the cost proposal of the consultant with which negotiations are initiated may be considered. Concealed cost proposals of consultants with which negotiations are not initiated should be returned to the respective consultant due to the confidential nature of this data (as specified in 23 U.S.C. 112(b)(2)(E)).
3. The City shall retain documentation of negotiation activities and resources used in the analysis of costs to establish elements of the contract in accordance with the provisions of 49 CFR 18.42.

F. Small Purchases.

The small purchase method involves procurement of engineering and design related services where an adequate number of qualified sources are reviewed, and the total contract costs do not exceed an established simplified acquisition threshold. The City may use the State's small purchase procedures which reflect applicable State laws and regulations for the procurement of engineering and design related services provided the total contract costs do not exceed the Federal simplified acquisition threshold (as specified in 48 CFR 2.101). When a lower threshold for use of small purchase procedures is established in State law, regulation, or policy, the lower threshold shall apply to the use of FAHP funds as allowed by Federal law. The following additional requirements shall apply to the small purchase procurement method:

1. The scope of work, project phases, and contract requirements shall not be broken down into smaller components merely to permit the use of small purchase procedures.
2. A minimum of three consultants are required to satisfy the adequate number of qualified sources reviewed.
3. Contract costs may be negotiated in accordance with State small purchase procedures; however, the allow ability of costs shall be determined in accordance with the Federal cost principles.
4. The full amount of any contract modification or amendment that would cause the total contract amount to exceed the established simplified acquisition threshold would be ineligible for Federal-aid funding. The FHWA may withdraw all Federal aid from a contract if it is modified or amended above the applicable established simplified acquisition threshold.

G. Noncompetitive.

The noncompetitive method involves procurement of engineering and design related services when it is not feasible to award the contract using competitive negotiation or small purchase procurement methods. The following requirements shall apply to the noncompetitive procurement method:

1. The City may use their own noncompetitive procedures which reflect applicable State and local laws and regulations and conform to applicable Federal requirements.
2. The City shall establish a process to determine when noncompetitive procedures will be used and shall submit justification to, and receive approval from, the FHWA before using this form of contracting.
3. Circumstances under which a contract may be awarded by noncompetitive procedures are limited to the following:
 - i. The service is available only from a single source;
 - ii. There is an emergency which will not permit the time necessary to conduct

- competitive negotiations; or
- iii. After solicitation of a number of sources, competition is determined to be inadequate.
- 4. Contract costs may be negotiated in accordance with the City noncompetitive procedures; however, the allow ability of costs shall be determined in accordance with the Federal cost principles.

H. Additional Procurement Requirements and Provisions.

1. Common Grant Rule.

- i. The City must comply with procurement requirements established in State and local laws, regulations, policies, and procedures which are not addressed by or in conflict with applicable Federal laws and regulations (as specified in 49 CFR 18.36).
- ii. When State and local procurement laws, regulations, policies, or procedures conflict with applicable Federal laws and regulations, the City must comply with Federal requirements to be eligible for Federal-aid reimbursement of the associated costs of the services incurred following FHWA authorization (as specified in 49 CFR 18.4).

iii. Additional terms, conditions, provisions and applicable additional required forms and acknowledgements will be added to the City's solicitation packages. Respondents will be required to submit the additional forms and accept the additional acknowledgements where applicable with their submittals prior to the solicitation closing date (response due date).

2. Disadvantaged Business Enterprise (DBE) program.

- i. The City shall give consideration to DBE consultants in the procurement of engineering and design related service contracts subject to 23 U.S.C. 112(b)(2) in accordance with 49 CFR part 26. When DBE program participation goals cannot be met through race-neutral measures, additional DBE participation on engineering and design related services contracts may be achieved in accordance with the City's FHWA approved DBE program through either:
 - a. Use of an evaluation criterion in the qualifications-based selection of consultants; or
 - b. Establishment of a contract participation goal.
- ii. The use of quotas or exclusive set-asides for DBE consultants is prohibited (as specified in 49 CFR 26.4

3. **Georgia Department of Transportation (GDOT). The City must comply with procurement requirements established by the GDOT laws, regulations, policies, and procedures when utilizing GDOT funds for Capital Improvement**

Projects and procurement, management, and administration of engineering and design related professional services (consulting) to maintain compliance with Federal and State Procurement Ordinances such as 23 CRR Part 172, 2 CFR Chapter I and Chapter II, 40 U.S.C 1101-1104, 48 CFR Part 31, O.C.G.A 50-22-1 through 50-22-9, 2 CFR 200.333 , which are not addressed by or in conflict with applicable Federal laws and regulations (as specified in 49 CFR 18.36 and State Purchasing Act (Official Code of Georgia Annotated in (O.C.G.A.) Section 50-5-50 et seq. and Title 32 If conflict does arise, the Procurement Official will work with legal, GDOT, and the State Purchasing Department to resolve the conflict.

- i. The use of GDOT Capital Improvement funds projects does not exempt the City from following the State Procurement Act or the rules of competitive bidding.**
- ii. City staff participating in soliciting, facilitating evaluations, conducting negotiations and contract administration are required to attend and pass procurement training prior to participating in any of the processes associated with procuring, managing, and administering engineering and design consultant services when Federal Aid Highway Program (FAHP) funds are utilized.**
- iii. City staff will ensure compliance with all rules, regulations and policies and procedures associated with engineering and design procurement consisting of the following:**
 - a. 23 CFR Part 172 Procurement, Management and Administration of Engineering and Design Related Services; Final Rule.**
 - b. 2 CFR Chapter I, and Chapter II, Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards; Final Rule.**
 - c. 40 U.S.C. 1101-1104 Selection of Architects and Engineers “The Brooks Act”.**
 - d. 48 CFR Part 31 – Contract Cost Principles and Procedures.**
 - e. Repayment of Preliminary Engineering Cost (Order 2020.1).**
 - f. FHWA Policy for Contractor Certification of Costs in Accordance with Federal Acquisition Regulations (FAR) to Establish Indirect Cost Rates on Engineering and Design-related Services Contracts Order No. 4470.1A.**
 - g. O.C.G.A. 50-22-1 through 50- 22-9.**

- h. GDOTs DBE program.**
- iv. When State and local procurement laws, regulations, policies, or procedures conflict with applicable Federal laws and regulations, the City must comply with GDOT requirements to be eligible for reimbursement of the associated costs.**
- v. Additional Provisions and Required Forms: The GDOT additional provisions, required forms and acknowledgements will be included in the solicitation package in addition to the City’s standard terms and conditions and forms.**
 - a. Bidders/Proposer’s/Respondents will be required to complete and submit the additional required forms and accept the additional acknowledgments prior to solicitation close date as a part of the submittal.**
 - b. Failure to submit the additional required forms will lead to a non-responsive and responsible determination and the submittal will not be accepted.**
- 4. Suspension and Debarment. The City must verify suspension and debarment actions and eligibility status of consultants and sub-consultants prior to entering into an agreement or contract in accordance with 49 CFR 18.35 and 2 CFR part 180.**



PURCHASE REQUISITION FORM (Under \$49,999.99):

NOTE: By signing this request, you are certifying that the listed expenses are business related.

REQUESTOR NAME: _____ REQUESTOR SIGNATURE: _____

DEPARTMENT: _____ PHONE: _____ E-MAIL ADDRESS: _____

DEPARTMENT DIRECTOR: _____ DIRECTOR SIGNATURE: _____

DELIVERY ADDRESS: _____ PERSON OF CONTACT: _____

DATE REQUEST SUBMITTED: _____ NEED BY DATE: _____
(Date Request Submitted to Procurement or Entered by Dept.) (Date delivery is needed)

REQUISITION NO. _____ DATE ISSUED: _____ ACCOUNT TO BE CHARGED: _____
(Requisition No. generated by Tyler) (Date Requisition Prepared and submitted for approval)

VENDOR NAME: _____ VENDOR ID NO. _____

DETAILED DESCRIPTION OF PURCHASE (attach supporting documentation): _____

| ITEM DESCRIPTION | QUANITIY | UNIT | UNIT PRICE | TOTAL AMOUNT |
|------------------|----------|------|--------------------|--------------|
| | | | | \$ |
| | | | | \$ |
| | | | | \$ |
| | | | | \$ |
| | | | | \$ |
| | | | | \$ |
| | | | | \$ |
| | | | | \$ |
| | | | | \$ |
| | | | | \$ |
| | | | | \$ |
| | | | | \$ |
| | | | | \$ |
| | | | | \$ |
| | | | TOTAL COST: | \$ |

ADDITIONAL COMMENTS:

ADDITIONAL ACCOUNT TO BE CHARGED (INDICATE WHICH LINE ITEM IF USING MULTIPLE ACCOUNTS: _____

SUGGESTED VENDORS:

1. _____
2. _____
3. _____
4. _____
5. _____

EACH REQUEST MUST INCLUDE SUPPORTING DOCUMENTATION: Scope of work/services, item description, unit price, total cost, quote/estimate provided by the Vendor, invoice etc.. Outside Events, Workshops, Training include the registration information, detailed description of the workshop/training, etc. Internal events, workshops, and training shall include the flyer in addition to standard required supporting documentation.

REQUIRED APPROVALS

DIRECTOR OF COMMUNICATIONS/IT (if applicable): _____ DATE: _____
___ APPROVED ___ DENIED

DIRECTOR OF FINANCE: _____ DATE: _____
___ APPROVED ___ DENIED

PROCUREMENT OFFICIAL: _____ DATE: _____
___ APPROVED ___ DENIED

Competitive Prices: _____
Additional Comments: _____

CITY MANAGER: _____ DATE: _____
___ APPROVED ___ DENIED



SOLICITATION REQUEST FORM

SUBMIT PACKAGE TO: Procurement@stonecrestga.gov

NOTE:

1. This checklist is to ensure all required information is submitted at the same time as the request for a new solicitation.
2. This checklist is not required for purchase orders, change orders, work authorizations, amendments / modifications.
3. Incomplete request for solicitations (without supporting documentation) will cause a delay in processing and subject to rejection and returned to the requestor.

NOTE: ADVERTISEMENT PERIODS

ITB 30 DAYS
CONSTRUCTION ITB 30 DAYS
RFP 30 TO 90 DAYS
RFQ 30 TO 90 DAYS

IN ACCORDANCE WITH GEORGIA STATUTE Vendor/Prime/Contract Assistance:


Vendors, primes, and/or contractors that have assisted in the development of the specifications, scope of services, evaluation criteria, bid sheet, price proposal, estimates related to this purchase and/or project, they are **NOT ELIGIBLE to participate in this solicitation process and the Procurement Department MUST be notified.** Requestor/Project Manager signature is required, acknowledging this section.

PLEASE READ THE BELOW STATEMENTS BEFORE SIGNING THIS DOCUMENT

I have reviewed the specifications, performed necessary due diligence, and to the best of my knowledge, the specifications provided does not contain restrictive language that will impede open and free competition.

PROJECT MANAGER:

DEPARTMENT:

PROJECT MANAGER SIGNATURE: 


DATE:

PHONE NUMBER:

E-MAIL ADDRESS:

SOLICITATION/PROJECT TITLE:

DEPARTMENT DIRECTOR:

DIRECTOR SIGNATURE: 

Comments:

BUDGET/ENCUMBRANCE INFORMATION:

Department Code: _____ Estimated Project Budget/Cost: \$ _____

Project Number/ GL Account Number & Description: _____

FUNDING AUTHORIZATION:

Director/Assistant Director of Finance/Designee _____

Signature: _____

Date: _____

TYPE OF CONTRACT (SELECT ONE):

ONE-TIME PURCHASE/SERVICE TERM CONTRACT (Continuing Contract) SOW

PROCUREMENT TYPE (SELECT ONE)

COMMODITY COMMODITY/SERVICE (ex. SUPPLY & INSTALL) GENERAL SERVICES
 PROFESSIONAL SERVICES CONSTRUCTION PROJECT (ex. SUPPLY, INSTALL, WITH LICENSING)

Indicate percentage of work the awarded vendor (prime) is responsible for completing: _____ % (N/A for commodity purchases)

COMMODITY CODES:

SOLICITATION TYPE (SELECT ONE):

COMPETITIVE
 SOLE SOURCE / SINGLE SOURCE: Is this "Standardized" as sole source? Yes No
 • If "YES" Sole Source / Single Source Form Required and must be submitted with request.
 SOLE BRAND: Is this "Standardized" as a sole brand? Yes No
 • If "YES" Sole Source / Single Source Form Required and must be submitted with request.

Does this replace and exiting contract? Yes No Expiration Date: _____
 • If yes, please provide a copy of the Contract and Resolution No.

Pre-Bid/Proposal/Submittal Meeting: Yes No Mandatory: Yes No Site Visit: Yes No

Number of Anticipated Contract Award: _____

DESIRED CONTRACT TERM/LENGTH/RENEWAL OPTIONS:

Desired Contract Term/Length of Services: _____ (Month, Initial Term) Desired Execution Date: _____

Renewal Options: Yes No Number of Renewals: _____

START DATE: (Check one of the following)

Services to begin as soon as contract is fully executed by the Department:
 Services to begin upon issuance of Work Order, Notice to Proceed and receipt of Purchase Order:

Note: All "Orders", Notice to Proceeds and supporting documentation must be attached to the requisition submitted in Tyler.

Liquidated Damages Required (substantial, final): Yes No

If amounts exceed current requirements, justification memo required for requested amounts.

Single Project Amount:

Annual Amount:

"Current Wage Rate Tables" Applicable to this project if greater than \$100K: Yes No

Prevailing Wage provided for this project: Yes No

Davis Bacon (required for federal/state funding projects): Yes No

PROJECT COMPLETION REQUIREMENTS (TIME SENSITIVE PROJECTS):
SERVICE AND CONSTRUCTION PROJECTS ONLY, AS APPLICABLE

SINGLE PROJECT:

The Contractor recognizes that **TIME IS OF THE ESSENCE**. The Work shall commence within ____ calendar days (____ working days) of the date of the Notice to Proceed.

The Work shall be Substantially Completed within ____ calendar days (____ working days) after the date when the Contract Time commences to run as provided in the Notice to Proceed.

The Work shall be finally completed on the Final Completion Date and ready for final payment in accordance with this Agreement within ____ calendar days (____ working days) after the date when the Contract Time commences to run as provided in the Notice to Proceed.

ANNUAL PROJECT: Task Work Order (TWO)/Work Authorization (WA)/Work Order(WO): "ORDER"

The Contractor recognizes that **TIME IS OF THE ESSENCE**. The Work on each "Order" shall commence immediately upon the Contractor's receipt of an executed "Order".

The Contractor shall mobilize to the project site and begin construction activities within ____ calendar days of receipt of the executed order or by the specific date noted within the "Order" (whichever applies).

The "Order" shall be substantially completed within the timeframe agreed upon and noted in each executed "Order".

The Work on each "Order" shall be finally completed on or before the Final Completion Date and ready for final payment in accordance with Final Completion Date agreed upon and noted in each executed "Order".

In the event services are scheduled to end because of the expiration of this contract, the Contractor shall continue the service upon the request of the City as authorized by the awarding authority. The extension period shall not extend for more than ____ days beyond the expiration date of the existing contract. The Contractor shall be compensated for the service at the rate in effect when this extension clause is invoked by the City. No new "Order" will be assigned after the contract's expiration nor will any new work be performed after that date.

ADDITIONAL SOLICITATION REQUIREMENTS: (If applicable)

NOTE: Additional requirements that need to be included in the solicitation.

- | | |
|---|--|
| <input type="checkbox"/> Discount from List Pricing/ Catalog Pricing | <input type="checkbox"/> Price Escalation Clause |
| <input type="checkbox"/> Bonding Requirements <ul style="list-style-type: none">• Reduced Bonding limits or required on non-construction projects | <input type="checkbox"/> Multi-Vendor Award |
| <input type="checkbox"/> Pass Thru Amount <ul style="list-style-type: none">• Allowance Parts on a pass-thru, permit allowance, etc. | <input type="checkbox"/> Trade in Disposal |
| <input type="checkbox"/> Multi-Year Initial Contract Term <ul style="list-style-type: none">• Quotes and Bids: Greater than Three years / Greater than Five Years | <input type="checkbox"/> Piggyback/Co-Op Agreement |

REQUIRED SUPPORTING DOCUMENTATION

Check all applicable items listed below.

NOTE: Please label each document accordingly (Scope of Services, Evaluation Criteria, etc.)

- Specifications/Scope of Services/Scope of Work/ Minimum Technical Specifications (in Word Format)
- Itemized Bid Sheet/Price Sheet/Proposal Cost Sheet (as applicable)
- Purchase/Project Cost Estimate (Itemized as applicable)
- Evaluation Criteria (RFP/RFQ/RLI's/RTQ/SOW)
- Plans/Drawings/Technical Specifications (Construction, etc.) Number of Sheets:
- Certificate of Insurance Requirements in accordance with the State of Georgia Department of Administration
- License Requirement Memorandum: Construction and/or General Services (if applicable)
- Preliminary Vendor Quote (if available)
- Signed Justification Memorandum(s) and Additional Forms as applicable (EX. pass thru allowance)

FEDERAL (GRANT) FUNDED ONLY

Required Supplemental Checklist Forms

- Copy of executed Grant and supporting documentation
- Contract Term
- Independent Cost Estimate
- Lease vs Purchase
- Independent Cost Estimate / Cost/Price Analysis



APPENDIX D:
AND JUSTIFICATION FORM

SAMPLE SOLE/SINGLE SOURCE REQUEST



City of Stonecrest, GA
Procurement Department
3120 Stonecrest Blvd.
Stonecrest, Ga 30338
Web: www.stonecrestga.gov
Office: (770) 224-0200
Email: Procurement@stonecrestga.gov

SOLE BRAND/ SOLE SOURCE/ SINGLE SOURCE
NON-COMPETITIVE PROCUREMENT
JUSTIFICATION FORM

DATE: _____

TO: TANISHA BOYNTON, PROCUREMENT MANAGER, PROCUREMENT DEPARTMENT

REQUESTED BY: _____ DEPARTMENT: _____

PHONE NO.: _____ E-MAIL ADDRESS: _____

DEPARTMENT DIRECTOR: _____ SIGNATURE: _____ DATE: _____

SPECIFIED SUPPLIER (COMPANY NAME): _____ VENDOR ID. NO.: _____

SUPPLIER CONTACT PERSON: _____ VENDOR ID NO.: _____ PHONE NUMBER: _____

TOTAL COST: \$ _____

Please check the appropriate section and provide detailed justification:

_____ **Sole Source:** The specified supplier is the **ONLY** provider of goods/services. A quote/proposal/estimate and certified letter from the supplier is required and **MUST** be attached. The quote/proposal/estimate must address the prices/terms set forth and be deemed reasonable for the values presented. The certified supplier letter must address trademark agreements, warranties, and proprietary ownership (*patented or copyrighted products or services*).

Justification for Sole Source: Provide a detailed description of goods/services to be provided. Describe what is unique about the product, particular style, model, type, manufacturer, service or source and how it meets City needs. Include what steps taken to confirm unavailability of competition as appropriate. If the space provided below is not sufficient, please attach a justification memorandum.

_____ **Single Source:** The specified supplier and its authorized dealers/providers are the **ONLY** ones authorized to provide the requested good/services. The supplier/authorized dealer(s)/providers were selected to complement /support the following business decision (i.e. standardization, compatibility reasons). A quote/proposal/estimate and certified letter from the supplier is required and **MUST** be attached. The certified letter must include a list of authorized dealers/providers, address any active warranties, proprietary ownership (patented or copyrighted products or service). The quote/proposal/estimate must address the prices/terms set forth and be deemed reasonable for the value presented. If the space provided below is not sufficient, please attach a justification memorandum.

Please check the appropriate box and provide additional explanation.

_____ Standardized System _____ Parts provided by "OEM" _____ Other (Please explain)

Purchasing Coordinator/Purchasing Specialist: _____ Date: _____

The Procurement Department has reviewed the request and has completed its due diligence per the Purchasing Policy and in accordance with State Purchasing Act (Official Code of Georgia Annotated in (O.C.G.A.) Section 50-5-50 et seq.). The Purchasing Agent has conducted a good faith review of the request. A record of sole source procurements shall be maintained as a public record and shall list each contractor's name, the amount and type of each contract, a listing of the item(s) procured under each contract, and the identification numbers of each contract file.

If Approved: A contract/agreement may be awarded, or a Purchase Order may be issued without competition when the governing approvers have approved the request.

Note: Requests exceeding the City Managers award authority, will require City Council approval.

Procurement Manager: _____ Date: _____

Request: APPROVED DENIED

Non-Competitive Sourcing Method to obtain the goods and/or services: Sole Brand Sole Source Single Source
 Negotiations Appropriate (Price, Delivery, and Terms)

Additional Comment: _____



Item XII. b.

APPENDIX E: SAMPLE EMERGENCY PROCUREMENT REQUEST AND JUSTIFICATION FORM



City of Stonecrest, GA
Procurement Department
3120 Stonecrest Blvd.
Stonecrest, Ga 30338
Web: www.stonecrestga.gov
Office: (770) 224-0200
Email: Procurement@stonecrestga.gov

EMERGENCY PROCUREMENT
NON-COMPETITIVE PROCUREMENT
JUSTIFICATION FORM

DATE:
TO: TANISHA BOYNTON, PROCUREMENT MANAGER, PROCUREMENT DEPARTMENT
REQUESTED BY: DEPARTMENT:
PHONE NO.: E-MAIL ADDRESS:
DEPARTMENT DIRECTOR: SIGNATURE: DATE:
SPECIFIED SUPPLIER (COMPANY NAME): VENDOR ID. NO.:
SUPPLIER CONTACT PERSON: VENDOR ID NO.: PHONE NUMBER:
TOTAL COST: \$

TYPE OF EMERGENCY THREAT:

Public Health Public Welfare Safety "Designated Disaster Emergency"

Explanation of Emergency: If the space provided below is not sufficient, please attach a justification memorandum.

Statement of Work: If the space provided below is not sufficient, please attach a justification memorandum.

Purchasing Coordinator/Purchasing Specialist: _____ Date: _____

The Procurement Department has reviewed the request and has completed its due diligence per the Purchasing Policy and in accordance with State Purchasing Act (Official Code of Georgia Annotated in (O.C.G.A.) Section 50-5-50 et seq.). The Purchasing Agent has conducted a good faith review of the request.

Notwithstanding any other provisions of this chapter, the city manager or designee may make or authorize others to make emergency procurements of supplies, services, or construction items when there exists a threat to public health, welfare, or safety; provided that such emergency procurements shall be made with such competition as is practicable under the circumstances. A written determination of the basis for the emergency and for the selection of the particular contractor shall be included in the contract file. As soon as practicable, a record of each emergency procurement shall be made and shall set forth the contractor's name, the amount and type of contract, a listing of the item(s) procured under the contract, and the identification numbers of the contract file.

Further, during the aftermath of a locally designated disaster emergency as declared under Chapter 11, Article I. Section 11-3, of the city's Charter or in carrying out emergency management powers as defined in O.C.G.A. Section 50-5-71, as may be amended from time to time, these procurement procedures shall authorize the City Manager and the Purchasing Agent, to contract and make payment for repairs to damaged city facilities for a thirty-day period following the disaster emergency. The City Manager will report to the City Council on expenditures following the disaster. Further, the City Manager and the Purchasing Agent may utilize the resources of the City's insurance underwriter as part of the City's due diligence process in identifying vendors to complete repairs in the most timely and cost effective manner. These emergency procurement procedures will be in effect until repairs on city-owned facilities are completed.

If Approved: A contract/agreement may be awarded, or a Purchase Order may be issued without competition when the governing approvers have approved the request.

Note: Requests exceeding the City Managers may award authority, will require City Council approval.

Procurement Manager: _____ Date: _____

Request: APPROVED DENIED

Additional Comment: _____

CONFLICT OF INTEREST DECLARATION
City Employee/Official

Name (of person making the Declaration):

Position / title:

Organization:

Procurement Project:

Confidentiality

I understand that the procurement project’s information, discussions, meetings, correspondence and material are confidential, and I agree to keep this information safe and not supply this information to, or discuss this information with, anyone outside the Evaluation Committee.

No contact with bidders/proposers

I agree that I will have no contact with any bidder/proposer during the procurement. I will not:

- a. pass information or make comments to them about the procurement
- b. receive any gift, gratuity, hospitality or any inducement from them
- c. be in contact with, or meet them, or have any discussion about the procurement with them. I will immediately pass any requests for information or meetings that I receive from any bidder/proposer to the Evaluation Committee Chair.

Declaration

I understand my role as a City Employee or Official, and I make this declaration in good faith. *Select one of the following two options:*

NO CONFLICT OF INTEREST

I have no actual, potential or perceived conflict of interest in relation to this procurement process and my role as an employee and I undertake to carry out my duties with the highest degree of objectivity and integrity.

CONFLICT OF INTEREST

I have a conflict of interest.

- 1. Select the type of conflict of interest:

Actual: This is an existing conflict of interest, for example: you have a close relative who is a director of one of the firms that has submitted a bid/proposal.

Potential: This is a conflict of interest that is about to happen or could happen, for example: you or a close relative is in the process of being hired by, or acquiring part or full ownership of a firm that has submitted a bid/proposal.

Perceived: This is a conflict of interest which might be reasonably perceived by others as compromising a person's objectivity, for example: you have a close personal friendship with a director of one of the firms that has submitted a bid/proposal.

2. Describe the circumstances giving rise to the conflict of interest:

Signature:

Date:

CONFLICT OF INTEREST DECLARATION
Evaluation Committee

Name (of person making the Declaration):

Position / title:

Organization:

Procurement Project:

Confidentiality

I understand that the procurement project’s information, discussions, meetings, correspondence and material are confidential, and I agree to keep this information safe and not supply this information to, or discuss this information with, anyone outside the Evaluation Committee.

No contact with bidders/proposers

I agree that I will have no contact with any bidder/proposer during the procurement. I will not:

- a. pass information or make comments to them about the procurement
- b. receive any gift, gratuity, hospitality or any inducement from them
- c. be in contact with, or meet them, or have any discussion about the procurement with them. I will immediately pass any requests for information or meetings that I receive from any bidder/proposer to the Evaluation Committee Chair.

Declaration

I understand my role as a member of this procurement Evaluation Committee, and I make this declaration in good faith. *Select one of the following two options:*

NO CONFLICT OF INTEREST

I have no actual, potential or perceived conflict of interest in relation to this procurement process and my role as a member of the Evaluation Committee and I undertake to carry out my duties with the highest degree of objectivity and integrity.

CONFLICT OF INTEREST

I have a conflict of interest.

- 1. Select the type of conflict of interest:

Actual: This is an existing conflict of interest, for example: you have a close relative who is a director of one of the firms that has submitted a bid/proposal.

Potential: This is a conflict of interest that is about to happen or could happen, for example: you or a close relative is in the process of being hired by, or acquiring part or full ownership of a firm that has submitted a bid/proposal.

Perceived: This is a conflict of interest which might be reasonably perceived by others as compromising a person's objectivity, for example: you have a close personal friendship with a director of one of the firms that has submitted a bid/proposal.

2. Describe the circumstances giving rise to the conflict of interest:

Signature:

Date:

APPENDIX G:

SAMPLE DBE OBJECTIVES AND GOALS

Disadvantaged Business Enterprise (DBE) Program Objectives, established and amended by the State, local and Federal governing bodies providing the funding for City Projects.

Note: DBE status must be current and will be verified by the Procurement Department. Verification will be processed through the registering agency (State, County, Local) and will be a part of the internal review process. Vendors whose status has expired will not be considered and responses will be deemed non-responsive and non-responsible to the solicitation and its requirements.

1. To ensure nondiscrimination in the award and administration of DOT-assisted contracts in the Department's highway, transit, and airport financial assistance programs;
2. To create a level playing field on which DBEs can compete fairly for DOT-assisted contracts;
3. To ensure that the Department's DBE program is narrowly tailored in accordance with applicable law;
4. To ensure that only firms that fully meet this part's eligibility standards are permitted to participate as DBEs;
5. To help remove barriers to the participation of DBEs in DOT-assisted contracts;
6. To promote the use of DBEs in all types of federally-assisted contracts and procurement activities conducted by recipients.
7. To assist the development of firms that can compete successfully in the marketplace outside the DBE program; and
8. To provide appropriate flexibility to recipients of Federal financial assistance in establishing and providing opportunities for DBEs.

Establishing Contract Goals

The following factors to consider in setting contract goals include:

- a. Location
- b. Type of Work
- c. Availability of DBEs

Establishing Overall Goals

The overall goal must be based on demonstrable evidence of the availability of ready, willing, and able DBEs relative to all businesses ready, willing, and able to participate on the DOT- assisted contracts (hereafter, the “relative availability of DBEs”). The goal must reflect determination of the level of DBE participation you would expect absent the effects of discrimination.

1. Determine a base figure for the relative availability of DBEs.
2. Once a base figure has been calculate, examine all of the evidence available in the jurisdiction to determine what adjustment, if any, is needed to the base figure to arrive at the overall goal. If the evidence does not suggest an adjustment is necessary, then no adjustment shall be made.

3. For FHWA recipients, the overall goal should be expressed as a percentage of all Federal-aid highway funds you will expend in FHWA-assisted contracts in the forthcoming three fiscal years.

APPENDIX H:


EXAMPLE OF DBE GOALS

Example of a DBE Goal:

For Federal Fiscal Years (FFY) 2018-2020, the Company established a DBE program goal of 25%; 21% race conscious; and 4% race neutral. The Company intends to award at least 25% of its total DOT-assisted contracts with qualified DBE firms through race conscious and race neutral means.

Proposed FFY 2021-2023, the Company in accordance with regulations of the U.S. Department of Transportation (DOT), 49 CFR Part 26, hereby announces its Federal Fiscal Year 2021-2023 goal of 23% for Disadvantaged Business Enterprise (DBE) participation on contracts assisted by the Federal Highway Administration (FHWA). The Company DBE goal is based on demonstrable evidence of the availability of ready, willing and able DBEs relative to all businesses that are ready, willing and able to participate on FTA- assisted contracts. The DBE goal reflects the level of DBE participation that would be expected on transit contracts absent of the effects of discrimination.

Another example of a DBE Goal: A \$2 million contract to widen a one-mile stretch of city street. The LPA procurement team identifies several subcontracting possibilities including striping, trucking, and traffic control—totaling \$220,000, or 11 percent of the contract value. The team searches the State DOT’s database of certified firms and identifies several DBE firms that are certified to perform these work items. The LPA also considers the location of the project and the availability of DBE firms to do the work which may increase or decrease the 11 percent. Based upon this analysis, the LPA believes that a contract goal of 9.5 percent is appropriate.

| Establishment of Contract Goals | | | | | |
|---------------------------------|--|------------------|---|------------|--|
| Subcontracting | | Allocated Costs | | Percentage | |
| Striping | | \$20,000 | | 1% | |
| Trucking | | \$80,000 |  | 4% | |
| Traffic Control | | \$20,000 | | 1% | |
| Other Work Types | | \$100,000 | | 5% | |
| Total | | \$220,000 | | 11% | |
| Adjustment | | | | -1.5% | |

APPENDIX I:

SAMPLE DBE GOOD FAITH EFFORT FORM

DBE GOOD FAITH EFFORTS

In accordance with the requirements for federally funded projects, Requirements the Federal Regulation 41CFR 60-4 refers to contracting with minority firms, women’s business enterprise, and labor surplus area firms. The goal for minority participation for each trade is ____%. The goal for female participation in each trade is ____%. If the goal is not met the contractor shall list the affirmative steps taken to utilize minority firms, women’s business enterprises, and labor surplus area firms. Please answer the questions below and attach all documentation:

1. Were qualified small and minority businesses and women’s business enterprises included on solicitation lists?

2. List actions taken to solicit small and minority businesses, and women’s businesses:

3. Was dividing the work and/or supplies into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women’s business enterprises considered?

4. Were the services and assistance of the Minority Business Development Agency of Department of Commerce utilized?

Bidder/ Contractor/Proposer Company Name: _____

Authorized Company Person’s Signature: _____

Authorized Company Person’s Title: _____

Date: _____



PURCHASING POLICY, PROCUREMENT PROCESSES AND PROCEDURES

LAST REVISED: 02.10.25, 03.10.25

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DISCLAIMER OF LIABILITY FOR IMPROPER PURCHASING: THE CITY DISCLAIMS ANY AND ALL RESPONSIBILITY AND LIABILITY FOR ANY PURCHASE, EXPENDITURE, PROMISE OR AGREEMENT FOR EXPENDITURE ARISING FROM ANY PROCUREMENT MADE IN ITS NAME OR IN THE NAME OF ANY AGENCY, AUTHORITY, COMMISSION, OR OTHER GOVERNMENTAL BODY UNDER ITS AUTHORITY, BY AN UNAUTHORIZED PERSON OR ANY PERSON ACTING IN VIOLATION OF THIS PURCHASING POLICY OR OUTSIDE OF THE AUTHORIZATION OR DELEGATION AS PROVIDED BY THIS POLICY. THE EXPENSE OF ANY SUCH TRANSACTION SHALL BECOME THE PERSONAL LIABILITY OF THE INDIVIDUAL AT FAULT UNLESS OTHERWISE RATIFIED OR EXEMPTED BY MAYOR AND COUNCIL.

SECTION I – GENERAL PROVISIONS

(1) PURPOSE AND OBJECTIVE

The purpose of this policy is to provide guidance to personnel engaged in the purchasing process throughout the City of Stonecrest. officially publish the administrative rules governing the City's purchasing and procurement activities for acquisition and contracting of Goods, Services, Professional Services, Real Estate, and Capital Assets. This policy is to ensure compliance with the State Purchasing Act (Official Code of Georgia Annotated in (O.C.G.A.) Section 50-5-50 et seq.), Georgia Statutes, City Charter, City Procurement Code (*Reference Purchasing Policy, Procurement Processes and Procedures*), State of Georgia Commission of Ethics, and Georgia Office of Inspector General (GOIG), and National Institute of Government Purchasing (NIGP) and the Institute for Supply Management (ISM) and applicable additional requirements when utilizing SPLOST, ARPA, Federal Grant Funds.

Additionally, this policy provides clarification on the duties, responsibility and authority of City Council, City Manager, Procurement Official and City staff participating in purchasing and procurement activities on the behalf of the City. This policy defines the Procurement Departments functions and outlines processes and procedure providing internal oversight, controls, and mechanisms needed to allow the City to meet the following goals:

- A. Ensure that tax dollars are spent in the most transparent, economical and efficient manner;
- B. Maintain at all times and under all conditions a continuous supply of Goods and Services necessary for the operation of the City;
- C. Encourage and promote fair and equal opportunity for all persons doing, or seeking to do, business with the City;
- D. Safeguard the quality and integrity of the City's procurement process;
- E. Ensure compliance with state, local, and federal laws and regulations pertaining to procurement;
- F. Manage procurement and inventories of purchased Goods to meet the use requirements of City departments at the most advantageous cost to the City;
- G. Administer procurement contracts and contract amendments;
- H. Properly dispose of all material and equipment declared to be surplus or obsolete; and
- I. Maintain proper record keeping of all purchasing and procurement activities.

In addition, this policy is to set a standard of environmentally preferable procurement and demonstrate the City's commitment to environmental, economic, and social stewardship. The City has a unique opportunity to further expand its leadership in the area of environmentally preferable purchasing, and through its actions, elicit changes in the marketplace. By further incorporating environmental considerations into public purchasing, the City will positively impact human health

and the environment, remove unnecessary hazards from its operations, reduce costs and liabilities, and improve the environmental quality of the region. This policy will guide the City's efforts in procuring environmentally preferable Goods and Services.

The philosophy behind this policy is one of separating the need for Goods and Services from the function of negotiation and executing the necessary contractual purchase agreement.

(2) SCOPE OF POLICY

This policy and the award of bid provisions herein are solely for the fiscal responsibility and benefit of the City of Stonecrest, and confer no rights, duties or entitlements to any vendor, bidder or proposer.

The scope of this purchasing policy covers the procurement of most Goods and Services for non-construction purposes without regard to the past method by which the material or service has been or is customarily procured. The policy covers all contractual and purchase agreements between the City and another Person. The procurement function includes the initial agreement/purchase, changes and/or re-negotiations. This policy establishes the specific responsibility and authority of the procurement of materials and services.

As part of the audit process, the internal controls and accounting processes outsourced to municipal services Vendors will be evaluated and a measure of assurance given as a requirement of completion of the City's annual audit. The staff of outsourced municipal services Vendors assigned to work at City offices and perform purchasing activities on behalf of the City is not exempt from the City's adopted Purchasing Policy. Furthermore, unless due to the lack of competitive options, the City will not typically procure Goods and Services from outsourced municipal services Vendors not expressly stated in their contract to provide municipal services or which do not have a direct impact on the Vendor's ability to provide those contracted services.

The provisions of this policy do not apply to procurements for the following:

- A. Public works construction contracts to the extent governed by O.C.G.A. §36-91-1 *et seq.*;
- B. Services and construction whose procurement falls under a conflicting federal or Georgia statute;
- C. Works of art for public places, or other creative/artistic endeavors that require a particular and demonstrated skill or talent to include, but not limited to, artists, musicians, and writers;
- D. Antiques and other unique assets of historical value, including restoration of these items;
- E. Real Property, including but not limited to transactions governed by O.C.G.A. § 36-37-1 *et seq.*, real estate brokerage and appraising, abstract of titles for real property, title insurance for real property, and other related costs of disposition and/or acquisition of real property, except as provided in Section VII(F) (Real Estate Acquisitions);
- F. Employee Benefits and health related services procured through a quotation and negotiating process conducted by an expert in the field, or to maintain continuity of

- employee-health records;
- G. Travel, entertainment, conferences, training, speakers, instructors, facilitators, and meeting expenses, or other expenditures covered by another City policy;
 - H. Dues, memberships, and board member fees;
 - I. Insurance procured through a negotiating process;
 - J. Legal services, litigation, experts and materials, and related legal expenses;
 - K. Items or services procured for resale or to generate a revenue;
 - L. Advertisements including, but not limited to, bid/proposal solicitations and legal advertisements required by law or by City policy;
 - M. Financial Instruments: Professional services and instruments/products related to the City's financial well-being, including but not limited to the following areas: marketing of bonds and other forms of debt or debt management, investments, banking, assets, and pension assets;
 - N. Subscriptions and dues established during the budget process;
 - O. Utilities;
 - P. Seized Property included in a court order authorizing disposal;
 - Q. Grant awards or agreements that require certain firms or individuals to perform the work;
 - R. Contracts involving federal funding whose procurement falls under a conflicting federal or Georgia statute or regulation, except as provided in Section VIII.

(3) DEFINITIONS

When used in this policy, the following words, terms and phrases, and their derivations, shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning:

- A. **ADDENDUM** means a change, clarification or correction in the Solicitation Documents, prior to the award of a Contract.
- B. **AMENDMENT** means an agreed upon change order, addition to, deletion from, correction or modification of a Contract including a Contract Extension or a Contract Renewal.
- C. **BID / PROPOSAL BOND** means a form of bid security executed by the Bidder (or Proposer) as principal and by a Surety, to guarantee that the Bidder (or Proposer) will enter into a Contract within the time specified in the Invitation for Bid or Request for proposals, and will furnish the necessary bonds and insurance, and meet any other requirements of those documents.

- D. **BIDDER** means a person or entity submitting a bid or quote to the City for the supply of Goods or Services.
- E. **CAPITAL ASSET** is an item of personal property having a normal life expectancy of three years or more other than components.
- F. **CITY** means the City of Stonecrest and, as the context warrants, those persons or bodies authorized to act on its behalf, including, but not limited to, the City Council, committees, boards and staff.
- G. **CITY ETHICS POLICY** shall mean Article X, Ethics, of Chapter 2, Administration, of the Code of the City of Stonecrest, Georgia.
- H. **CITY FINANCE DIRECTOR/FINANCE DIRECTOR** means the City Accountant as described in the City Charter, his agent, or the department head of the City Finance Department, if such a department is in existence.
- I. **COMPETITIVE AWARD** means a procurement based upon the outcome of one of the competitive processes set forth in this Policy, where award is made based on the lowest quotation or Bid submitted by a responsible and responsive Bidder or to the most qualified or advantageous Proposer based on the qualitative and/or quantitative factors identified for the procurement. A Competitive Award can be made even if only a single bid or proposal has been received from a Bidder or Proposer who is determined to be responsible and responsive.
- J. **CONSTRUCTION** means the process of building, altering, improving or demolishing any public structure or building, or other public improvements of any kind to any public real property including the provision of materials therefor. The term “Construction” does not include the routine operation, repair and/or maintenance of existing structures, buildings or real property.
- K. **CONSTRUCTION SERVICES** means services rendered by an independent and licensed contractor having expertise in Construction.
- L. **CONTRACT** means all types of City agreements for the purchase or disposal of Goods, Real Estate or Capital Assets, and the procurement of Services, Professional Services or Construction Services regardless of what they may be called, including contracts for a fixed price, cost plus a fixed fee, incentive contracts, and contracts providing for the issuance of job or task orders, leases, letter contracts and purchase orders. Contracts also include Amendments, modifications and supplemental agreements with respect to any of the foregoing. Every Contract must be duly authorized and approved prior to execution.
- M. **CONTRACT EXTENSION** means an Amendment to a Contract that includes an increase in the term of a Contract, for which no options to renew the Contract beyond the current expiration date exist.

- N. **CONTRACT RENEWAL** means an exercise of an approved, existing option to increase the term of a Contract. Options to renew a Contract are often done in annual increments.
- O. **COOPERATIVE PURCHASE** means a group of public entity purchasers organized for the purpose of creating contracts or pricing agreements in order to take advantage of group or quantity buying discounts or special pricing from which members of the group can benefit.
- P. **EMPLOYEE** means an individual drawing a salary or wage from the City whether on a full-time or part-time basis. The term shall encompass all members of the City Council without regard to whether or not such individuals are compensated. For purposes of this Purchasing Policy the term “employee” shall include, any Vendor or any employee of such Vendor who has entered into a Contract with the City to provide administrative and department services contemplated in Section 2.12 of the Charter of the City.
- Q. **EMERGENCY** means a situation that occurs suddenly and unexpectedly and demands immediate action to prevent delays which may vitally affect the health, safety or welfare of the public or City Employees and affects the continuation of services to the citizens, and/or serious loss or injury to the City. Emergency shall also mean a condition, malfunction, or occurrence in which the immediate procurement of an item (i.e. Good, Services, or Professional Service) is essential to comply with regulatory requirements.
- R. **EMERGENCY PROCUREMENT** means any procurement of Goods, Capital Assets, Services or Professional Services in the context of an Emergency.
- S. **END USER** means the Department/Division that uses the goods, services, or work after purchasing or receiving it and directly benefits from its use. End Users have the authority and responsibility for determining the need for an item or service, its related specifications, and need date. The End User is responsible for funding the need and advising Purchasing of the approved funding and the specific budget account number. The End User is responsible for authorizing the purchases of all materials, services, repairs, leases and rentals in which the negotiated price exceeds the approved funding.
- T. **ENVIRONMENTALLY PREFERABLE GOODS AND SERVICES** means Goods and Services that have a lesser or reduced negative effect on human health and the environment when compared with competitive Goods and Services that serve the same purpose.
- U. **GEORGIA PROCUREMENT REGISTRY** means the state’s central bid registry established by the Department of Administrative Services, which provides a public listing of solicitations posted by state entities and local governments.
- V. **GIFTS or FAVORS** means anything of any service or value. Value shall as defined in any City of Stonecrest ethics policy.
- W. **GOODS or COMMODITIES** means supplies, apparatus, materials, equipment and other forms of tangible personal property used by a City department in the accomplishment of its responsibilities other than Capital Assets.

- X. **GOVERNING AUTHORITY** means the Mayor and City Council of the City of Stonecrest or its designee(s).
- Y. **INFORMAL WRITTEN QUOTES (IWQ)** means all documents utilized for soliciting quotations for Goods, Services, or Professional Services, in which award is made based on the lowest responsive and responsible quotation and in which the type or cost of the procurement does not require a more formal Bid or proposal process.
- Z. **INVITATION TO BID (ITB)** means a method used to solicit competitive sealed bid responses based on price. A contract/PO can be issued to the lowest responsive and responsible bidder. This method requires a well-defined scope of work/services, bid line items and additional relevant information is needed to ensure bidders have sufficient information to submit a final bid cost proposal in response to the solicitation.
- AA. **LATE BID/PROPOSAL** means a Bid or proposal received after the time or date such bid or proposal was due, as stated in the Solicitation Documents.
- BB. **LIFE CYCLE COST ASSESSMENT** means comprehensive accounting of the total cost of ownership, including initial costs, energy and operational costs, longevity and efficacy of service and disposal costs.
- CC. **MULTIPLE AWARD CONTRACT** means a Contract based upon one solicitation awarded to two or more Vendors to supply Goods or Services.
- DD. **NEGOTIATED AWARD** means a procurement made as the result of negotiations between the City and a Supplier, such as a Sole Source Procurement or Single Source Procurement or another instance, including competitive Invitation to Negotiate, where a Contract award based on direct negotiations with a Supplier of Goods or Services is appropriate.
- EE. **OFFICIAL** means any City elected or appointed person who holds office or any person appointed by the mayor and council of the City to serve on (1) the planning commission of the City, (2) any board or commission of the City having quasi-judicial authority; and, (3) any authority created by the City, either individually or jointly with other local governments pursuant to Georgia law.
- FF. **ORDINANCE** means related Administration Ordinance in Chapter 2 of the City's Municipal Code.
- GG. **PAYMENT TERMS** means the established due date for payments by the City to pay an invoice. Absent any agreement otherwise stated, the City's payment term will be Net 30.
- HH. **PERFORMANCE BOND** means a bond provided by a contractor/supplier in which a surety guarantees to the City that the Goods or Capital Assets are delivered, or the Services or Construction Services are performed in accordance with the Contract documents. A letter of credit issued by a financial institution that meets the City's requirements may, at the reasonable discretion of the City, be substituted for the performance bond.

- II. **PERSON** means any business, entity, company, firm, individual, union, committee, club or other organization or group of individuals.
- JJ. **PIGGYBACK PURCHASE** means using an existing contract to acquire the same commodities or services at the same or lower price from another public entity contract. Suppliers must offer the City the same prices, terms and conditions as that of the issuing entity.
- KK. **PRACTICAL** means satisfactory and within reason when considering price, performance, availability, compatibility with specified operation, and public safety.
- MM. **PRE-QUALIFICATION** means the part of a competitive procurement process in which the City determines, based on standards developed for a specified product or service, which interested Vendors meet those standards and are eligible for further consideration in the purchasing process.
- NN. **PROCUREMENT** means the process of acquiring products, goods, and services by balancing and negotiating prices, resources, and time for business purposes. It involves strategic selection and purchasing to ensure the organization has the necessary resources to operate competitively and effectively. Procurement represents more strategic and less purely transactional process. Procurement involves strategic selection and purchasing of materials by finding the right suppliers, negotiating contracts, and assisting with managing relationships with stakeholders, Vendors and the community.
- OO. **PROCUREMENT OFFICIAL** means the principal purchasing official directing, monitoring and overseeing purchasing and procurement activities of the City (Section III – Procurement Official). This person is appointed by the City Manager. The Procurement Official is authorized to purchase a range of Goods, Capital Assets, Real Estate, Services, Construction Services, or Professional Services on a routine basis.
- PP. **PROFESSIONAL SERVICES** means services rendered by an independent contracting individual or firm having expertise in a particular industry or subject matter due to specialized education, training, licensure or skill, and consisting primarily of advice reports, conclusions, recommendations or other outputs resulting from the time and effort of the service provider, as opposed to the acquisition of specific commodities, or of services not requiring any specialized education, licensing, training or skill (e.g. janitorial services). Professional Services include, but are not limited to, evaluations, consultations, management systems, management consulting, compiling statistical data, support of planning and operating activities, appraisal services, and research and development studies or reports.
- QQ. **PROPOSER** means a Person submitting a proposal or qualifications to the City for the supply of Goods, Capital Assets, Real Estate, Construction Services, Services, or Professional Services.

- RR. PURCHASE ORDER means a document approved and issued by the Procurement Official or designee and accepted by the Vendor to obtain Goods, Capital Assets, and Services.
- SS. PURCHASING is the organized acquisition of goods and services on behalf of the buying entity. Purchasing is also the process of securing real estate, capital assets, materials, services, repairs, leases and rentals necessary for the operation and support of the City..
- TT. REAL ESTATE means land and any improvements and appurtenances thereto.
- UU. REAL ESTATE ACQUISITION means the acquisition of a fee interest, estate for years or usufruct in Real Estate by purchase or lease.
- VV. REQUEST FOR PROPOSALS (RFP) means all documents utilized for soliciting proposals for Goods, Capital Assets or Services, including those attached or incorporated by reference. These include a scope of work and all contractual terms and conditions applicable to the procurement. This method is used when factors in addition to price are considered for award.
- WW. REQUEST FOR QUALIFICATIONS (RFQ) means all documents utilized for soliciting qualifications for Goods, Services, Capital Assets, Construction Services or Professional Services.
- XX. REQUESTOR means the employee entering a Purchase Requisition into Tyler or submitting a Purchase Requisition Request Package to the Procurement Department seeking authorization and assistance to procure good and/or services.
- YY. REQUISITION means an internal document, provided by a department to the Procurement Official that contains the fund source, approvals, descriptions, quantities and other information about the Goods, Capital Assets, Real Estate, Services, Construction Services or Professional Services in order to proceed with the procurement. The Requisition becomes valid when properly completed and approved.
- ZZ. RESPONSIBLE BIDDER OR PROPOSER means a Person, who, in the exclusive judgment of the City, (a) has the capability in all respects to fully perform the Contract requirements; and (b) the integrity, experience, qualification, and reliability which assures good faith performance.
- VV. RESPONSIVE BIDDER OR PROPOSER means a Person, who, in the exclusive judgment of the City, has submitted a bid or proposal that conforms in all material respects to the Solicitation Documents.
- WW. SERVICES mean any performance of effort or labor, for which the City has contracted other than Professional Services or Construction Services. Services include, but are not limited to, janitorial, landscaping, and street striping.
- XX. SHORTLISTING means the part of a competitive procurement process in which the City determines, based on criteria developed for a specified Good, Service, or Professional Service which of the interested Vendors are the best qualified to be eligible for further

consideration in the purchasing process.

YY. **SINGLE-SOURCE PROCUREMENT** means identifying and using, without first completing a competitive process, one source for Goods, Capital Assets, Real Estate, Services, Professional Services or Construction Services among others in a competitive marketplace, which, for justifiable reasons, is found to be most advantageous for the purpose of fulfilling a given Purchasing need of the City.

ZZ. **SOLE-SOURCE PROCUREMENT** means identifying and using, without first completing a competitive process, one source for Goods, Capital Assets, Real Estate, Services, Professional Services or Construction Services when that source is the only one available that can fulfill a given Purchasing need of the City.

AAA. **SOLICITATION DOCUMENTS** means an Invitation for Bids, Request for proposals, Request for Qualifications, Request for Quotations, or an Invitation to Negotiate including all of the associated forms and documents of each solicitation, or any other types of documents used by the City to procure Goods, Services, Capital Assets, Real Estate, Construction Services or Professional Services.

BBB. **SPECIFICATION OR SCOPE OF WORK** means any description of the physical or functional characteristics, or of the nature of Goods, Services, Capital Assets, Real Estate, Construction Services or Professional Services. Specifications or Scope of Work may include any function and other criteria that will be required to perform the work and a description of any requirement for inspection, testing, or delivery.

CCC. **SUPPLIER, MERCHANT OR VENDOR** means a Person currently supplying or in the business of supplying Goods, Services, Capital Assets, Real Estate, Construction Services or Professional Services.

DDD. **SURETY** means an organization who, for a consideration, promises in writing to make good the debt or default of another organization. The Surety must be satisfactory to the City and licensed to do business in Georgia.

SECTION II – ETHICS IN PROCUREMENT

Every person, business, or entity involved in the procurement process must adhere to a high standard of ethics. Each will be bound by the City Code of Ethics and this Section II. Whenever this Section II conflicts with the City Code of Ethics, the City Code of Ethics shall control.

A. Employee Conflict of Interest

It shall be unethical for any City Employee or Official to transact any business or participate directly or indirectly in a procurement Contract when the Employee or Official knows that:

1. The Employee or Official or immediate family of such Employee or Official has a substantial interest pertaining to the procurement Contract, except that the purchase of Goods and Services from businesses which a member of the City Council or other City Employee has a substantial interest is authorized as per O.C.G.A. § 36-1-14, or the

- procurement Contract is awarded pursuant to O.C.G.A. § 45-10-22 and § 45-10-24, or the transaction is excepted from said restrictions by O.C.G.A. § 45-10-25, interpreting such statutes as if they were applicable to a municipality.
2. Any other person, business or organization with whom the Employee, Official or immediate family of such Employee or Official is negotiating or has an arrangement concerning prospective employment is involved in the procurement Contract.
 3. An Employee, Official or any immediate family of such Employee or Official who holds a substantial interest in a disclosed blind trust shall not be deemed to have a conflict of interest with regard to matters pertaining to that substantial interest. *See Appendix C for Sample City Employee/Official Conflict of Interest Disclosure*
 4. All Employees and Officials will be asked to sign a disclosure document indicating his or her compliance with the City Ethics Policy.
 5. The terms “immediate family” and “substantial interest” shall have the meaning given to such terms in the City Code of Ethics.

B. Gratuities, Rebates or Kickbacks

1. *Gratuities and other benefits.* It shall be unethical for any Employee or Official to directly or indirectly solicit, demand, receive, accept, or agree to receive any gratuity, reward, offer of employment, services, or thing of value from any person, business, or entity in connection with any award, decision, approval, disapproval, recommendation or preparation of any part of a program requirement or a purchase request, influencing the content of any specification or procurement standard, rendering of advice, investigation, auditing or in any other advisory capacity in any proceeding or application, request for ruling, determination, claim or controversy, or other particular matter, pertaining to any program requirement or a Contract or subcontract, or to any solicitation or proposal.

It shall further be unethical for any person, business, or entity to offer, give, or agree to give or offer to give any Employee or Official any gratuity, reward, offer of employment, services, or thing of value with the purpose of influencing any award, decision, approval, disapproval, recommendation or preparation of any part of a program requirement or a purchase request, influencing the content of any specification or procurement standard, rendering of advice, investigation, auditing or in any other advisory capacity in any proceeding or application, request for ruling, determination, claim or controversy, or other particular matter, pertaining to any program requirement or a Contract or subcontract, or to any solicitation or proposal.

- i. A “thing of value” shall not include:
 - a. Any gift with a value less than \$100.00;
 - b. Food or beverage consumed at a single meal or event;
 - c. An award, plaque, certificate, memento, or similar item given in recognition of the recipient's civic, charitable, political, professional, or public service;
 - d. Promotional items generally distributed to the general public or to public officers;

- e. Rebates normally or routinely offered to customers in the ordinary course of business of such person, business or entity for the purchase of their Goods and Services are acceptable and are the property of the City; and
 - f. Educational events, materials, and meals as described in subparagraph (ii).
- ii. *Educational Events.* Nothing in this section shall preclude an Employee or Official of the City from attending seminars, courses, lectures, briefings, or similar functions at any person, business, or entity's facility or at any other place if any such seminar, course, lecture, briefing, or similar function is for the purpose of furnishing the Official, Employee, or Agent with knowledge and information relative to the person, business, or entity's products or services and is one which the City Manager determines would be of benefit to the City. In connection with any such seminar, course, lecture, briefing, or similar function, nothing shall preclude the Employee or Official from receiving meals or educational materials and business related items of not more than nominal value from a person, business, or entity. However, no Employee or Official shall accept or receive free travel or lodging for less than the value thereof from a person, business, or entity.
2. *Kickbacks and Rebates.* It shall be unethical for any payment, gratuity, or offer of employment to be made by or on behalf of a subcontractor under a Contract to the prime contractor or higher tier subcontractor, or any person associated therewith, as an inducement for the award of a subcontract or order.
 3. *Contract Clause.* The prohibition against gratuities, rebates and kickbacks prescribed in this Section shall be referenced in every Contract and Solicitation.

C. Prohibition Against Contingent Fees

It shall be unethical for any Person to be retained, or to retain a Person, to solicit or secure a Contract upon any agreement or understanding for a contingent fee, except for agreements with manufacturer representatives, or agents, including, but not limited to, commercial services sales agents engaged in the business of soliciting contracts on behalf of Vendors. A "contingent fee" as used in this subsection C, means any commission, percentage, brokerage, or other fee that is contingent upon the success that a Person has in securing a city Contract.

D. Use of Confidential Information

It shall be unethical for any Employee or Official to knowingly disclose or use confidential information for actual or anticipated personal gain, or for the actual or anticipated personal gain of any other person.

E. Unauthorized Purchases

No purchases of Goods and Services shall be made in the name of the City or one of its departments, except such as is required for official use by the City or one of its departments. Purchases in the name of the City or a department for personal use by an individual or for

other than official use are prohibited, and no City funds will be expended or advanced therefore.

F. Penalties and Sanctions

1. *Legal or disciplinary action by City Council.* The City Council may take appropriate legal and/or disciplinary actions pursuant to the City Code of Ethics against any Employee, Official or other Person in violation of these ethical standards.
2. *Legal or disciplinary action by City Manager.* The City Manager is authorized to take any appropriate legal and/or disciplinary actions, including dismissal, of any Employee violating this Ethics Policy.
3. *Administrative penalties for Employees.* The City Manager may impose any one or more of the following penalties or sanctions on an Employee for violations of the ethical standards in this Section as appropriate to the situation, subject to the Personnel Manual or other appropriate appeals procedures:
 - a) Oral or written warnings or reprimands.
 - b) Suspensions with or without pay for specified periods of time.
 - c) Termination of employment.
4. *Administrative penalties for outside contractors/Vendors.* The City may impose any one or more of the following penalties or sanctions on a Vendor or other Person or organization for violations of these ethical standards:
 - a) Written warnings or reprimands.
 - b) Termination of Contracts.
 - c) Debarment or suspension.

G. Vendor Contact During Open Solicitations

Persons seeking an award of a City contract may not initiate or continue any verbal or written communications regarding a solicitation with any Official, Employee or other City representative other than the Procurement Official named in the solicitation between the date of the issuance of the solicitation and the date of the final contract award. The City Manager or designee will review violations. If determined that such communication has compromised the competitive process, the offer submitted by the individual, firm or business may be disqualified from consideration for award.

H. Evaluator Conflict of Interest

The role of an Evaluation Committee is to objectively evaluate bids/proposals and to identify and recommend the most advantageous bid/proposal. A conflict of interest arises where an Evaluation Committee has some other interest that could materially interfere with their duty to act impartially in the evaluation process.

Evaluation Committee members will be asked to sign a disclosure indicating any conflict of interest before participating in the evaluation. *See* Appendix D for the Sample City Evaluator Conflict of Interest Disclosure. Evaluation Committees may include external specialists and technical experts, if required. Each members' impartiality is equally important as their professional expertise and proficiency throughout the evaluation process. To participate on the Evaluation Committee, each person agrees to declare any conflict of interest, discharge their obligations and responsibilities to the highest standards of integrity, carry out the duties impartially and fairly and refrain from fraud and corruption. They must follow the evaluation rules set out in the bidding documents and the instructions provided to them by the Evaluation Committee Chair.

SECTION III – PROCUREMENT OFFICIAL

The City Council appoints the City Manager, or such other Employee designated by the City Manager, to serve as the Procurement Official for the City, until such time an independent third party is appointed and contracted by the City Council to serve as the Procurement Official under the direction and control of the City Manager.

A. Duties and Responsibilities

The Procurement Official shall faithfully discharge the following duties and powers of said office:

1. Direct efforts to procure Goods, Capital Assets, Real Estate, Services, Construction Services and Professional Services in accordance with the requirements of this Purchasing Policy, City of Stonecrest Code of Ordinances, and Georgia law, local, and federal rules, requirements, regulations when applicable.
2. Arrange and negotiate the purchase or Contract for all equipment, supplies and contractual services for the City or any using agency; arrange and negotiate for the sale or otherwise dispose of all surplus equipment and supplies or real estate of the City or any using agency, in accordance with the requirements of this Purchasing Policy, the Code of the City of Stonecrest and Georgia law.
3. Manage and supervise purchasing staff.
4. Review and approve requisitions.
5. Review and approval solicitation drafts prior to release.
6. Control and supervise all City storerooms and warehouses.
7. Maintain and adhere to all City purchasing procedures and the Purchasing Policy.
8. Recommend revisions to the Purchasing Policy and related procedures to provide for compliance with laws related to bidding, Contracting and Purchasing as set forth in the State of Georgia Code and Regulations, by examining the applicable laws and developing procedures for bidding, Contracting and procurement processes.

Revisions to this Purchasing Policy shall be subject to the approval of City Council.

9. Plan and implement processes for the ongoing protection of the City's interests.
10. Establish guidelines, within the Purchasing Policy, governing the review and approval of specifications for procurement of Goods, Capital Assets and Services based on recyclability, energy and water conservation, life cycle cost, and other environmental considerations.
11. Maintain an inventory record of all materials, supplies, software, or equipment stored in city storerooms, warehouses, and elsewhere, including monthly reports to the Finance Director that include:
 - a) Titles of all formal solicitations and the method of source selections to be used.
 - b) Contracts authorized by the City Council, the method of source selection used and the total dollar amount.
 - c) Emergency Contracts awarded pursuant to Section 1.03 of the City's Charter.
 - d) Change orders or Contract modifications authorized by the City Council and the dollar amount and reason.
 - e) Amendments or change orders authorized by the Procurement Official and the dollar amount and reason.
 - f) Explanation of any changes, and the costs involved, in the scope of services made between the time a Contract is awarded and the time that the Contract is authorized by the City Council.
 - g) Documentation of the types, quantities, and dollar amounts of environmentally preferable Goods (including the percentage of post-consumer and total recovered material content) and Services purchased. The report shall also include dollar amounts of non-environmental or conventional Goods and Services, identify and discuss instances where this policy is waived or its requirements found impracticable, and highlight barriers to the procurement of environmentally preferable Goods and Services, if applicable.
12. Secure all necessary approvals of the City Manager or its designee, and the City Council prior to execution of a Contract or purchase agreement.
13. Determine the most advantageous method of procurement in accordance with the requirements of this Purchasing Policy, the Code of the City of Stonecrest and Georgia law.
14. Ensure that all Contracts are reviewed and approved by the City Attorney pursuant to Section 3.08 of the City Charter.

15. Ensure Council is notified as soon as reasonably possible of all upcoming and active competitive procurements.
16. Create agenda items when solicitations, piggyback, cooperative purchases require the approval of City Council.
17. Whenever possible, utilize City-generated and City Attorney-approved standard goods/services purchasing agreements.
18. Consult with the City Attorney if a contracting party breaches or is reasonably anticipated to breach its Contract with the City.
19. Where in the best interest of the City, require Bid/Proposal Bonds, insurance and other forms of protection for the City on the process of procuring Goods, Capital Assets, Services and Construction Services for the City.
20. Terminate solicitations for bids for any Goods, Capital Assets, Services, Construction Services and Professional Services when, in the opinion of the Procurement Official, it is in the City's best interest to do so.
21. Reject any and all bids, when in the opinion of the Procurement Official it is in the City's best interest to do so.
22. Advise the Finance Director and City Manager on the status of negotiations, as well as Contract provisions and their impacts on the City.
23. Make recommendations on Contract approval, rejection, Amendment, and cancellation.
24. Provide Contract administration and supervision of Contracts. Such tasks shall include, but not be limited to, monitoring Amendments, obtaining applicable insurance certificates and monitoring applicable progress.
25. Provide and update all forms to procure Goods, Services, and Professional Services, as needed.

SECTION IV – PROCUREMENT PROCESSES AND PROCEDURES

The procurement process begins when the need to obtain goods or services is identified. All functions that pertain to the acquisition, including competitive procurement, contract negotiation and award, and all phases of contract administration are included in the procurement process.

To initiate a procurement process, the following initial steps must be taken:

1. *Determine Need:* The End User is responsible for determining the need for a good or service and providing appropriate documentation and justification therefore, including a purchase requisition.
2. *Determine Funding:* The End User is responsible for ensuring funds are budgeted and made availability prior to initiating any purchases. The End User must provide the specific budget account numbers.
3. *Determine Specifications:* The End User is responsible for determining the quantity, quality, dimensions, duration and all other necessary specifications essential to the determination of what is to be procured. The specifications must, where applicable, conform to the approved City standards for identity and continuity.

Note: All purchase requests must be submitted far enough in advance to allow the Procurement Official time to review the request, ensure sufficient information has been provided, ensure purchases and expenditures are authorized, and facilitate a proper procurement process.

Note: *Acceptance of Procured Item or Service:* End User are responsible for advising the Procurement Department in writing when goods have been received and when services have been completed to satisfactory. Invoices for payment must be signed and dated.

Note: Returns/Unsatisfactory Services: All returns must be initiated by the End User through the Procurement Department.

Note: Contract/Agreement Changes: The Procurement Official will review and process all Contract/Agreement Amendments, Modifications or cancellations. Such requests must be submitted to Procurement@stonecrestga.gov.

- A. Small Purchases (Under \$4,999.99): Requisitions/Purchase Orders are not required. However, End User's must attempt to obtain additional quotes (verbal, written) to obtain fair and reasonable pricing whenever possible. Refer to Page 21-24, for additional information.
 1. Purchase Orders: Purchase Orders: Vendors may require a Purchase Order prior to providing goods and/or services. If so, the Requestor must complete a Purchase Requisition Request Form and provide supporting documentation (if available quote, price list, etc.). The request submitted to Procurement at Procurement@stonecrestga.gov for review and processing.
 2. End User may create a Purchase Requisition in Tyler as a "Requestor". The Purchase Requisition should include quotes/price list whenever available. Purchase Requisitions will be reviewed and approved by the department director and Procurement. Upon completion of the review and approval process, a Purchase Order will be issued. Refer to Page 21-24 for additional information. **Upon completion of Procurement Training departments will submit purchase requisitions into Tyler.

3. Invoices: A Purchase Requisition is created, reviewed and approved to generate a Purchase Order to encumber funds and process payments. End Users may create a Purchase Requisition to generate Purchase Order and encumber funds which will be used to make payment to Vendors. Invoices process through the Procurement Department must be signed and dated. Please submit such request to Payable@stonecrestga.gov.

B. Purchase Requisition & Purchase Orders (\$5,000.00 – 49,999.99):

A Purchase Requisition is required to initiate the procurement process. A Requisition is a request to purchase Goods, Capital Assets, obtain Services, Construction Services or Professional Services. End Users must complete and submit a Purchase Requisition Package to Procurement@stonecrestga.gov for review and processing. *See Appendix C for sample Purchase Requisition Request Form.*

1. Purchase Requisition Package must contain the following information and supporting documentation:
 - ✓ Requestor's User's information – name and contact information of the department/division, department director information and signature and Employee preparing the purchase Requisition.
 - ✓ Date request submitted to Procurement.
 - ✓ Need by date – must state a definitive delivery date or date/duration of service (lead time of at least one week, must be allowed).
 - ✓ Complete description of items being purchased or scope of work/services to be provided or performed, technical specifications of goods or services. This information should be provided in the quote/proposal/estimate provided by the Vendor.
 - ✓ Quantity(ies).
 - ✓ Total or Estimated cost.
 - ✓ Delivery destination (address).
 - ✓ Complete budget account number to be encumbered.
 - ✓ Vendor Name and Vendor Registration ID No. If the Vendor is not registered as a Vendor with the City, please contact Procurement for assistance.
 - ✓ Previous purchase information, quotation, or contract (if known).
 - ✓ Names and contact information of Known or suggested Vendor(s).

- ✓ Additional supporting documentation (Approved Emergency, Sole/Single Source Justification Forms, Certificates of Insurance as applicable, etc.)

NOTE: Obtain all required approvals prior to submitting a request to the Procurement Department. *Refer to Page 21-24*

C. Purchase Orders (PO's)

Purchase Order's (PO's) are generated in Tyler upon the completion of the purchase requisition review and approval process. Refer to Page 21-24.

1. Purchase Requisition Entered by the Procurement Department:

- ✓ The End User will complete and submit a Purchase Requisition Request Package to Procurement@stonecrestga.gov.
 - ✓ A Purchase Requisition will be created by the Procurement Department. All required supporting documentation will be attached.
 - ✓ The Purchase Requisition will be submitted for review and approval. Refer to Page 21-24
 - ✓ Upon completion of the review and approval process, a copy of the PO will be e-mailed to the Requestor.
 - ✓ The End User will receive an e-mail containing a copy of the PO.
 - ✓ The End User will provide a copy of the PO prior to requesting or receiving any goods or services.
 - ✓ The Vendor MUST reference the PO No. on the invoice.
 - ✓ The End User must ensure the PO No. is referenced on the invoice prior to submitting for processing of payment.
2. Purchase Requisitions Entered by End Users (Requestor):
- ✓ Purchase Requisition: Upon completion of the review and approval process, a copy of the PO will be e-mailed to the Requestor.
 - ✓ The Requestor will receive an e-mail containing a copy of the PO.
 - ✓ The Requestor will provide a copy of the PO prior to requesting or receiving any goods or services.
 - ✓ The Vendor MUST reference the PO No. on the invoice.
 - ✓ The Requestor must ensure the PO No. is referenced on the invoice prior to submittal for processing of payment.

3. **PO Change Orders:** Change orders are permissible when there is a need to correct budgetary information, correct account distribution information, quantity(ies), addition/deletion of line items, change in description and unit price. The Procurement Official will review all requests for change orders. Change orders cannot be used to circumvent the procurement process and the original scope of work/services cannot substantially change the Contract/Agreement/PO. Change orders may be necessary to address unforeseen circumstances (as applicable).

- ✓ **Note:** If there is a change to the quoted price, a change order will be required. If the change order is more than \$49,999 and not associated with an existing contract (City Contract/Agreement, piggyback, co-operative), additional information and ~~Requisition~~ additional approval is required and must follow the established purchasing thresholds. *Refer to Page 22-23, Section V.*

- D. **Contracts:** All Contracts not arising out of the proprietary functions of the City shall conform with O.C.G.A § 36-60-13.
 1. **Contracts/Agreements < \$50,000.00:** Require the approval of the Department Director, Procurement Official, City Attorney, and City Manager. The Procurement Official will obtain the required approvals and facilitate the contract execution process.
 2. **Contracts/Agreements > than \$50,000.01** Require the approval and signature of the Department Director, Finance Director, Procurement Official, City Manager, City Attorney, and Mayor with City Council approval.
 3. If a City Contract/Agreement is required and appropriate upon the completion of a procurement process, the Procurement Official with the assistance of Procurement staff will draft the Contract, obtain required approvals and complete the execution process within both the City Manager and City Council award authorities.
 4. If a City Contract/Agreement is required and appropriate and requires City Councils and Mayors' approval, the Procurement Official will work with the End User to create and submit an agenda item for the next most feasible City Council meeting.
 5. If a Vendor Contract/Agreement is required and appropriate, the Procurement Official will review the Contract/Agreement for form, completeness, insurance considerations, legal implications, and any other items dictated by each situation.
 6. The Procurement Official will route Contracts/Agreements to Legal for review and approval.
 7. Upon receipt of Legal approval, the Procurement Official will secure all

approvals prior to execution of a Contract/Agreement.

8. The Procurement Department will provide a copy of the executed contract to the Vendor and End User.
9. BidNet Contract Management System is utilized to store and monitor City contracts. Contract renewal alerts are sent to the responsible parties for review and processing. Contracts will be uploaded to the Vendors registration. However, upon activation of the Contract Module in Tyler, all contracts will be added and monitored through Tyler in addition to the services provided through Bid Net.
10. City contract terms are One (1) year with Four *(4), One (1) year renewal option for a total possible term of five (5) years.
 - Vendor Performance Evaluations are to be performed annually prior to renewing a Contract/Agreement. End User's (Assigned Project Manager) will complete the Vendor Performance Evaluation Form.
 - Vendor Evaluations will be uploaded to Tyler and Bidnet.
11. Contract/Agreement Termination for Unsatisfactory Performance Process: Contracts may be terminated for convenience and good caused due to failure to meet/performance the obligations in accordance with the Contract/Agreement. Except where public health and safety are at risk, the work or services will be halted. The Contract/Agreement may be terminated immediately if in the best interest of the City.
 - Unsatisfactory Performance: Requires a Vendor Performance Evaluation form to be completed. End User (Assigned Project Manager/Management) must submit the completed form to the Procurement Department with supporting documentation.
 1. A meeting will be held to discuss concerns with the Vendor. A Verbal Warning will be given with a 30 day timeframe to remediate and take corrective action(s).
 2. A 2nd meeting will be held to discuss concerns with the Vendor in reference to failure to remediate and take corrective action(s). A Written Warning will be given with a 30-day or less timeframe to remediate and take corrective action(s).
 3. A 3rd meeting will be held to discuss termination of Contract/Agreement consistent with the terms and conditions of the executed contract.
 4. If a performance and payment bond is in place, the City will follow appropriate steps and work with surety company to address alternative options as needed and required by the State Purchasing Act.

12. Once a Contract is awarded by the City, the Contract may be amended, without the necessity of rebidding such Contract, provided the original Contract amount and the scope of the Contract is not substantially altered.
 13. The Procurement Official will review all change orders. Change orders will be processed to correct the account distribution, quantity, addition/deletion of line items, change in description and unit price.
 14. If a quoted price of the change order is more than \$50,000, it shall require additional Requisition and approval from all necessary parties pursuant to the Purchasing Thresholds. The Procurement Official cannot use the change order process to circumvent the Purchasing Policy. Change orders cannot substantially change the scope of the Contract.
- E. Retainage:
1. Retainage: Public Projects/Public Works: The Georgia retainage laws governing public works projects is found under [GA Code §13-10-80](#). These rules apply to almost every type of public construction project in Georgia. The only exceptions being projects contracted by the Department of Transportation or contracts whose value or duration is less than \$150,000 or **45 days**. Any other construction project funded by a Georgia state or local government is subject to these provisions.

After work has commenced at the construction site, progress payments to be made on some periodic basis, and at least monthly, based on the value of work completed as may be provided in the contract documents plus the value of materials and equipment suitably stored, insured, and protected at the construction site and at the owner's discretion such materials and equipment suitably stored, insured, and protected off site at a location approved by the owner's authorized contract representative when allowed by the contract documents, less retainage; and

- A. Retainage to a maximum of **5 percent** of each progress payment. At the discretion of the owner and with the approval of the contractor, the retainage of each subcontractor may be released separately as the subcontractor completes his or her work.
 - B. At substantial completion of the work or such other standard of completion as may be provided in the contract documents and as the owner's authorized contract representative determines the work to be reasonably satisfactory, the owner shall, within 30 days after invoice and other appropriate documentation as may be required by the contract documents are provided, pay the retainage to the contractor.
- If at that time there are any remaining incomplete items, an amount equal to 200 percent of the value of each item as determined by the owner's authorized contract representative shall be withheld until such item or items are completed.

The reduced retainage shall be shared by the contractor and subcontractors as their interests may appear.

- C. The contractor shall, within **ten days** from the contractor's receipt of retainage from the owner, pass through payments to subcontractors and shall reduce each subcontractor's retainage by the same percentage amount as the contractor's retainage is reduced by the owner; provided, however, that the work of the subcontractor is proceeding satisfactorily and the subcontractor has provided or provides such satisfactory reasonable assurances of continued performance and financial responsibility to complete his or her work, including any warranty work as the contractor in his or her reasonable discretion may require, including, but not limited to, a payment and performance bond.
- D. The subcontractor shall, within **ten days** from the subcontractor's receipt of retainage from the contractor, pass through payments to lower tier subcontractors and shall reduce each lower tier subcontractor's retainage in the same manner as the subcontractor's retainage is reduced by the contractor; provided, however, that the work of the lower tier subcontractor is proceeding satisfactorily and the lower tier subcontractor has provided or provides such satisfactory reasonable assurances of continued performance and financial responsibility to complete his or her work, including any warranty work as the subcontractor in his or her reasonable discretion may require, including, but not limited to, a payment and performance bond.
- E. Nothing shall preclude a payor under this Code section, prior to making a payment, from requiring the payee to submit satisfactory evidence that all payrolls, material bills, and other indebtedness connected with the work have been paid.

2. Deposits/Partial Payment Requests

Deposits (Partial Payments) are permissible when this is a standard requirement of the Vendor to obtain goods and services. (Examples: Advertisement, Branding, Entertainment). Refer to Travel Policy for travel related purchases and expenses.

SECTION V – PURCHASING THRESHOLDS

The following dollar amounts and approvals apply to all city departments. In accordance with the City Code of Ordinances and Resolution No. (effective 2/10/25)

(1) PURCHASING THRESHOLDS MATRIX

| | Procurement Method* | Purchase Requisition & Internal Request Forms Required Approvals | Award Authority | Amendments/ Change Orders |
|-------------------------------|---|---|--|--|
| ≤ \$4,999.99 | Requisition/Purchase Order necessary, unless requested by Vendor, paid with P-Card and payment to be made upon receipt of invoice. | <ol style="list-style-type: none"> 1. Department Director 2. Finance Department (as needed) 3. Procurement Official | <ol style="list-style-type: none"> 1. City Manager (contracts/agreements) 2. City Attorney (contracts/agreements) | Increases greater than \$50,000 (excluding any contingency) require additional Requisition and approval from all necessary parties |
| \$5,000 - \$9,999.99 | Three verbal quotes - Requisition, Purchase Order, and/or Contract as appropriate | <ol style="list-style-type: none"> 1. Department Director 2. Finance Department (as needed) 3. Procurement Official | <ol style="list-style-type: none"> 1. City Manager (contracts/agreements) 2. City Attorney (contracts/agreements) | |
| \$10,000 - \$49,999.99 | Competitive Procurement: Informal Solicitation - Requisition, Purchase Order, and/or Contract as appropriate | <ol style="list-style-type: none"> 1. Department Director 2. Finance Department (as needed) 3. Procurement Official 4. City Manager 5. City Attorney (contracts/agreements) | <ol style="list-style-type: none"> 1. City Manager (contracts/agreements) 2. City Attorney (contracts/agreements) | |
| \$50,000 & > | Competitive Procurement: Formal Solicitation - Requisition, Purchase Order, and/or Contract as appropriate | <ol style="list-style-type: none"> 1. Department Director 2. Finance Department (as needed) 3. Procurement Official 4. City Manager (contracts/agreements) 5. City Attorney (contracts/agreements) | <ol style="list-style-type: none"> 1. City Manager (contracts/agreements) 2. City Attorney (contracts/agreements) 3. City Council 4. Mayor | |

| | |
|---|---|
| <p>Note: Purchase Requisitions & Internal Request Forms REQUIRED approvals requires written approval on all applicable forms. If a requisition is submitted in Tyler, the review and approval process will follow as indicated as applicable.</p> | <p>* The Procurement Methods listed above are not applicable to Sole Source Procurement, Single Source Procurement, Emergency Procurement, Cooperative Purchasing, and Real Estate Acquisition. <i>See</i> Section VII (Noncompetitive Procurements). Piggyback Purchases exceeding the City Manager award authority will require City Council approval. Notwithstanding this exclusion, the Required Approvals must still be obtained based on the applicable purchasing threshold unless otherwise provided in Section VII.</p> <p>**City Council: Expenditures which exceed the original award amount and available annual budget requires City Council approval.</p> <p>**Communications/IT Purchases: COMPUTER SOFTWARE/HARDWARE AND MARKETING/MEDIA CONTENT MUST BE APPROVED BY THE COMMUNICATIONS/IT DIRECTOR</p> |
|---|---|

(2) PURCHASING THRESHOLDS EXPLAINED

Though competitive procurement may not be required under the applicable purchasing threshold, the Procurement Official may require the purchase to be competitively procured if he or she deems it necessary to best serve the interests of the City.

A. Small Purchases (“Discretionary Purchases”): Purchases may be made up to **\$4,999.99** are considered “Discretionary Purchases”. Within this threshold amount, End Users are able to obtain at least one quote/estimate/proposal written or verbal to obtain goods and services. End Users must attempt to obtain fair and reasonable pricing whenever possible. Verbal quotes/estimates/proposals are acceptable. However, if a quote/estimate/proposal is available and offered, please obtain one.

- ✓ A purchase requisition is not required unless the Vendor requires a PO or payment is made with a Purchasing Card (P-Card). If a PO is required, Please refer to Purchase Requisitions Form for additional information.
- ✓ **Required Approval:** Department Director. Failure to obtain prior approval will require written justification signed by the Department Director.
- ✓ If a **Vendor** Contract/Agreement is involved, submit a copy with supporting documentation to the Procurement Department for review and processing prior to requesting or obtaining goods and/or services.
 - **DO NOT SIGN** Contracts/Agreements. The City Manager and Mayor are the only ones authorized to sign and bind the City.
 - All Contracts/Agreements must be reviewed and approved by the City Attorney

B. Purchases from **\$5000 - \$9,999.99** a Purchase Requisition is required within this purchasing threshold. Upon completion of the review and approval process, a Purchase Order will be issued and sent to the Vendor. Please refer to Page 19 – 20 – Purchase Requisitions for additional information.

- ✓ A minimum of three written quotes/estimates/proposals are required. The Procurement Official / End User shall attempt to obtain the Goods, Capital Assets, Services, Construction or Professional Services most advantageous to the City, price and other factors considered.
 - The Vendor must provide a detailed quote, estimate/proposal showing the total cost to obtain the goods or services.
 - If after due diligence, the End User cannot reasonably find a third quote, the Procurement Official can waive the quote requirement if presented with sufficient written justification from End User.
- ✓ End Users must submit a Purchase Requisition Request Package to the Procurement Department for review and approval unless the Requestor submits a Purchase Requisition in Tyler for review and approval.
- ✓ A Purchase Order will be issued.
- ✓ The End User will receive a copy of the PO and send it to the Vendor.
- ✓ **Required Approval:** Department Director, Finance Director (as needed), and Procurement Official. Failure to obtain prior approval will require written justification signed by the Department Director.

C. Purchases from **\$10,000 - \$49,999.99** a Purchase Requisition is required within this purchasing threshold amount. Upon completion of the review and approval process, a Purchase Order will be issued and sent to the Vendor. Please refer to Page 19 – 20 – Purchase Requisitions for additional information.

- ✓ A minimum of three written quotes/estimates/proposals are required. The Procurement Official / End User shall attempt to obtain the Goods, Capital Assets, Services, Construction or Professional Services most advantageous to the City, price and other factors considered.
 - The Vendor must provide a detailed quote, estimate/proposal showing the total cost to obtain the goods or services.
 - If after due diligence, the End User cannot reasonably find a third quote, the Procurement Official can waive the quote requirement if presented with sufficient written justification from End User.

- ✓ End Users must submit a Purchase Requisition Request Package to the Procurement Department for review and approval unless a Purchase Requisition is submitted in Tyler for review and approval.
 - ✓ A Purchase Order will be issued.
 - ✓ The End User will receive a copy of the PO and send it to the Vendor.
 - ✓ **Required Approval:** Department Director, Finance Director (as needed), and Procurement Official, and City Manager. Failure to obtain prior approval will require written justification signed by the Department Director.
- D. Purchases from **\$50,000 and greater** a Solicitation Request Package is required for this purchasing threshold amount to initiate a formal procurement process. Upon completion of the procurement and award process, a Purchase Requisition may be created and a Purchase Order may be issued when applicable or a Contract/Agreement may be executed *See Formal Solicitations.; Section VI (2)*
- ✓ Required Approvals: Department Director, Procurement Official, Finance Director, City Manager, and City Council must approve the purchase.
 - ✓ If a Contract/Agreement is involved, it must be reviewed and approved by the City Attorney and executed by the Mayor.
 - ✓ If procuring through non-competitive methods, please refer to the applicable section herein.
- E. Purchase Orders to Pay Invoices: A Purchase Requisition and the issuance of a Purchase Order (PO) is required to process payments to Vendors and to encumber the department's funds, except when payment is made with a Purchase Card (P-Card). All invoices must be e-mailed to Payables@stonecrestga.gov for processing. End Users Invoices must signed, dated and included the required supporting documentation (original quote/estimate, additional quote/estimate, copy of Contract / Agreement packing slip/receipt, etc. as applicable).
- ✓ *F. State/Federal Grants or Funds.* Periodically, the City may be given private/public grants and donations from sources such as the State and Federal Government and private corporations. These types of solicitations are more restrictive and may dictate the procurement process and methodology that the City is to follow for an award. *See Projects Using Federal Aid Highway Program (FAHP),GDOT Funding, Section VIII.* Both federal and state procurement supersedes the purchasing requirements of the City when buying goods and services using federal or state grant monies. Departments should refer to the Federal Acquisition Regulations for guidance on specific federal procurement policies.

SECTION VI – COMPETITIVE PROCUREMENTS PROCESS

(1) INFORMAL SOLICITATIONS

Requests for informal quotes, bids, and proposals are Informal Solicitations (“IS”) that are prepared and issued with the goal of obtaining competitive responses. IS shall be used for all Purchases from **\$10,000 - \$49,999.99**, unless otherwise provided by this policy. The steps to complete an IS are outlined below. Unless otherwise provided in this policy and procedures: If procuring through non-competitive methods, please refer to the applicable section herein.

To imitate an Informal Solicitation the End User must complete the following:
A Purchase Requisition Package and submit it to the Procurement Department at Procurement@stonecrestga.gov for review, approval and processing.

1. The Purchase Requisition Package must include the following:
2. For Goods: General specifications, technical specifications.
3. For Services: A detailed Scope of work/services to be performed.
4. Cost estimate, with an itemized price list, if known

Note: The Procurement Official may determine a formal solicitation is needed.

5. A list of Vendors to be contacted, as applicable.
- A. *Public Notice.* The Procurement Official shall, at a minimum, post a copy of the IS on the City’s website, and provide any additional public advertisement if required by law, as required by the State of Georgia and as amended.
- B. Procurement Official and User shall evaluate the responses to the IS. On or after the due date indicated in the IS, the Procurement Official shall determine which quote, bid, or proposal best serves the City’s interests. A certificate of Insurance will be requested, as required by the State of Georgia requirements, as required by the State of Georgia and as amended.
1. Tie informal quotes/bids shall be handled in the same way as tie formal bids. A split or partial award may be given to the lowest cost provider of each item or reasonable grouping of items if:
 2. The IS requires multiple Goods or Services;
 3. More than one Vendor provides a quote/bid/proposal that meets the specifications for the Goods or Services;
 4. A price comparison can be made between the Goods or Services; AND
 5. An acquisition, delivery, and other requirements can be reasonably administered.

(2) FORMAL SOLICITATIONS

Purchases from **\$50,000 and greater** a Solicitation Request Package is required for this purchasing threshold amount to initiate a formal procurement process. The Solicitation Request Package must be submitted to Procurement@stonecrestga.gov for review, approval and processing.

The Procurement Official shall determine the best procurement method appropriate based on the type of goods and services being solicited and information provided by the End User.

Note: A Bid/ Proposal Bond or Performance Bond may be required as a part of the solicitation requirements.

A. Invitation for Bids

Invitation for Bids (ITB) are prepared and issued with the goal of obtaining competitive responses in the procurement of Goods, Capital Assets, Services and Construction Services. A PO or Contract/Agreement will be awarded to the lowest responsive and responsible bidder meeting the requirements of the solicitation,

The process to initiate and complete an ITB is outlined below:

1. End User prepares a Solicitation Request Package and submits it to the Procurement Department for review and processing.
2. The Procurement Department will review the package for completion and work with the End User to obtain sufficient information to finalize the solicitation draft.
3. The solicitation draft and Solicitation Review Form will be e-mailed to the End User for review.
4. The End User will review the solicitation draft, provide suggested revisions if needed, complete and return the Solicitation Review form to the Procurement Department for review.
5. If revisions are needed, the Procurement Department will make the revisions and return the revised solicitation draft to the End User for Final review and approval to release the solicitation.
6. The Procurement Department will provide a copy of the advertised solicitation package to the End User.
7. A calendar invite will be sent to the End User so they may attend the bid opening meeting (in-person/virtually via Microsoft Teams)
8. *Public Notice.* The Procurement Official shall advertise the ITB on the City's website, at City Hall, and provide additional public advertisement if required by law. Said public notice shall include such details and specifications as will enable the public to know the extent and character of the ITB and shall be advertised a

minimum of thirty (30) calendar days prior to the date set for bid opening, unless it can be demonstrated that an Emergency exists, pursuant to Section VII (D) Emergency Procurement. In such event, the requirement for public notice may be reduced by the Procurement Official.

9. *Correction/Withdrawal of Bids.* Correction or withdrawal of inadvertently erroneous bids is permitted in accordance to the terms indicated within the ITB; however, minor irregularities may be waived by the Procurement Official. No bid may be withdrawn for a period of ninety (90) days after the time scheduled for bid opening, or as otherwise stated in the ITB.
10. *Addendums:* Changes/Modifications to the original solicitation, supporting documents, including changes to the pre-bid/pre-submittal/pre-proposal and site-visit meetings, bids due date, time and location will be addressed by posting an addendum.
11. *Bid Openings (Opening of Sealed Bids).* Interested persons shall have access to information regarding procurement transactions of the City in accordance with City policy and the Georgia Open Records Act, O.C.G.A. § 50-18-70 *et seq.*
 - ✓ Bids must be submitted electronically via BidNet (www.bidnet.com).
 - ✓ Paper submittals will not be accepted.
 - ✓ Bid submittals are due on or before 3:00pm of the scheduled bids due date.
 - ✓ BidNet does not accept late bid submittals after the due date and time has elapsed.
 - ✓ Bids shall be opened in the presence of the Procurement Official or the designee. Other City staff may assist in this process as needed to serve as an additional witness at the time and place designated in the Invitation for Bids.
 - A Calendar Invite will be sent to the End User.
 - ✓ Opening of sealed bids will be recorded (digitally recorded/virtually recorded via Teams).
 - ✓ Opening of sealed bids will be open to the public (virtually or in-person) providing transparency in the procurement process.
 - ✓ Opening of sealed bids will be recorded (digitally recorded/virtually recorded via Teams).
 - ✓ Opening of sealed bids will be open to the public (virtually or in-person).

- ✓ Bid Tabulation Sheet: The Bid Tabulation Sheet generated from BidNet will be published once the bid opening meeting has ended.
 - All relevant information, including each Bid amount and Bidder's name, will be recorded on a summary sheet.
- ✓ Procurement will create and release a corrected Bid Tabulation Sheet as needed to correct errors made by Bidders.

12. *Evaluation of Bids.* Bids will be evaluated based on the qualification factors set forth in the ITB, which may include criteria to determine acceptability of Goods or Capital Assets (for example, inspection, testing, quality, workmanship, delivery, and suitability for a particular purpose), vendor performance evaluation, lowest price, responsiveness and bidders ability to show responsibility in providing goods and services. Bidders must be deemed responsive and responsible to the requirements provided in the ITB, to be considered.

- ✓ Upon completion of the internal vetting process, the lowest responsive and responsible bidder bid package will be provided to the End User for review.

The City reserves the right to waive any informalities or irregularities of bids, to request clarification of information submitted in any bid, to further negotiate with the Responsive and Responsible Bidder selected for Contract award, or to reject any or all bids for any reason whatsoever.

13. *Contracts.* Upon completion of the solicitation and internal review process, the awarded bidder will receive a Purchase Order when it is feasible to do so as the Contract document. Awarded vendors providing professional services may receive a Contract. If a Contract is required, a Purchase Order will be issued to obtain goods and services as applicable and to process payments. Exceptions to the City standard Contracts will require reviewed and approved by the City Attorney. The Procurement Official will prepare and process all contracts. Awards exceeding the City Managers award authority will be presented to the City Council for review and approval.

- ✓ If a Contract/Agreement is appropriate, Procurement will draft the Contract/Agreement and submit to City Attorney for review and approval. Contract terms, exceptions, and/or modifications will be reviewed and approved by the City Attorney.
- ✓ The Procurement Official will obtain the Vendor and Department Director Signature and attach a copy of the Contract/Agreement to the agenda item.
- ✓ The Procurement Department will create an agenda item with the assistance of the End User to present a recommendation for award to City Council.

Agenda Items shall include the following:

- ✓ Cover Memo;
- ✓ Copy of the Final Solicitation Package;
- ✓ Copy Internal Procurement Vetting Form;
- ✓ Copy of the Notified Vendors List;
- ✓ Copy of the Bid Tabulation Sheet;
- ✓ Lowest Responsive and Responsible Bidder Submittal; and
- ✓ Contract/Agreement if appropriate.

14. Upon the award of bid, User amends Requisition and Procurement Official shall prepare a Purchase Order or Contract, if appropriate.

- ✓ A copy of the executed contract, award letter, copy of the signed resolution, PO (if applicable) with supporting documentation will be provided to the awarded Vendor and End User. Notice to proceed will be provided, if applicable.
- ✓ The Vendor will be required to provide a Certificate of Insurance, Performance Bond etc. prior to the commencement of any work.
- ✓ If a Purchase Order is appropriate, a requisition will be created and submitted to the appropriate approvers for approval. Supporting documentation consisting of the final solicitation, awarded bidders submittal, approved resolution and bid cost proposal, and signed resolution will be attached to the requisition and made a part of the Purchase Order (PO).
- ✓ Contract expenditure will be monitored in Tyler. Contract expiration dates will be monitored via Bidnet and Tyler when contracts have been added to the system.

15. *Multiple Awards (Split/Partial Awards). When feasible, bids may be awarded to multiple vendors (i.e. landscape services, goods (OEM Parts)). Split or partial bid awards may be awarded with the same guidelines and restrictions as those provided for split or partial Informal Solicitations.*

- ✓ The City will award the contract to the three (3) lowest priced responsive, responsible Bidders, in the aggregate. To be considered for award, the Bidder must submit an offer on all items listed in the Solicitation.
- ✓ While the method of award prescribes the method for determining the lowest responsive, responsible Bidders, the City will award this contract to the designated lowest Bidder as the Primary Contractor; and will award this contract to the designated second lowest Bidder as the Secondary Contractor respectively. The City may also make an award to the third lowest Bidder as the Tertiary Contractor.
- ✓ The Primary Contractor shall have the first opportunity and responsibility to

perform the services described in this Solicitation. If the Primary Contractor is unable or unavailable to respond in the time required by the City, the City shall have the right to request services from the Secondary Contractor. If the Secondary Contractor is unable to respond in the time required by the City, the City shall have the right to request service from the Tertiary Contractor.

- ✓ The City reserves the right to terminate any awarded Vendor/Contractor from the contract for poor service delivery or failure to perform or respond to service requests, at the City's sole discretion. Awarded Contractor's may also be terminated from the contract for engaging in any action that brings the City's name and/or image into ill-repute.
- ✓ Award to multiple Contractor's is made for the convenience of the City and does not exempt the Primary Contractor, or any of the other awarded Contractor's from fulfilling their contractual obligations. Failure of any awarded Bidder to perform in accordance with the terms and conditions of the contract may result in the awarded Contractor being deemed in breach of contract. The City may terminate the contract for default and charge the awarded Contractor re-procurement costs, if applicable.

16. *Tie Bids*. In the event two or more identical bids are received, the following procedure will be used when the basis of award is low bid:

- (i) A tie Bidder whose products are manufactured in Georgia would be recommended to the City Council for an award, over a Tie Bidder without products manufactured in Georgia. *See* Section IX (1).
- (ii) If the procedures in (i) above do not result in an award, then the tie Bidder who has environmentally preferable goods and services would be recommended to the City Council for an award. *See* Section IX (2).
- (iii) If the procedures in (i) and (ii) above do not result in an award, then to the extent permitted by law, a tie Bidder having an office within the limits of the City would be recommended to the City Council for an award over one without an office in the City. A Person within the state of Georgia would be recommended to the appropriate approving authority for an award over one without an office in Georgia.
- (iv) If the procedures in (i) through (iii) above do not result in an award, the tie Bidders will be contacted and advised of the tie and asked if they wish to reduce their bid in writing submitted in a sealed envelope to be opened at the time and place stated by the Procurement Official or the designee of the Procurement Official. If one or more of the tied Bidders agrees to participate, award will be made to the new low bid. If none of the tied Bidders agree to participate or if the new bids are tied, then City staff shall break the tie by following the procedures described below, as necessary.
- (v) If all of the procedures above do not result in an award, then, the Procurement Official or the designee of the Procurement Official in the presence of at least two witnesses will flip a coin one time. Award to the winner of the coin flip will be recommended to the City Council.

B. Request for Proposals (RFP)

When the Procurement Official determines the use of an Invitation for Bids is not practical or not advantageous because of existing market conditions or the type of items required, the City may procure Goods, Capital Assets, Services, or Construction Services through receipt of competitive sealed proposals. Competitive sealed proposals are solicited through the use of an RFP, with the goal of obtaining competitive responses.

1. To initiate and complete an RFP procurement process the following outline as followed:

- ✓ End User prepares a Solicitation Request Package and submits it to the Procurement Department for review and processing.
- ✓ The Procurement Department will review the package for completion and work with the End User to obtain sufficient information to finalize the solicitation draft.
- ✓ The solicitation draft and Solicitation Review Form will be e-mailed to the End User for review.
- ✓ The End User will review the solicitation draft, provide suggested revisions if needed, complete and return the Solicitation Review form to the Procurement Department for review.
- ✓ If revisions are needed, the Procurement Department will make the revisions and return the revised solicitation draft to the End User for Final review and approval to release the solicitation.
- ✓ The Procurement Department will provide a copy of the advertised solicitation package to the End User.
- ✓ A calendar invite will be sent to the End User so they may attend the proposal opening meeting (in-person/virtually via Microsoft Teams)

1. *Public Notice.* The Procurement Official shall advertise the RFP on the City's website, at City Hall, and provide additional public advertisement if required by law. Said public notice shall include such details and specifications as will enable the public to know the extent and character of the RFP and shall be advertised a minimum of thirty (30) calendar days prior to the date set for opening proposals, unless it can be demonstrated that an Emergency exists, pursuant to Section VII (D). In such event, the requirement for public notice may be reduced by the Procurement Official.
2. *Correction or Withdrawal of Proposals.* Correction or withdrawal of proposals is permitted in accordance with instructions contained within the RFP. No proposal may be withdrawn for a period of ninety (90) days after the time scheduled for proposal opening, or as otherwise stated in the RFP.

3. *Proposal Opening (Opening Sealed Proposals).*

- ✓ Proposal must be submitted electronically via BidNet (www.bidnet.com).
- ✓ Paper submittals will not be accepted.
- ✓ Proposals submittals are due on or before 3:00pm of the scheduled proposal due date.
- ✓ BidNet does not accept late submittals after the due date and time has elapsed.
- ✓ Submittals shall be opened in the presence of the Procurement Official or designee. Other City staff may assist in this process as needed to services as an additional witness at the time and place designated in the RFP.
 - A Calendar Invite will be sent to the End User.
- ✓ Opening of proposals will be recorded (digitally recorded/virtually recorded via Teams).
- ✓ Proposals openings will be open to the public (virtually or in-person) providing transparency in the procurement process.
- ✓ The meeting will be recorded (digitally recorded/virtually recorded via Teams).
- ✓ Proposal Tabulation Sheet: The Proposal Tabulation Sheet generated from BidNet will be published once the bid opening meeting has ended.
 - Only the Proposers Name will be provided. Pricing will be provided upon completion of the evaluation process.
- ✓ Procurement will create and release a corrected Proposal Tabulation Sheet as needed.

4. *Evaluation of Proposals.* The Procurement Official and Procurement staff will review proposals to ensure they meet the requirements specified in the solicitation and proposals address the criteria listed therein. Proposals that meet the requirements will be deemed Responsible and Responsive to the solicitation and its requirements.

- ✓ The Procurement Department will review all proposals to ensure it meets the requirements of the solicitation.
- ✓ If a proposal does not meet the requirements of the solicitation, the proposer will be deemed non-responsive and non-responsible to the solicitation and its requirement and will move forward in the procurement process.

- The Procurement Department will provide a written explanation of the non-responsive and non-responsible determination.
 - The Proposal will not be provided to the Evaluation Committee for review or consideration.
 - ✓ An Evaluation Committee (EC) will be selected by the Director of Finance and Procurement Official. EC members will individually review, evaluate and score responsive and responsible proposals.
 - ✓ Price proposals will be opened, and the applicable score will be added to determine the final shortlist and ranking of the proposers, if applicable.
 - ✓ The Procurement Department will review the individual scores and calculate and verify the average scores for each proposer to determine shortlisting and ranking and post the information on Bidnet.
 - ✓ Price Proposal Negotiations may occur as applicable as defined in the RFP.
 - ✓ All Proposals (or the most acceptable proposals in the discretion of any committee evaluating proposals) will be ranked in order of their acceptability to the City, giving consideration to the criteria.
5. *Recommendation for Award.* The Procurement Official shall submit a recommendation for award to City Council for approval and award.
- ✓ The Procurement Department will create an agenda item with the assistance of the End User to present a recommendation for award to City Council.
- Agenda Items shall include the following:
- Cover Memo;
 - Copy of the Final Solicitation Package;
 - Copy Internal Procurement Vetting Form;
 - Copy of the Notified Vendors List;
 - Copy of the Bid Tabulation Sheet;
 - Lowest Responsive and Responsible Bidder Submittal; and
 - Contract/Agreement if appropriate.
6. *Contract Award.*
- ✓ If a Contract/Agreement is appropriate, Procurement will draft the Contract/Agreement and submit to City Attorney for review and approval. Contract terms, exceptions, and/or modifications will be reviewed and approved by the City Attorney.
 - ✓ The Procurement Official will obtain the Vendor and Department Director Signature and attach a copy of the Contract/Agreement to the agenda item.

- ✓ The Contract award will be awarded, if award is made, by the City Council to the Responsive and Responsible Proposer whose proposal is determined, in the City's exclusive discretion, to be the most advantageous to the City, taking into consideration price, qualifications, and other factors as indicated in the RFP.
 - ✓ Unless otherwise provided by law, the City has no obligation to award the Contract to the Proposer who proposes the lowest price.
 - ✓ A copy of the executed contract, award letter, copy of the signed resolution, PO (if applicable) with supporting documentation will be provided to the awarded Vendor and End User. Notice to proceed will be provided, if applicable.
 - ✓ The Vendor will be required to provide a Certificate of Insurance, Performance Bond etc. prior to the commencement of any work.
 - ✓ If a Purchase Order is appropriate, a requisition will be created and submitted to the appropriate approvers for approval. Supporting documentation consisting of the final solicitation, awarded proposers' proposal, approved resolution and price proposal (if applicable), and signed resolution will be attached to the requisition and made a part of the Purchase Order (PO).
7. *Public Access to Proposal Documents.* Interested persons shall have access to information regarding procurement transactions of the City in accordance with City policy and the Georgia Open Records Act, O.C.G.A. § 50-18-70 *et seq.*
- ✓ All meetings of the City's Council are duly noticed public meetings and all documents submitted to the City as a part of or in connection with a Proposal may constitute public records under Georgia law regardless of any person's claim that proprietary or trade secret information is contained therein.
 - ✓ Unless otherwise provided herein, by submission to the City, Proposers waive any claim to the proprietary nature of submitted information. The Proposer may designate in the smallest increments possible, that part of the qualifications which is deemed to be proprietary, which, subject to the City's reasonable determination, shall be redacted for purposes of the public agenda.
 - ✓ Proposals and all related correspondence are governed by the Georgia Open Records Act and shall be provided to anyone properly requesting same, after contract award. The City cannot protect proprietary data submitted in vendor proposals unless provided for under the open records law and clearly marked as proprietary by the Proposer.
 - ✓ In the event the Proposer deems certain information to be exempt from the disclosure requirements, the Proposal must specify what content is considered

exempt and cite the applicable provision of the law to support that assessment. In the event such information is requested under the open records law, the Proposer's assessment will be examined by the City Attorney who will make a determination. The decision to withhold or release the information will be at the City Attorney's sole discretion.

C. Request for Qualifications (RFQ)

Requests for Qualifications (RFQ) may be used if the Procurement Official determines that it is in the City's best interest to evaluate the experience and qualifications of a Service, Construction Service or Professional Service provider, without regard to price or prior to considering price. An RFQ may also be used to establish a pool of qualified contractors/firms to provide various professional services to the City.

The procedure for soliciting, opening and evaluating statements of qualifications shall be the same as described herein and similar to the RFP procurement process. Such service providers whose qualifications meet the criteria established in the RFQ, at the sole discretion of the City, may be considered for Contract award by participation in the completion price negotiation.

- ✓ The City shall attempt to negotiate a fee with the highest ranked firm. If no agreement is reached, the City shall begin negotiations with the next highest ranked firm. Negotiations will proceed in this manner until an agreement is reached.
- ✓ The City reserves the right to reject any or all responses for any reason. Clarification of information may be requested by the City.

D. Multi-step Solicitation

The City may initiate the multi-step solicitation process described below when: (a) the Procurement Official determines it is impractical to prepare an adequate or complete description of the Goods, Capital Assets, Services or Construction Services desired (due to insufficient data, uncertain requirements, unfamiliar market options, etc.), (b) the Procurement Official desires to identify a field of qualified Bidders, Proposers, Goods or Services, out of a broader field of Bidders, Proposers, Goods or Services, or (c) the Procurement Official determines that a multi-step process would best serve the City's interests.

1. The City may request that priced proposals be submitted in two separate envelopes, with pricing information contained in one envelope and all other requested information contained in the other envelope. In such case, proposals will be evaluated in accordance with the requirements set forth in the RFP, initially without regard to price and without opening the envelope containing pricing information. Based on such evaluation, the City will establish a field of at least three (if possible and available) qualified or most qualified Proposers. The City may conduct interviews with Proposers to aid in the identification of qualified or most qualified Proposers. In the event the City conducts interviews with Proposers,

the City is not required to interview any Proposers deemed by the City to be unqualified or less qualified than other Proposers.

2. After establishing a field of qualified or most qualified Proposers, the City will open the pricing envelopes of only the qualified or most qualified Proposers, and evaluate such pricing information in the manner described in the RFP for purposes of recommending/making an award (e.g. most advantageous proposal, price and other factors considered or low price submitted by qualified Proposers). In the absence of specific instructions to the contrary in the RFP, pricing information will be evaluated together with all other information required by the RFP for purposes of selecting among the qualified field of Proposers the most advantageous proposal, price and other factors considered.

(3) SOLICITATIONS REQUIRING PUBLIC NOTICE IN GEORGIA PROCUREMENT REGISTRY (GPR)

The GPR is the state's central bid registry established by the Department of Administrative Services (DOAS) and managed by the agency's State Purchasing Division (SPD). The registry provides for the advertising of bid opportunities by state and local governments to ensure transparency and offer market competition, as required and amended by the State of Georgia.

- A. The City shall advertise all bid or proposal opportunities for **goods, services, or both** that are valued at **\$100,000.00 or more, as required and amended by the State of Georgia** in the GPR for a minimum of thirty (30) calendar days prior to the date set for opening bids/proposals. Each advertisement shall include such details and specifications as will enable the public to know the extent and character of the bid or proposal opportunity. *See* O.C.G.A. § 36-80-27.
- B. The City shall advertise all contract opportunities for **public works construction** that are valued at **\$100,000.00 or more, as required and amended by the State of Georgia** in the GPR for at least four continuous weeks prior to the opening of the sealed bids or proposals, unless otherwise provided by O.C.G.A. § 36-91- 20.
- C. The Procurement Official may adopt procedures requiring additional bid or proposal opportunities to be advertised on the GPR.

SECTION VII – NON-COMPETITIVE PROCUREMENTS

The provisions of this policy section shall apply to the procurement of Goods, Capital Assets, Services, Construction Services or Professional Services, when the purchase does not exceed **\$9,999.99** or when the Procurement Official determines that competitive procurement is not practical, feasible, or possible. Notwithstanding any other provision, any Contract or subcontract entered into by the City with any Person for the construction, reconstruction, or maintenance of all or part of a public road in the City including, but not limited to, a Contract or subcontract for the purchase of materials, for the hiring of labor, for professional services, or for other things or services incident to such work, shall be entered into in accordance with O.C.G.A. § 32-4-114.

A. Sole Brand Procurement

The City may obtain sole brand goods from a specific manufacturer or owner's brand through a competitive sole-brand solicitation. Sole Brand Procurements are available when only one specific brand of goods will meet the City's critical business requirements. research must be conducted by the Procurement Official to determine if other brands exist which can also satisfy procurement requirements in a timely manner. A Sole/Single Source Procurement Justification Form and supporting documentation is required. Departments must receive written approval prior to obtaining such goods.

- ✓ The Procurement Official must conduct research to determine if other brands exist which can satisfy procurement requirements in a timely manner.
- ✓ A sole-brand solicitation requires justification, supporting documentation consisting of previous purchase, warranty, be used only when it is the last justifiable option, and not as an attempt to contract for a favored brand of goods. *A Single/Sole Source Procurement Request Form must be submitted.*
 - An example of the appropriate use of the sole-brand justification may include certain situations where a specific piece of equipment is needed to match existing equipment or is a replacement. If the desired good is only available from one source, then the sole source procurement method is appropriate.
 - A valid sole-brand justification allows the procurement professional to process a competitive solicitation with the insertion of "No Substitute" after the good is specified by brand name, model number, or some other designation identifying a specific good of a manufacturer.

B. Sole Source Procurement

The City may acquire Goods, Capital Assets, Services, Construction Services or Professional Services pursuant to a Sole Source Procurement. Sole Source Procurement is available when Goods, Services, or Professional Services are limited to one source, or when they must be obtained from a specific manufacturer's dealer when still under warranty, maintain continuity, consistency, connectivity to existing hardware, software and proprietary in nature, and valid competition among dealers does not exist. No Sole Source Procurement shall be valid without the prior authorization of the Governing Authority. For each instance in which the use of Sole Source Procurement is proposed, the User must provide to the Governing Authority with a written report that identifies the specific reasons justifying such use and shows the requirements stated herein are satisfied. The Governing Authority may authorize the use of Sole Source Procurement only if it determines that such use fully complies with the requirements stated herein. A Sole/Single Source Procurement Justification Form and supporting documentation is required. Departments must receive written approval prior to obtaining such goods.

C. Single Source Procurement

The City may acquire Services or Professional Services pursuant to a Single Source Procurement. A Single Source Procurement is a procurement made from one Person among others in a competitive marketplace which, for justifiable reasons, is found to be most advantageous for the purpose of fulfilling the given purchasing need. A Sole/Single Source Procurement Justification Form and supporting documentation is required. Departments must receive written approval prior to obtaining such goods.

Single Source Procurement is available only if the following conditions exist:

The proposed use of Single Source Procurement concerns any of the following situations:

1. To obtain the Services or Professional Services of any Person for the purpose of serving in any appointed position identified in Article III of the City Charter; or
2. To obtain the Professional Services of any Person where such Person establishes to the User that:
 - ✓ Regarding the provision of such Professional Services, he has significantly more experience than other prospective providers or has unique knowledge and experience that no other prospective provider possesses;
 - ✓ He has more historical knowledge of the particular issue/subject to be addressed by the procurement while other prospective providers have failed to demonstrate to the User that they have the same level of historical knowledge;
 - ✓ In comparison to other prospective providers, he is particularly suited to provide the procurement as he and the City had a satisfactory business relationship in his earlier provision of such Professional Services to the City; or
 - ✓ He has the capacity and willingness to provide such Professional Services to the City in an emergency situation while other prospective providers have failed to demonstrate to the User that they have such capacity and willingness.
 - ✓ The Person desiring to provide the procurement has agreed, in writing, that he will not disclose to any third party any confidential information, trade secret or financial information of the City that he may obtain in the course of providing the procurement to the City.
 - ✓ The User has analyzed the current open, competitive market conditions regarding the provision of such Services or Professional Services and has determined that the price to be paid to the proposed provider is substantially similar to the current price in the open, competitive market for such Services or Professional Services.

Note: No Single Source Procurement shall be valid without the prior authorization of the Governing Authority. For each instance in which the use of Single Source Procurement is proposed,

the User must provide to the Governing Authority a written report that identifies the specific reasons justifying such use and shows the requirements stated herein are satisfied. The Governing Authority may authorize the use of Single Source Procurement only if it determines that such use fully complies with the requirements stated herein

D. Emergency Procurement

The City may acquire Goods, Capital Assets, Services, Construction Services or Professional Services by directly negotiating an award in the event of an Emergency. An Emergency exists when a situation occurs suddenly and unexpectedly and demands immediate action to prevent delays which may vitally affect the health, safety or welfare of the public or City Employees and affects the continuation of services to the citizens,

and/or serious loss or injury to the City. Emergencies also exist if a condition, malfunction, or occurrence in which the immediate procurement of an item (i.e. Good, Services, or Professional Service) is essential to comply with regulatory requirements. An Emergency Procurement Justification Form is required with supporting documentation. End Users must receive prior approval before receiving goods or services.

The City Manager shall make the determination when an Emergency exists. Such emergency procurements shall be made with as much competition as is practicable under the circumstances.

When the need for an emergency purchase occurs during normal working hours, the User shall request approval from the City Manager or his designee. If an Emergency situation should arise after office hours which requires immediate action on the part of the agency involved for the protection of the best interest of the City or if a like situation arises on a weekend or holiday and when it is not possible or convenient to reach the City Manager or Procurement Official, any purchase necessary shall be made by the official in charge of such department or agency, and such purchase reported to the Procurement Official within 24 hours.

As soon as practicable, a record of each Emergency procurement shall be made and shall set forth the contractor's name, the amount and type of the Contract, a listing of the item procured under the Contract, and the identification number of the Contract file. Moreover, written determination of the basis for declaring the Emergency and for the selection of the particular Person for the provision of Goods, Capital Assets, Services, Construction Services or Professional Services shall be included in the Contract file. If the cost of the procurement is \$50,000 or more, City Council approval must be obtained at the next meeting following the emergency procurement.

E. Cooperative Purchasing

The City may acquire Goods, Capital Assets and Services by from a Supplier having a requirements Contract/Annual Agreement with any public entity (e.g., federal, state, county, city, authority, school board, Buying Cooperative, etc.) for Goods, Capital Assets or Services described in such contract and at prices or discounts no less favorable than any

set forth in such Contracts. Prior to making any purchase, the Procurement Official or User shall obtain approval from all necessary parties pursuant to the applicable purchasing threshold.

Piggyback & Co-Operative Purchases: The Procurement Official and End Users may use Contracts and awarded Vendors list available through the Purchasing Division of the State of Georgia and other Governmental Entity to procure supplies, services or construction items that have already been competitively solicited and awarded to gaining access to cost savings and low price lists. Piggyback and Co-Operative Purchases will also include access to National Co-Ops (i.e.-U.S. Communities, Sourcewell, NASPO, OMNIA). The Procurement Official will utilize existing purchasing agreements that have been solicited and awarded by competitively when deemed to be in the best interest of the City.

- ✓ The Procurement Department will work with End Users to determine if goods, services, or construction items may be obtained through piggybacking when internal procurement lead times may not be completed in sufficient time to address the department's needs.
- ✓ The Procurement Department will obtain a copy of the final solicitation, submittals, bid tabulation sheet, pricings, evaluation documents (if applicable), award documents (agenda, signed resolution, executed contract, if applicable).
- ✓ The Procurement Department will request written authorization to use the available Contracts/Agreement when required.
- ✓ The Procurement Official will review the documents to ensure the solicitation and contract (if applicable) includes the language that permits piggybacking/co-operative purchase granting the use of their contract.
 - If the required language is not included in the solicitation and/or contract, the Procurement Official will deny the End User's request to piggyback or use the co-operative purchase method to obtain good or services.
- ✓ The End User will complete and submit a Piggyback/Co-operative Purchase Request Form with supporting documentation once reviewed and approved by the Procurement Official.
- ✓ If anticipated expenditure exceeds the City Manager's award authority, Procurement will work with the End User and create an agenda item to obtain City Councils approval.
- ✓ If a Contract is required, the Procurement Official will draft the Contract/Agreement and receive approval from the City Attorney. The Procurement Official will obtain the required signatures and attach the Contract/Agreement to the agenda item for City Council approval and execution.

- ✓ If a Purchase Order is appropriate, a requisition will be created. A copy of all supporting documentation and signed resolution and issued to the Vendor/Contractor.

Note: The Procurement Official will participate in the development of the solicitation when required by the lead agency/entity where required for Co-Op purchases.

F. Right to Protest.

Any actual Bidder or Proposer who is aggrieved in connection with the formal solicitation or award of a Contract may protest to the City. Protestors shall seek resolution of their protests/complaints initially with the Procurement Official.

1. *Timeliness.*

- a. Protests arising from factual or legal basis that the protestor knew or should have known prior to the submission of the bid/proposal must be submitted within three business days of the submission of the bid/proposal.
- b. Protests arising from factual or legal basis that the protestor knew or should have known subsequent to the date the bid/proposal was submitted must be submitted within ten business days after the protestor knew or should have known of such basis, but in no event shall any protest be submitted more than ten business days after the award of the contract.
- c. Untimely protests are invalid and shall be denied as such.

2. *Contents of Protest.* The protest shall, at a minimum, be in writing and include the following information:

- a. Identity and contact information of protestor;
- b. Appropriate identification of the subject solicitation or award;
- c. Detailed statement of the legal and factual grounds of the protest;
- d. Documentation supporting the protest and/or allegations;
- e. Statement of the specific relief requested; and
- f. Signed by an officer or person authorized to sign contracts on behalf of the protestor.

3. *Submission of Protests.* All protests shall be submitted to the City Manager via registered mail, overnight delivery, or hand delivery.

4. *Protest Resolution.* If a protest complies with subsections (1) through (3) above, the City Manager shall request a response from the Procurement Official. The Procurement Official's response will be returned to the City Manager within seven (7) business days from the submission of the protest. The City Manager is

empowered to decide to uphold, dismiss or amend the decision of the Procurement Official.

5. *Decision on Protest.* The City Manager shall inform the protestor of the decision in writing within fifteen (15) business days of the submission of the protest or, if the City Manager requires more time to render a decision, the City Manager and/or Procurement Official will advise the protestor within the initial ten (10) days of the additional amount of time required to render a decision.
6. *Appeals.* Any actual Bidder or Proposer who is aggrieved by the decision of the City Manager in connection with a protest shall file a notice of appeal with the City Manager and City Clerk within seven (7) days of receipt of the decision.
 - a. *Hearing.* The City Manager shall set a hearing date before City Council not more than thirty (30) days from the date of receipt of the notice. The City Clerk shall cause notice of the hearing date, time, and location to be served upon the parties by registered mail. At the hearing, all parties shall be provided with a fair and impartial hearing and shall be allowed to offer argument as to whether the City Manager's decision should be affirmed or overturned. Said hearing will not be de novo but shall be of an appellate nature.
 - b. *Decision.* Within seven (7) days of the hearing, the City Council shall issue a written decision on the appeal, which shall either affirm or reject the City Manager's decision. The City Clerk shall send a copy of the decision to the protestor(s) by registered mail.
 - c. *Finality.* A decision by the City Council under subsection 6(b) above shall be final and conclusive as to the City's appeal process. Any further action shall be through the court.
7. *Stay of Procurement.* In the event a protest complies with subsections (1) through (3) above, the Procurement Official shall not proceed with the further solicitation or award of the Contract until all administrative remedies have been exhausted, or the City Manager or City Attorney makes a determination that the award of the contract without delay is necessary to protect the interests of the City.

G. Real Estate Acquisitions¹

✓ Compliance with Applicable Regulations

¹ Reference Note- See O.C.G.A. § 36-37-1 et seq. for provisions governing the disposition of municipal property or acceptance of gifts, grants, or donations of property

All real estate acquisition activities shall conform to applicable federal, state (e.g. O.C.G.A § 36-80-18 and O.C.G.A § 36-60-13) and local laws and regulations and shall be subject to the provisions of the City Code of Ethics.

✓ Confidentiality

The City Council and City staff shall maintain the confidentiality of potential and on-going real estate acquisitions and related information subject to the provisions of the Open Meetings and Open Records Acts.

✓ Formal Approval

All real estate transactions shall be formally approved by the City Council in a public meeting prior to the City entering a sales contract. This shall not prohibit or interfere with the City Council's ability to discuss same and negotiate terms in Executive Session subject to the requirements of the Open Meeting and Open Records Acts.

✓ Appraisals

For any piece of real estate, for which a sales contract has been signed, the City will conduct at least one appraisal by an independent third-party who holds the Member of the Appraisal Institute (MAI) membership designation.

H. Land Acquisition Procurement Process

- a. City staff will investigate and identify properties for purchase that generally meet an approved plan or strategy. Furthermore, land purchased with a specific funding source will only be used for such purposes anticipated and/or authorized. If the City determines that the land cannot be used for its intended purpose, the City may dispose of the property in a manner consistent with Georgia law and funds raised through the sale of the property will be used for future land purchases consistent with the purposes authorized.
- b. City staff may work with a Real Estate broker to gather information and make site visits related to properties under consideration for acquisition.
- c. City staff will regularly brief the City Council in Executive Session on properties the city is considering purchasing to receive direction on "terms and price" from the City Council.
- d. City staff will negotiate "Letters of Intent" with land owners on properties the City Council has provided staff with direction on "terms and price".
- e. City staff will conduct due diligence on the real estate to be purchased including at a minimum but not limited to:
 - i. Environmental testing (Phase I required, Phase II and specialized testing if warranted);
 - ii. Production of an ALTA survey of the property;
 - iii. Production of a MAI appraisal of the property;

- iv. Complete title work on the property; and
 - v. Other reasonable due diligence activities as warranted.
6. Prior to requesting a resolution from the City Council authorizing the City Manager to execute any and all closing documents to complete the purchase of the property, the city staff will ensure completion of all due diligence item.

SECTION VIII – PROJECTS USING FEDERAL AID HIGHWAY PROGRAM (FAHP) FUNDING

The City shall use the competitive negotiation method for the procurement of engineering and design related services when FAHP funds are involved in the contract (as specified in 23 U.S.C. § 112(b)(2)(A) and 23 CFR § 172.5(a)(1)). The solicitation, evaluation, ranking, selection, and negotiation shall comply with the qualifications-based selection procurement procedures for architectural and engineering services codified under 40 U.S.C. § 1101 *et seq.*, commonly referred to as the Brooks Act. *See* Appendix A.

SECTION IX – PREFERABLE GOODS AND SERVICES

(1) PREFERENCE FOR PRODUCTS MANUFACTURED IN GEORGIA

When contracting for or purchasing supplies, materials, equipment, or agricultural products, excluding beverages for immediate consumption, the City shall give preference, as far as may be reasonable, economical, and practicable, to such supplies, materials, equipment, and agricultural products as may be manufactured or produced in the State of Georgia. Such preference shall not sacrifice quality.

In determining whether such a preference is reasonable in any case where the value of a contract for or purchase of such supplies, materials, equipment, or agricultural products exceeds \$100,000.00, the City shall consider, among other factors, information submitted by the bidder which may include the bidder's estimate of the multiplier effect on gross state domestic product and the effect on public revenues of the state and the effect on public revenues of political subdivisions resulting from acceptance of a bid or offer to sell Georgia manufactured or produced goods as opposed to out-of-state manufactured or produced goods. Any such estimates shall be in writing. The City shall not divide a contract or purchase which exceeds \$100,000.00 for the sole purpose of avoiding these requirements.

(2) ENVIRONMENTALLY PREFERABLE GOODS AND SERVICES

A. In determining which Goods, Capital Assets and Services to purchase, the City shall integrate environmental factors into the City's procurement decisions, when available and commercially practicable in the reasonable discretion of the User. Whenever possible or practicable, the City shall:

- 1. Purchase copy, computer, and fax paper with at least 30 percent post- consumer recycled content;

2. Purchase non-emergency fleet vehicles that provide the best available net reduction in vehicle fleet emissions including, but not limited to, the purchase of alternative fueled and hybrid vehicles;
 3. Consider purchasing lower emission emergency fleet vehicles with comparable specifications for performance, safety, and fuel availability during emergencies as conventionally-powered emergency fleet vehicles;
 4. Purchase at least Energy Star rated equipment and appliances for use in local government facilities when practicable based upon considerations of Life Cycle Costs;
 5. Purchase water-saving products, including WaterSense labeled, whenever practicable, including but not limited to, high performance fixtures such as toilets (1.28 gallons per flush or less), urinals (0.5 gallons per flush or less), low-flow faucets (1.5 gallons per minute or less), aerators, and upgraded high-efficiency irrigation systems;
 6. Replace disposable with re-usable, recyclable, or compostable Goods;
 7. Consider Life Cycle Cost Assessment; and
 8. Evaluate, as appropriate, the environmental performance of Vendors in providing Goods and Services.
- B. The analysis to determine environmentally preferable Goods and Services may include raw materials acquisition, production, manufacturing, packaging, distribution, reuse, operation, maintenance, disposal of products, or service delivery. Specifically, factors that should be considered by the User when determining that Goods have environmentally preferable attributes include, but are not limited to:
1. Minimization of virgin, unrecycled material used in Goods;
 2. Maximization of recycled materials used in Goods;
 3. Life cycle economics of Goods and Services;
 4. Reuse of existing Goods or materials in Goods;
 5. Recyclability, biodegradability and compostability of Goods;
 6. Minimization of packaging;
 7. Reduction of energy and fuel consumption;
 8. Reduction of water consumption;
 9. Toxicity reduction or elimination;
 10. Durability and maintenance requirements; and
 11. Ultimate disposal of the Goods.

SECTION X – PROTESTS, SUSPENSION, AND DEBARMENT

I. Right to Protest.

Any actual Bidder or Proposer who is aggrieved in connection with the formal solicitation or award of a Contract may protest to the City. Protestors shall seek resolution of their protests/complaints initially with the City Manager.

1. *Timeliness.*
 - a. Protests arising from factual or legal basis that the protestor knew or should have known prior to the submission of the bid/proposal must be submitted within three business days of the submission of the bid/proposal.
 - b. Protests arising from factual or legal basis that the protestor knew or should have known subsequent to the date the bid/proposal was submitted must be submitted within ten business days after the protestor knew or should have known of such basis, but in no event shall any protest be submitted more than ten business days after the award of the contract.
 - c. Untimely protests are invalid and shall be denied as such.
2. *Contents of Protest.* The protest shall, at a minimum, be in writing and include the following information:
 - a. Identity and contact information of protestor;
 - b. Appropriate identification of the subject solicitation or award;
 - c. Detailed statement of the legal and factual grounds of the protest;
 - d. Documentation supporting the protest and/or allegations;
 - e. Statement of the specific relief requested; and
 - f. Signed by an officer or person authorized to sign contracts on behalf of the protestor.
3. *Submission of Protests.* All protests shall be submitted to the City Manager via registered mail, overnight delivery, or hand delivery.
4. *Protest Resolution.* If a protest complies with subsections (1) through (3) above, the City Manager shall request a response from the Procurement Official. The Procurement Official's response will be returned to the City Manager within seven (7) business days from the submission of the protest. The City Manager is empowered to decide to uphold, dismiss or amend the decision of the Procurement Official.
5. *Decision on Protest.* The City Manager shall inform the protestor of the decision in writing within fifteen (15) business days of the submission of the protest or, if the City Manager requires more time to render a decision, the City Manager will advise the protestor within the initial ten (10) days of the additional amount of time required to render a decision.
6. *Appeals.* Any actual Bidder or Proposer who is aggrieved by the decision of the City Manager in connection with a protest shall file a notice of appeal with the City Manager and City Clerk within seven (7) days of receipt of the decision.
 - a. *Hearing.* The City Manager shall set a hearing date before City Council not more than thirty (30) days from the date of receipt of the notice. The City Clerk shall cause notice of the hearing date, time, and location to be served upon the parties by registered mail. At the hearing, all parties shall be provided a fair and impartial

hearing and shall be allowed to offer argument as to whether the City Manager's decision should be affirmed or overturned. Said hearing will not be de novo, but shall be of an appellate nature.

- b. *Decision.* Within seven (7) days of the hearing, the City Council shall issue a written decision on the appeal, which shall either affirm or reject the City Manager's decision. The City Clerk shall send a copy of the decision to the protestor(s) by registered mail.
 - c. *Finality.* A decision by the City Council under subsection 6(b) above shall be final and conclusive as to the City's appeal process. Any further action shall be through the court.
7. *Stay of Procurement.* In the event a protest complies with subsections (1) through (3) above, the Procurement Official shall not proceed with the further solicitation or award of the Contract until all administrative remedies have been exhausted, or the City Manager or City Attorney makes a determination that the award of the contract without delay is necessary to protect the interests of the City.

J. Suspension and Debarment

The Purchase Agent and Procurement staff will verify business licenses, suspensions and debarments status through the City and Department of Administrative Services website as well as other available resources during the internal review process for all responses received in response to a solicitation.

[Suspended and Debarred Suppliers | Georgia Department of Administrative Services - DOAS](#) and City

1. *Authority to Suspend or Debar.* After reasonable notice to the Person involved and reasonable opportunity for that Person to respond, the Procurement Official shall have the authority to initiate proceedings to suspend or debar a Person from doing business with the City. The City Manager shall have the authority to order suspension or debarment as provided herein.
2. *Causes for Suspension or Debarment.* The causes for suspension or debarment include:
 - a. Conviction for commission of a criminal offense as an incident to obtain or attempting to obtain a public or private contractor subcontract, or in performance of such contract or subcontract;
 - b. Conviction of state or federal statutes of embezzlement, theft, forgery, bribery, falsification or destruction of records, receiving stolen property or any other offense indicating a lack of business integrity or business honesty which currently, seriously and directly affects responsibility as a city contractor;
 - c. Conviction of state or federal antitrust statutes arising out of the solicitation and submission of bids or proposals;

- d. Violation of contract provisions of a character which is regarded by the Procurement Official to be so serious as to justify suspension action, which includes but is not limited to the following:
 - i. Failure to perform in accordance with the specifications within a time limit provided in a city contract;
 - ii. A recent record of failure to perform or unsatisfactory performance in accordance with the terms of one or more contracts, provided, that failure to perform or unsatisfactory performance caused by acts beyond the control of the Person shall not be considered to be a basis for suspension; or
 - iii. Falsification of any documents.
 - e. Commission or solicitation of any act that would constitute a violation of the ethical standards set forth in this Purchasing Policy and the City's Code of Ethics.
 - f. Any other cause that is serious and compelling as to affect the Person's responsibility as a city vendor, including debarment or suspension by another government entity.
3. *Initiation of Suspension or Debarment Action.* When the Procurement Official receives information from any source concerning a cause for suspension or debarment, he or she will promptly investigate the matter. If the Procurement Official finds cause that suspension or debarment is warranted, the Procurement Official shall prepare a written determination detailing the grounds for and length of the proposed suspension or debarment. Written notice of a proposed suspension or debarment action shall be sent by registered mail to the Person subject to the action, and shall also be sent to the City Manager and City Attorney.
 4. *Review of Proposed Suspension or Debarment.* Within fifteen (15) days of receiving said notice, the Person subject to the action shall submit any and all responsive records or documents in defense of the proposed suspension or debarment to the City Manager. Failure to submit a timely written response shall result in a waiver of review.
 5. *Final Decision.* After consultation with the City Attorney, the City Manager shall issue a final decision, which shall adopt, amend, or reject the proposed suspension or debarment. When suspension or debarment is ordered, the length of the suspension or debarment, the reasons for such action and to what extent affiliates are affected shall be set forth in writing and sent by registered mail to the Person subject to the action.
 6. *Effect of Suspension or Debarment.* A suspension or debarment decision shall take effect upon issuance and mailing of written notice of such decision to the Person subject to the action. After the suspension or debarment takes effect, the Person shall remain suspended or debarred until the period specified in the decision expires.
 7. *Duration of Suspension/Debarment.* Suspensions shall be for a period not to exceed 120 days. Debarment shall be for a period not to exceed three years, unless cause is based on a felony conviction for an offense related or associated with fraudulent contracting or misappropriation of funds. In such event, the debarment shall be for a

period not to exceed seven years.

8. *List of Suspended/Debarred Persons.* The Procurement Official shall create and maintain a list of all suspended and debarred Persons. All departments shall be routinely supplied with said list.

SECTION XI – PROPERTY DISPOSAL

A. Compliance with Applicable Regulations

The disposal of municipal property shall conform to applicable federal, state (*e.g.* O.C.G.A § 36-37-6) and local laws and regulations and shall be subject to the provisions of the City Code of Ethics.

B. Excess, Surplus, and Obsolete Materials

It shall be the duty of the User to report all excess, surplus or obsolete materials to the Procurement Official. At this point, the Procurement Official will examine alternatives as to the most advantageous disposition of the items. Items could be refurbished or reconditioned, transferred, traded in on new equipment or sold by auction or sealed bid, or destroyed. For property over \$5,000 in aggregate or \$1,000 individually, the City Council shall approve the request to have the property declared surplus. For other property, the Procurement Official shall present a list to the City Manager for approval.

1. *Transfer or Re-use.* The most gainful method for handling an item no longer needed by a department is to transfer it to another department that has a use for the item.
2. *Trade-In.* In replacing obsolete equipment, it may be financially advantageous to trade-in the old equipment. The invitation for bids on the replacement item should call for bid prices with or without trade-in and provide that award may be made either way.
3. *Sale.* Excess, surplus and obsolete items not transferred or traded-in may be consolidated and offered for sale to the highest responsible bidder either by auction or by sealed bid method. Auctions can be traditional or contemporary including online auctions such as www.Govdeals.com or similar websites. The consolidated list will be submitted to City Council for approval before an auction or sealed bid is organized. The property offered for sale will be on an “AS IS/WHERE IS” basis. Sealed bids will be opened at the time and place announced with the City, retaining the right to reject any and all. A tabulation of all bids received shall be available for public inspection following the opening of all bids. Said bids shall be retained and kept available for public inspection for a period not less than sixty (60) days from the date the bids were opened.
4. *Public Notice of Sale:* For the sale of personal property with an estimated value exceeding \$500.00, the City shall cause legal notice to be published in the official legal organ or newspaper of general circulation not less than fifteen (15) but no more than sixty (60) days preceding the day of the auction or the last day for the receipt of

bids/proposals. The notice shall include a general description of the property to be sold.

- a. The notice for sale by auction shall also contain the conditions of the proposed sale and shall state the date, time, and place of the proposed sale.
- b. The notice for sale by sealed bids shall also contain an invitation for proposals and shall state the conditions of the proposed sale, the address at which bid blanks and other written materials connected with the proposed sale may be obtained, and the date, time, and place for the opening of bids.

C. Sale to Employees

To avoid any appearance of impropriety in the disposition program, it is the City's policy to prohibit the direct sale of surplus property to any City Employee, Official or Agent. This policy does not prohibit any City Employee, Official or Agent from extending an offer at a public auction or in the form of a sealed bid.

D. Allocation of Proceeds

Proceeds from the sale of excess or surplus property will go into the City's Fund that held the asset.

APPENDICES

APPENDIX A:

PROJECTS USING FAHP FUNDING

In accordance with the requirements of the Brooks Act, (40 U.S.C. § 1101 *et seq.*), the following competitive negotiation procedures shall apply to City procurements for architectural, engineering, and related design services when Federal Aid Highway Program (FAHP) funds are involved in the project:

A. Solicitation.

The solicitation process shall be by public announcement, public advertisement, or any other public forum or method that assures qualified in-State and out-of-State consultants are given a fair opportunity to be considered for award of the contract. Procurement procedures may involve a single step process with the issuance of a request for proposal (RFP) to all interested consultants or a multiphase process with issuance of a request for statements or letters of interest or qualifications (RFQ) whereby responding consultants are ranked based on qualifications and request for proposals are then provided to three or more of the most highly qualified consultants. Minimum qualifications of consultants to perform services under general work categories or areas of expertise may also be assessed through a prequalification process whereby statements of qualifications are submitted on an annual basis. Regardless of any process utilized for prequalification of consultants or for an initial assessment of a consultant's qualifications under an RFQ, a RFP specific to the project, task, or service is required for evaluation of a consultant's specific technical approach and qualifications.

B. Request for Proposal (RFP).

The RFP shall provide all information and requirements necessary for interested consultants to provide a response to the RFP and compete for the solicited services. The RFP shall:

1. Provide a clear, accurate, and detailed description of the scope of work, technical requirements, and qualifications of consultants necessary for the services to be rendered. The scope of work should detail the purpose and description of the project, services to be performed, deliverables to be provided, estimated schedule for performance of the work, and applicable standards, specifications, and policies;
2. Identify the requirements for any discussions that may be conducted with three (3) or more of the most highly qualified consultants following submission and evaluation of proposals;
3. Identify evaluation factors including their relative weight of importance in accordance with Sections C and D;
4. Specify the contract type and method(s) of payment to be utilized;
5. Identify any special provisions or contract requirements associated with the solicited services;

6. Require that submission of any requested cost proposals or elements of cost be in a concealed format and separate from technical/qualifications proposals as these shall not be considered in the evaluation, ranking, and selection phase; and
7. Provide a schedule of key dates for the procurement process and establish a submittal deadline for responses to the RFP which provides sufficient time for interested consultants to receive notice, prepare, and submit a proposal, which except in unusual circumstances shall be not less than 14 days from the date of issuance of the RFP.

C. Evaluation Factors.

Criteria used for evaluation, ranking, and selection of consultants to perform engineering and design related services must assess the demonstrated competence and qualifications for the type of professional services solicited. These qualifications-based factors may include, but are not limited to, technical approach (e.g., project understanding, innovative concepts or alternatives, quality control procedures), work experience, specialized expertise, professional licensure, staff capabilities, workload capacity, and past performance.

Price shall not be used as a factor in the evaluation, ranking, and selection phase. All price or cost related items which include, but are not limited to, cost proposals, direct salaries/wage rates, indirect cost rates, and other direct costs are prohibited from being used as evaluation criteria.

In-State or local preference shall not be used as a factor in the evaluation, ranking, and selection phase. State licensing laws are not preempted by this provision and professional licensure within a jurisdiction may be established as a requirement which attests to the minimum qualifications and competence of a consultant to perform the solicited services.

The following non-qualifications-based evaluation criteria are permitted under the specified conditions and provided the combined total of these criteria do not exceed a nominal value of ten percent of the total evaluation criteria to maintain the integrity of a qualifications-based selection:

1. A local presence may be used as a nominal evaluation factor where appropriate. This criterion shall not be based on political or jurisdictional boundaries and may be applied on a project-by-project basis for contracts where a need has been established for a consultant to provide a local presence, a local presence will add value to the quality and efficiency of the project, and application of this criteria leaves an appropriate number of qualified consultants, given the nature and size of the project. If a consultant outside of the locality area indicates as part of a proposal that it will satisfy the criteria in some manner, such as establishing a local project office, that commitment shall be considered to have satisfied the local presence criteria.
2. The participation of qualified and certified Disadvantaged Business Enterprise (DBE) sub-consultants may be used as a nominal evaluation criterion where appropriate in accordance with 49 CFR Part 26.

D. Evaluation, Ranking, and Selection.

1. Consultant proposals shall be evaluated by the City based on the criteria established and published within the public solicitation.
2. While the contract will be with the prime consultant, proposal evaluations shall consider the qualifications of the prime consultant and any sub-consultants identified within the proposal with respect to the scope of work and established criteria.
3. Following submission and evaluation of proposals, the City shall conduct interviews or other types of discussions to determine three of the most highly qualified consultants to clarify the technical approach, qualifications, and capabilities provided in response to the RFP. Discussions may be written, by telephone, video conference, or by oral presentation/interview. Discussions following proposal submission are not required provided proposals contain sufficient information for evaluation of technical approach and qualifications to perform the specific project, task, or service with respect to established criteria.
4. From the proposal evaluation and any subsequent discussions which have been conducted, the City shall rank, in order of preference, at least three consultants determined most highly qualified to perform the solicited services based on the established and published criteria.
5. Notification must be provided to responding consultants of the final ranking of the three most highly qualified consultants.
6. The City shall retain acceptable documentation of the solicitation, proposal, evaluation, and selection of the consultant in accordance with the provisions of 49 CFR 18.42.

E. Negotiation.

1. Independent estimate. Prior to receipt or review of the most highly qualified consultant's cost proposal, the City shall prepare a detailed independent estimate with an appropriate breakdown of the work or labor hours, types or classifications of labor required, other direct costs, and consultant's fixed fee for the defined scope of work. The independent estimate shall serve as the basis for negotiation and ensuring the consultant services are obtained at a fair and reasonable cost.
2. If concealed cost proposals were submitted in conjunction with technical/qualifications proposals, only the cost proposal of the consultant with which negotiations are initiated may be considered. Concealed cost proposals of consultants with which negotiations are not initiated should be returned to the respective consultant due to the confidential nature of this data (as specified in 23 U.S.C. 112(b)(2)(E)).
3. The City shall retain documentation of negotiation activities and resources used in the analysis of costs to establish elements of the contract in accordance with the provisions of 49 CFR 18.42.

F. Small Purchases.

The small purchase method involves procurement of engineering and design related services where an adequate number of qualified sources are reviewed, and the total contract costs do not exceed an established simplified acquisition threshold. The City may use the State's small purchase procedures which reflect applicable State laws and regulations for the procurement of engineering and design related services provided the total contract costs do not exceed the Federal simplified acquisition threshold (as specified in 48 CFR 2.101). When a lower threshold for use of small purchase procedures is established in State law, regulation, or policy, the lower threshold shall apply to the use of FAHP funds as allowed by Federal law. The following additional requirements shall apply to the small purchase procurement method:

1. The scope of work, project phases, and contract requirements shall not be broken down into smaller components merely to permit the use of small purchase procedures.
2. A minimum of three consultants are required to satisfy the adequate number of qualified sources reviewed.
3. Contract costs may be negotiated in accordance with State small purchase procedures; however, the allow ability of costs shall be determined in accordance with the Federal cost principles.
4. The full amount of any contract modification or amendment that would cause the total contract amount to exceed the established simplified acquisition threshold would be ineligible for Federal-aid funding. The FHWA may withdraw all Federal aid from a contract if it is modified or amended above the applicable established simplified acquisition threshold.

G. Noncompetitive.

The noncompetitive method involves procurement of engineering and design related services when it is not feasible to award the contract using competitive negotiation or small purchase procurement methods. The following requirements shall apply to the noncompetitive procurement method:

1. The City may use their own noncompetitive procedures which reflect applicable State and local laws and regulations and conform to applicable Federal requirements.
2. The City shall establish a process to determine when noncompetitive procedures will be used and shall submit justification to, and receive approval from, the FHWA before using this form of contracting.
3. Circumstances under which a contract may be awarded by noncompetitive procedures are limited to the following:
 - i. The service is available only from a single source;
 - ii. There is an emergency which will not permit the time necessary to conduct

- competitive negotiations; or
- iii. After solicitation of a number of sources, competition is determined to be inadequate.
- 4. Contract costs may be negotiated in accordance with the City noncompetitive procedures; however, the allow ability of costs shall be determined in accordance with the Federal cost principles.

H. Additional Procurement Requirements and Provisions.

1. Common Grant Rule.

- i. The City must comply with procurement requirements established in State and local laws, regulations, policies, and procedures which are not addressed by or in conflict with applicable Federal laws and regulations (as specified in 49 CFR 18.36).
- ii. When State and local procurement laws, regulations, policies, or procedures conflict with applicable Federal laws and regulations, the City must comply with Federal requirements to be eligible for Federal-aid reimbursement of the associated costs of the services incurred following FHWA authorization (as specified in 49 CFR 18.4).
- iii. Additional terms, conditions, provisions and applicable additional required forms and acknowledgements will be added to the City's solicitation packages. Respondents will be required to submit the additional forms and accept the additional acknowledgements where applicable with their submittals prior to the solicitation closing date (response due date).

2. Disadvantaged Business Enterprise (DBE) program.

- i. The City shall give consideration to DBE consultants in the procurement of engineering and design related service contracts subject to 23 U.S.C. 112(b)(2) in accordance with 49 CFR part 26. When DBE program participation goals cannot be met through race-neutral measures, additional DBE participation on engineering and design related services contracts may be achieved in accordance with the City's FHWA approved DBE program through either:
 - a. Use of an evaluation criterion in the qualifications-based selection of consultants; or
 - b. Establishment of a contract participation goal.
- ii. The use of quotas or exclusive set-asides for DBE consultants is prohibited (as specified in 49 CFR 26.4

3. Georgia Department of Transportation (GDOT). The City must comply with procurement requirements established by the GDOT laws, regulations, policies, and procedures when utilizing GDOT funds for Capital Improvement Projects and procurement, management, and administration of engineering and design

related professional services (consulting) to maintain compliance with Federal and State Procurement Ordinances such as 23 CRR Part 172, 2 CFR Chapter I and Chapter II, 40 U.S.C 1101-1104, 48 CFR Part 31, O.C.G.A 50-22-1 through 50-22-9, 2 CFR 200.333 , which are not addressed by or in conflict with applicable Federal laws and regulations (as specified in 49 CFR 18.36 and State Purchasing Act (Official Code of Georgia Annotated in (O.C.G.A.) Section 50-5-50 et seq. and Title 32 If conflict does arise, the Procurement Official will work with legal, GDOT, and the State Purchasing Department to resolve the conflict.

- i. The use of GDOT Capital Improvement funds projects does not exempt the City from following the State Procurement Act or the rules of competitive bidding.
- ii. City staff participating in soliciting, facilitating evaluations, conducting negotiations and contract administration are required to attend and pass procurement training prior to participating in any of the processes associated with procuring, managing, and administering engineering and design consultant services when Federal Aid Highway Program (FAHP) funds are utilized.
- iii. City staff will ensure compliance with all rules, regulations and policies and procedures associated with engineering and design procurement consisting of the following:
 - a. 23 CFR Part 172 Procurement, Management and Administration of Engineering and Design Related Services; Final Rule.
 - b. 2 CFR Chapter I, and Chapter II, Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards; Final Rule.
 - c. 40 U.S.C. 1101-1104 Selection of Architects and Engineers “The Brooks Act”.
 - d. 48 CFR Part 31 – Contract Cost Principles and Procedures.
 - e. Repayment of Preliminary Engineering Cost (Order 2020.1).
 - f. FHWA Policy for Contractor Certification of Costs in Accordance with Federal Acquisition Regulations (FAR) to Establish Indirect Cost Rates on Engineering and Design-related Services Contracts Order No. 4470.1A.
 - g. O.C.G.A. 50-22-1 through 50- 22-9.
 - h. GDOTs DBE program.

- iv. When State and local procurement laws, regulations, policies, or procedures conflict with applicable Federal laws and regulations, the City must comply with GDOT requirements to be eligible for reimbursement of the associated costs.
 - v. Additional Provisions and Required Forms: The GDOT additional provisions, required forms and acknowledgements will be included in the solicitation package in addition to the City's standard terms and conditions and forms.
 - a. Bidders/Proposer's/Respondents will be required to complete and submit the additional required forms and accept the additional acknowledgments prior to solicitation close date as a part of the submittal.
 - b. Failure to submit the additional required forms will lead to a non-responsive and responsible determination and the submittal will not be accepted.
4. Suspension and Debarment. The City must verify suspension and debarment actions and eligibility status of consultants and sub-consultants prior to entering into an agreement or contract in accordance with 49 CFR 18.35 and 2 CFR part 180.



Item XII. b.

APPENDIX B:

SAMPLE REQUISITION FORM



PURCHASE REQUISITION FORM (Under \$49,999.99):

NOTE: By signing this request, you are certifying that the listed expenses are business related.

REQUESTOR NAME: _____ REQUESTOR SIGNATURE: _____

DEPARTMENT: _____ PHONE: _____ E-MAIL ADDRESS: _____

DEPARTMENT DIRECTOR: _____ DIRECTOR SIGNATURE: _____

DELIVERY ADDRESS: _____ PERSON OF CONTACT: _____

DATE REQUEST SUBMITTED: _____ NEED BY DATE: _____
(Date Request Submitted to Procurement or Entered by Dept.) (Date delivery is needed)

REQUISITION NO. _____ DATE ISSUED: _____ ACCOUNT TO BE CHARGED: _____
(Requisition No. generated by Tyler) (Date Requisition Prepared and submitted for approval)

VENDOR NAME: _____ VENDOR ID NO. _____

DETAILED DESCRIPTION OF PURCHASE (attach supporting documentation): _____

| ITEM DESCRIPTION | QUANITIY | UNIT | UNIT PRICE | TOTAL AMOUNT |
|------------------|----------|------|--------------------|--------------|
| | | | | \$ |
| | | | | \$ |
| | | | | \$ |
| | | | | \$ |
| | | | | \$ |
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| | | | | \$ |
| | | | | \$ |
| | | | | \$ |
| | | | | \$ |
| | | | | \$ |
| | | | | \$ |
| | | | TOTAL COST: | \$ |

ADDITIONAL COMMENTS:

ADDITIONAL ACCOUNT TO BE CHARGED (INDICATE WHICH LINE ITEM IF USING MULTIPLE ACCOUNTS: _____

SUGGESTED VENDORS:

1. _____
2. _____
3. _____
4. _____
5. _____

EACH REQUEST MUST INCLUDE SUPPORTING DOCUMENTATION: Scope of work/services, item description, unit price, total cost, quote/estimate provided by the Vendor, invoice etc.. Outside Events, Workshops, Training include the registration information, detailed description of the workshop/training, etc. Internal events, workshops, and training shall include the flyer in addition to standard required supporting documentation.

REQUIRED APPROVALS

DIRECTOR OF COMMUNICATIONS/IT (if applicable): _____ DATE: _____
___ APPROVED ___ DENIED

DIRECTOR OF FINANCE: _____ DATE: _____
___ APPROVED ___ DENIED

PROCUREMENT OFFICIAL: _____ DATE: _____
___ APPROVED ___ DENIED

Competitive Prices: _____
Additional Comments: _____

CITY MANAGER: _____ DATE: _____
___ APPROVED ___ DENIED



SOLICITATION REQUEST FORM

SUBMIT PACKAGE TO: Procurement@stonecrestga.gov

NOTE:

- 1. This checklist is to ensure all required information is submitted at the same time as the request for a new solicitation.
- 2. This checklist is not required for purchase orders, change orders, work authorizations, amendments / modifications.
- 3. Incomplete request for solicitations (without supporting documentation) will cause a delay in processing and subject to rejection and returned to the requestor.

NOTE: ADVERTISEMENT PERIODS

ITB 30 DAYS

CONSTRUCTION ITB 30 DAYS

RFP 30 TO 90 DAYS

RFQ 30 TO 90 DAYS

IN ACCORDANCE WITH GEORGIA STATUTE Vendor/Prime/Contract Assistance:


Vendors, primes, and/or contractors that have assisted in the development of the specifications, scope of services, evaluation criteria, bid sheet, price proposal, estimates related to this purchase and/or project, they are **NOT ELIGIBLE to participate in this solicitation process and the Procurement Department MUST be notified.** Requestor/Project Manager signature is required, acknowledging this section.

PLEASE READ THE BELOW STATEMENTS BEFORE SIGNING THIS DOCUMENT

I have reviewed the specifications, performed necessary due diligence, and to the best of my knowledge, the specifications provided does not contain restrictive language that will impede open and free competition.

PROJECT MANAGER:

DEPARTMENT:

PROJECT MANAGER SIGNATURE: 


DATE:

PHONE NUMBER:

E-MAIL ADDRESS:

SOLICITATION/PROJECT TITLE:

DEPARTMENT DIRECTOR:

DIRECTOR SIGNATURE: 

Comments:

BUDGET/ENCUMBRANCE INFORMATION:

Department Code: _____ Estimated Project Budget/Cost: \$ _____
 Project Number/ GL Account Number & Description: _____

FUNDING AUTHORIZATION:
 Director/Assistant Director of Finance/Designee _____

Signature: _____ Date: _____

TYPE OF CONTRACT (SELECT ONE):

ONE-TIME PURCHASE/SERVICE TERM CONTRACT (Continuing Contract) SOW

PROCUREMENT TYPE (SELECT ONE)

COMMODITY COMMODITY/SERVICE (ex. SUPPLY & INSTALL) GENERAL SERVICES
 PROFESSIONAL SERVICES CONSTRUCTION PROJECT (ex. SUPPLY, INSTALL, WITH LICENSING)

Indicate percentage of work the awarded vendor (prime) is responsible for completing: _____ % (N/A for commodity purchases)

COMMODITY CODES:

SOLICITATION TYPE (SELECT ONE):

COMPETITIVE
 SOLE SOURCE / SINGLE SOURCE: Is this "Standardized" as sole source? Yes No
 • If "YES" Sole Source / Single Source Form Required and must be submitted with request.
 SOLE BRAND: Is this "Standardized" as a sole brand? Yes No
 • If "YES" Sole Source / Single Source Form Required and must be submitted with request.

Does this replace and exiting contract? Yes No Expiration Date: _____
 • If yes, please provide a copy of the Contract and Resolution No.

Pre-Bid/Proposal/Submittal Meeting: Yes No Mandatory: Yes No Site Visit: Yes No

Number of Anticipated Contract Award: _____

DESIRED CONTRACT TERM/LENGTH/RENEWAL OPTIONS:

Desired Contract Term/Length of Services: _____ (Month, Initial Term) Desired Execution Date: _____

Renewal Options: Yes No Number of Renewals: _____

START DATE: (Check one of the following)

Services to begin as soon as contract is fully executed by the Department:
 Services to begin upon issuance of Work Order, Notice to Proceed and receipt of Purchase Order:

Note: All "Orders", Notice to Proceeds and supporting documentation must be attached to the requisition submitted in Tyler.

Liquidated Damages Required (substantial, final): Yes No

If amounts exceed current requirements, justification memo required for requested amounts.

Single Project Amount:

Annual Amount:

"Current Wage Rate Tables" Applicable to this project if greater than \$100K: Yes No

Prevailing Wage provided for this project: Yes No

Davis Bacon (required for federal/state funding projects): Yes No

PROJECT COMPLETION REQUIREMENTS (TIME SENSITIVE PROJECTS):
SERVICE AND CONSTRUCTION PROJECTS ONLY, AS APPLICABLE

SINGLE PROJECT:

The Contractor recognizes that **TIME IS OF THE ESSENCE**. The Work shall commence within ___ calendar days (___ working days) of the date of the Notice to Proceed.

The Work shall be Substantially Completed within ___ calendar days (___ working days) after the date when the Contract Time commences to run as provided in the Notice to Proceed.

The Work shall be finally completed on the Final Completion Date and ready for final payment in accordance with this Agreement within ___ calendar days (___ working days) after the date when the Contract Time commences to run as provided in the Notice to Proceed.

ANNUAL PROJECT: Task Work Order (TWO)/Work Authorization (WA)/Work Order(WO): "ORDER"

The Contractor recognizes that **TIME IS OF THE ESSENCE**. The Work on each "Order" shall commence immediately upon the Contractor's receipt of an executed "Order".

The Contractor shall mobilize to the project site and begin construction activities within ___ calendar days of receipt of the executed order or by the specific date noted within the "Order" (whichever applies).

The "Order" shall be substantially completed within the timeframe agreed upon and noted in each executed "Order".

The Work on each "Order" shall be finally completed on or before the Final Completion Date and ready for final payment in accordance with Final Completion Date agreed upon and noted in each executed "Order".

In the event services are scheduled to end because of the expiration of this contract, the Contractor shall continue the service upon the request of the City as authorized by the awarding authority. The extension period shall not extend for more than ___ days beyond the expiration date of the existing contract. The Contractor shall be compensated for the service at the rate in effect when this extension clause is invoked by the City. No new "Order" will be assigned after the contract's expiration nor will any new work be performed after that date.

ADDITIONAL SOLICITATION REQUIREMENTS: (If applicable)

NOTE: Additional requirements that need to be included in the solicitation.

- | | |
|--|--|
| <input type="checkbox"/> Discount from List Pricing/ Catalog Pricing | <input type="checkbox"/> Price Escalation Clause |
| <input type="checkbox"/> Bonding Requirements • Reduced Bonding limits or required on non-construction projects | <input type="checkbox"/> Multi-Vendor Award |
| <input type="checkbox"/> Pass Thru Amount • Allowance Parts on a pass-thru, permit allowance, etc. | <input type="checkbox"/> Trade in Disposal |
| <input type="checkbox"/> Multi-Year Initial Contract Term • Quotes and Bids: Greater than Three years / Greater than Five Years | <input type="checkbox"/> Piggyback/Co-Op Agreement |

REQUIRED SUPPORTING DOCUMENTATION

Check all applicable items listed below.

NOTE: Please label each document accordingly (Scope of Services, Evaluation Criteria, etc.)

- Specifications/Scope of Services/Scope of Work/ Minimum Technical Specifications (in Word Format)
- Itemized Bid Sheet/Price Sheet/Proposal Cost Sheet (as applicable)
- Purchase/Project Cost Estimate (Itemized as applicable)
- Evaluation Criteria (RFP/RFQ/RLI's/RTQ/SOW)
- Plans/Drawings/Technical Specifications (Construction, etc.) Number of Sheets:
- Certificate of Insurance Requirements in accordance with the State of Georgia Department of Administration
- License Requirement Memorandum: Construction and/or General Services (if applicable)
- Preliminary Vendor Quote (if available)
- Signed Justification Memorandum(s) and Additional Forms as applicable (EX. pass thru allowance)

FEDERAL (GRANT) FUNDED ONLY

Required Supplemental Checklist Forms

- Copy of executed Grant and supporting documentation
- Contract Term
- Independent Cost Estimate
- Lease vs Purchase
- Independent Cost Estimate / Cost/Price Analysis



APPENDIX D:
AND JUSTIFICATION FORM

SAMPLE SOLE/SINGLE SOURCE REQUEST



City of Stonecrest, GA
Procurement Department
3120 Stonecrest Blvd.
Stonecrest, Ga 30338
Web: www.stonecrestga.gov
Office: (770) 224-0200
Email: Procurement@stonecrestga.gov

SOLE BRAND/ SOLE SOURCE/ SINGLE SOURCE
NON-COMPETITIVE PROCUREMENT
JUSTIFICATION FORM

DATE: _____

TO: TANISHA BOYNTON, PROCUREMENT MANAGER, PROCUREMENT DEPARTMENT

REQUESTED BY: _____ DEPARTMENT: _____
(Name, Title)

PHONE NO.: _____ E-MAIL ADDRESS: _____

DEPARTMENT DIRECTOR: _____ SIGNATURE: _____ DATE: _____

SPECIFIED SUPPLIER (COMPANY NAME): _____ VENDOR ID. NO.: _____

SUPPLIER CONTACT PERSON: _____ VENDOR ID NO.: _____ PHONE NUMBER: _____

TOTAL COST: \$ _____

Please check the appropriate section and provide detailed justification:

Sole Source: The specified supplier is the **ONLY** provider of goods/services. A quote/proposal/estimate and certified letter from the supplier is required and **MUST** be attached. The quote/proposal/estimate must address the prices/terms set forth and be deemed reasonable for the values presented. The certified supplier letter must address trademark agreements, warranties, and proprietary ownership (*patented or copyrighted products or services*).

Justification for Sole Source: Provide a detailed description of goods/services to be provided. Describe what is unique about the product, particular style, model, type, manufacturer, service or source and how it meets City needs. Include what steps taken to confirm unavailability of competition as appropriate. If the space provided below is not sufficient, please attach a justification memorandum.

Single Source: The specified supplier and its authorized dealers/providers are the **ONLY** ones authorized to provide the requested good/services. The supplier/authorized dealer(s)/providers were selected to complement /support the following business decision (i.e. standardization, compatibility reasons). A quote/proposal/estimate and certified letter from the supplier is required and **MUST** be attached. The certified letter must include a list of authorized dealers/providers, address any active warranties, proprietary ownership (patented or copyrighted products or service). The quote/proposal/estimate must address the prices/terms set forth and be deemed reasonable for the value presented. If the space provided below is not sufficient, please attach a justification memorandum.

Please check the appropriate box and provide additional explanation.

Standardized System Parts provided by "OEM" Other (Please explain)

Purchasing Coordinator/Purchasing Specialist: _____ Date: _____

The Procurement Department has reviewed the request and has completed its due diligence per the Purchasing Policy and in accordance with State Purchasing Act (Official Code of Georgia Annotated in (O.C.G.A.) Section 50-5-50 et seq.). The Purchasing Agent has conducted a good faith review of the request. A record of sole source procurements shall be maintained as a public record and shall list each contractor's name, the amount and type of each contract, a listing of the item(s) procured under each contract, and the identification numbers of each contract file.

If Approved: A contract/agreement may be awarded, or a Purchase Order may be issued without competition when the governing approvers have approved the request.

Note: Requests exceeding the City Managers award authority, will require City Council approval.

Procurement Manager: _____ Date: _____

Request: APPROVED DENIED

Non-Competitive Sourcing Method to obtain the goods and/or services: Sole Brand Sole Source Single Source
 Negotiations Appropriate (Price, Delivery, and Terms)

Additional Comment: _____



Item XII. b.

APPENDIX E: SAMPLE EMERGENCY PROCUREMENT REQUEST AND JUSTIFICATION FORM



City of Stonecrest, GA
Procurement Department
3120 Stonecrest Blvd.
Stonecrest, Ga 30338
Web: www.stonecrestga.gov
Office: (770) 224-0200
Email: Procurement@stonecrestga.gov

EMERGENCY PROCUREMENT
NON-COMPETITIVE PROCUREMENT
JUSTIFICATION FORM

DATE:
TO: TANISHA BOYNTON, PROCUREMENT MANAGER, PROCUREMENT DEPARTMENT
REQUESTED BY: DEPARTMENT:
PHONE NO.: E-MAIL ADDRESS:
DEPARTMENT DIRECTOR: SIGNATURE: DATE:
SPECIFIED SUPPLIER (COMPANY NAME): VENDOR ID. NO.:
SUPPLIER CONTACT PERSON: VENDOR ID NO.: PHONE NUMBER:
TOTAL COST: \$

TYPE OF EMERGENCY THREAT:

Public Health Public Welfare Safety "Designated Disaster Emergency"

Explanation of Emergency: If the space provided below is not sufficient, please attach a justification memorandum.

Statement of Work: If the space provided below is not sufficient, please attach a justification memorandum.

Purchasing Coordinator/Purchasing Specialist: _____ Date: _____

The Procurement Department has reviewed the request and has completed its due diligence per the Purchasing Policy and in accordance with State Purchasing Act (Official Code of Georgia Annotated in (O.C.G.A.) Section 50-5-50 et seq.). The Purchasing Agent has conducted a good faith review of the request.

Notwithstanding any other provisions of this chapter, the city manager or designee may make or authorize others to make emergency procurements of supplies, services, or construction items when there exists a threat to public health, welfare, or safety; provided that such emergency procurements shall be made with such competition as is practicable under the circumstances. A written determination of the basis for the emergency and for the selection of the particular contractor shall be included in the contract file. As soon as practicable, a record of each emergency procurement shall be made and shall set forth the contractor's name, the amount and type of contract, a listing of the item(s) procured under the contract, and the identification numbers of the contract file.

Further, during the aftermath of a locally designated disaster emergency as declared under Chapter 11, Article I. Section 11-3, of the city's Charter or in carrying out emergency management powers as defined in O.C.G.A. Section 50-5-71, as may be amended from time to time, these procurement procedures shall authorize the City Manager and the Purchasing Agent, to contract and make payment for repairs to damaged city facilities for a thirty-day period following the disaster emergency. The City Manager will report to the City Council on expenditures following the disaster. Further, the City Manager and the Purchasing Agent may utilize the resources of the City's insurance underwriter as part of the City's due diligence process in identifying vendors to complete repairs in the most timely and cost effective manner. These emergency procurement procedures will be in effect until repairs on city-owned facilities are completed.

If Approved: A contract/agreement may be awarded, or a Purchase Order may be issued without competition when the governing approvers have approved the request.

Note: Requests exceeding the City Managers may award authority, will require City Council approval.

Procurement Manager: _____ Date: _____

Request: APPROVED DENIED

Additional Comment: _____

CONFLICT OF INTEREST DECLARATION
City Employee/Official

Name (of person making the Declaration):

Position / title:

Organization:

Procurement Project:

Confidentiality

I understand that the procurement project’s information, discussions, meetings, correspondence and material are confidential, and I agree to keep this information safe and not supply this information to, or discuss this information with, anyone outside the Evaluation Committee.

No contact with bidders/proposers

I agree that I will have no contact with any bidder/proposer during the procurement. I will not:

- a. pass information or make comments to them about the procurement
- b. receive any gift, gratuity, hospitality or any inducement from them
- c. be in contact with, or meet them, or have any discussion about the procurement with them. I will immediately pass any requests for information or meetings that I receive from any bidder/proposer to the Evaluation Committee Chair.

Declaration

I understand my role as a City Employee or Official, and I make this declaration in good faith. *Select one of the following two options:*

NO CONFLICT OF INTEREST

I have no actual, potential or perceived conflict of interest in relation to this procurement process and my role as an employee and I undertake to carry out my duties with the highest degree of objectivity and integrity.

CONFLICT OF INTEREST

I have a conflict of interest.

1. Select the type of conflict of interest:

Actual: This is an existing conflict of interest, for example: you have a close relative who is a director of one of the firms that has submitted a bid/proposal.

Potential: This is a conflict of interest that is about to happen or could happen, for example: you or a close relative is in the process of being hired by, or acquiring part or full ownership of a firm that has submitted a bid/proposal.

Perceived: This is a conflict of interest which might be reasonably perceived by others as compromising a person's objectivity, for example: you have a close personal friendship with a director of one of the firms that has submitted a bid/proposal.

2. Describe the circumstances giving rise to the conflict of interest:

Signature:

Date:

CONFLICT OF INTEREST DECLARATION
Evaluation Committee

Name (of person making the Declaration):

Position / title:

Organization:

Procurement Project:

Confidentiality

I understand that the procurement project’s information, discussions, meetings, correspondence and material are confidential, and I agree to keep this information safe and not supply this information to, or discuss this information with, anyone outside the Evaluation Committee.

No contact with bidders/proposers

I agree that I will have no contact with any bidder/proposer during the procurement. I will not:

- a. pass information or make comments to them about the procurement
- b. receive any gift, gratuity, hospitality or any inducement from them
- c. be in contact with, or meet them, or have any discussion about the procurement with them. I will immediately pass any requests for information or meetings that I receive from any bidder/proposer to the Evaluation Committee Chair.

Declaration

I understand my role as a member of this procurement Evaluation Committee, and I make this declaration in good faith. *Select one of the following two options:*

NO CONFLICT OF INTEREST

I have no actual, potential or perceived conflict of interest in relation to this procurement process and my role as a member of the Evaluation Committee and I undertake to carry out my duties with the highest degree of objectivity and integrity.

CONFLICT OF INTEREST

I have a conflict of interest.

1. Select the type of conflict of interest:

Actual: This is an existing conflict of interest, for example: you have a close relative who is a director of one of the firms that has submitted a bid/proposal.

Potential: This is a conflict of interest that is about to happen or could happen, for example: you or a close relative is in the process of being hired by, or acquiring part or full ownership of a firm that has submitted a bid/proposal.

Perceived: This is a conflict of interest which might be reasonably perceived by others as compromising a person's objectivity, for example: you have a close personal friendship with a director of one of the firms that has submitted a bid/proposal.

2. Describe the circumstances giving rise to the conflict of interest:

Signature:

Date:

APPENDIX G:

SAMPLE DBE OBJECTIVES AND GOALS

Disadvantaged Business Enterprise (DBE) Program Objectives, established and amended by the State, local and Federal governing bodies providing the funding for City Projects.

Note: DBE status must be current and will be verified by the Procurement Department. Verification will be processed through the registering agency (State, County, Local) and will be a part of the internal review process. Vendors whose status has expired will not be considered and responses will be deemed non-responsive and non-responsible to the solicitation and its requirements.

1. To ensure nondiscrimination in the award and administration of DOT-assisted contracts in the Department's highway, transit, and airport financial assistance programs;
2. To create a level playing field on which DBEs can compete fairly for DOT-assisted contracts;
3. To ensure that the Department's DBE program is narrowly tailored in accordance with applicable law;
4. To ensure that only firms that fully meet this part's eligibility standards are permitted to participate as DBEs;
5. To help remove barriers to the participation of DBEs in DOT-assisted contracts;
6. To promote the use of DBEs in all types of federally-assisted contracts and procurement activities conducted by recipients.
7. To assist the development of firms that can compete successfully in the marketplace outside the DBE program; and
8. To provide appropriate flexibility to recipients of Federal financial assistance in establishing and providing opportunities for DBEs.

Establishing Contract Goals

The following factors to consider in setting contract goals include:

- a. Location
- b. Type of Work
- c. Availability of DBEs

Establishing Overall Goals

The overall goal must be based on demonstrable evidence of the availability of ready, willing, and able DBEs relative to all businesses ready, willing, and able to participate on the DOT- assisted contracts (hereafter, the “relative availability of DBEs”). The goal must reflect determination of the level of DBE participation you would expect absent the effects of discrimination.

1. Determine a base figure for the relative availability of DBEs.
2. Once a base figure has been calculate, examine all of the evidence available in the jurisdiction to determine what adjustment, if any, is needed to the base figure to arrive at the overall goal. If the evidence does not suggest an adjustment is necessary, then no adjustment shall be made.

3. For FHWA recipients, the overall goal should be expressed as a percentage of all Federal-aid highway funds you will expend in FHWA-assisted contracts in the forthcoming three fiscal years.

APPENDIX H:


EXAMPLE OF DBE GOALS

Example of a DBE Goal:

For Federal Fiscal Years (FFY) 2018-2020, the Company established a DBE program goal of 25%; 21% race conscious; and 4% race neutral. The Company intends to award at least 25% of its total DOT-assisted contracts with qualified DBE firms through race conscious and race neutral means.

Proposed FFY 2021-2023, the Company in accordance with regulations of the accordance with regulations of the U.S. Department of Transportation (DOT), 49 CFR Part 26, hereby announces its Federal Fiscal Year 2021-2023 goal of 23% for Disadvantaged Business Enterprise (DBE) participation on contracts assisted by the Federal Highway Administration (FHWA). The Company DBE goal is based on demonstrable evidence of the availability of ready, willing and able DBEs relative to all businesses that are ready, willing and able to participate on FTA- assisted contracts. The DBE goal reflects the level of DBE participation that would be expected on transit contracts absent of the effects of discrimination.

Another example of a DBE Goal: A \$2 million contract to widen a one-mile stretch of city street. The LPA procurement team identifies several subcontracting possibilities including striping, trucking, and traffic control—totaling \$220,000, or 11 percent of the contract value. The team searches the State DOT’s database of certified firms and identifies several DBE firms that are certified to perform these work items. The LPA also considers the location of the project and the availability of DBE firms to do the work which may increase or decrease the 11 percent. Based upon this analysis, the LPA believes that a contract goal of 9.5 percent is appropriate.

| Establishment of Contract Goals | | | |
|---------------------------------|------------------|---|------------|
| Subcontracting | Allocated Costs | | Percentage |
| Striping | \$20,000 | | 1% |
| Trucking | \$80,000 |  | 4% |
| Traffic Control | \$20,000 | | 1% |
| Other Work Types | \$100,000 | | 5% |
| Total | \$220,000 | | 11% |
| Adjustment | | | -1.5% |

APPENDIX I:

SAMPLE DBE GOOD FAITH EFFORT FORM

DBE GOOD FAITH EFFORTS

In accordance with the requirements for federally funded projects, Requirements the Federal Regulation 41CFR 60-4 refers to contracting with minority firms, women’s business enterprise, and labor surplus area firms. The goal for minority participation for each trade is ____%. The goal for female participation in each trade is ____%. If the goal is not met the contractor shall list the affirmative steps taken to utilize minority firms, women’s business enterprises, and labor surplus area firms. Please answer the questions below and attach all documentation:

1. Were qualified small and minority businesses and women’s business enterprises included on solicitation lists?

2. List actions taken to solicit small and minority businesses, and women’s businesses:

3. Was dividing the work and/or supplies into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women’s business enterprises considered?

4. Were the services and assistance of the Minority Business Development Agency of Department of Commerce utilized?

Bidder/ Contractor/Proposer Company Name: _____

Authorized Company Person’s Signature: _____

Authorized Company Person’s Title: _____

Date: _____



CITY COUNCIL AGENDA ITEM

SUBJECT: Resolution to approve Purchasing Card Policy Revisions
Recommendation

AGENDA SECTION: *(check all that apply)*

- PRESENTATION PUBLIC HEARING CONSENT AGENDA OLD BUSINESS
 NEW BUSINESS OTHER, PLEASE STATE: Click or tap here to enter text.
-

CATEGORY: *(check all that apply)*

- ORDINANCE RESOLUTION CONTRACT POLICY STATUS REPORT
 OTHER, PLEASE STATE: Click or tap here to enter text.
-

ACTION REQUESTED: DECISION DISCUSSION, REVIEW, or UPDATE ONLY

Previously Heard Date(s): 03/10/25 & Click or tap to enter a date.

Current Work Session: Click or tap to enter a date.

Current Council Meeting: Monday, March 24, 2025

SUBMITTED BY: Tanisha Boynton, Procurement Manager

PRESENTER: Tanisha Boynton, Procurement Manager

PURPOSE: Approve Purchasing Card Policy

FACTS: In an effort to update governing requirements and standards for the City of Stonecrest, Georgia Purchasing Card Program (P-Card Program) revisions to the existing policy and processes are needed. The intent is to ensure compliance with the State Purchasing Act (Official Code of Georgia Annotated in O.C.G.A. Section 50-5-50 et seq, State of Georgia Purchasing Card Policy, Georgia Statutes, City Charter, State of Georgia Commission of Ethics, Georgia Office of Inspector General (GOIG), related to the administration and oversight of the City’s P-Card Program, used of the City issued P-Cards to authorized cardholders and approvers.

OPTIONS: Approve, Deny, Defer Click or tap here to enter text.

RECOMMENDED ACTION: Approve Click or tap here to enter text.



CITY COUNCIL AGENDA ITEM

ATTACHMENTS:

- (1) Attachment 1 - Resolution
- (2) Attachment 2 - Purchasing Card Policy
- (3) Attachment 3 - [Click or tap here to enter text.](#)
- (4) Attachment 4 - [Click or tap here to enter text.](#)
- (5) Attachment 5 - [Click or tap here to enter text.](#)

STATE OF GEORGIA
COUNTY OF DEKALB
CITY OF STONECREST

1 **A RESOLUTION BY THE MAYOR AND COUNCIL OF THE CITY OF**
2 **STONECREST, GEORGIA TO AMEND THE PURCHASING CARD**
3 **POLICY BY ADOPTING CERTAIN REVISIONS; TO PROVIDE AN**
4 **EFFECTIVE DATE; TO PROVIDE FOR SEVERABILITY; AND FOR**
5 **OTHER LAWFUL PURPOSES.**
6

7 **WHEREAS,** the governing authority of the City of Stonecrest (“City”) is the Mayor and Council
8 thereof; and
9

10 **WHEREAS,** pursuant to the City charter the city council shall have the authority to adopt and
11 provide for the execution of such ordinances, resolutions, policies, rules, and
12 regulations, not inconsistent with this Charter and the Constitution and the laws of
13 the State of Georgia, which it shall deem necessary, expedient, or helpful for the
14 peace, good order, protection of life and property, health, welfare, sanitation,
15 comfort, convenience, prosperity, or well-being of the inhabitants of the City of
16 Stonecrest and may enforce such ordinances by imposing penalties for violation
17 thereof.; and
18

19 **WHEREAS,** the purpose of the City’s Purchasing Card Policy is to establish governing
20 requirements and standards for the City of Stonecrest, Georgia Purchasing Card
21 Program (P-Card Program); and
22

23 **WHEREAS,** the City desires to amend the Purchasing Card Policy to adopt certain revisions to
24 the purchasing policy.
25

26 **NOW THEREFORE, BE IT AND IT IS HEREBY RESOLVED BY THE MAYOR AND**
27 **COUNCIL OF THE CITY OF STONECREST, GEORGIA:**
28

29 **BE IT FUTHER RESOLVED,** the City of Stonecrest Purchasing Card Policy is
30 hereby amended by adopting the provisions set forth in Exhibit A attached hereto
31 and made a part by reference.
32

33 **BE IT FUTHER RESOLVED,** the preamble of this Resolution shall be
34 considered to be and is hereby incorporated by reference as if fully set out herein.

BE IT FURTHER RESOLVED, to the extent any portion of this Resolution is
declared to be invalid, unenforceable, or nonbinding, that shall not affect the
remaining portions of this Resolution.

BE IT FURTHER RESOLVED, all City resolutions are hereby repealed to the
extent they are inconsistent with this Resolution.

BE IT FINALLY RESOLVED, this Resolution shall take effect immediately.

RESOLVED this _____ day of _____, 2025.

**STATE OF GEORGIA
COUNTY OF DEKALB
CITY OF STONECREST**

CITY OF STONECREST, GEORGIA

Jazzmin Cobble, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM BY:

City Attorney

**STATE OF GEORGIA
COUNTY OF DEKALB
CITY OF STONECREST**

Item XII. c.

EXHIBIT A



PURCHASING CARD POLICY

LAST REVISED: 10.10.2022, **03.10.25**



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| SECTION II - GENERAL PROVISIONS..... | 6 |

DISCLAIMER OF LIABILITY FOR IMPROPER PURCHASING: THE CITY DISCLAIMS ANY AND ALL RESPONSIBILITY AND LIABILITY FOR ANY PURCHASE, EXPENDITURE, PROMISE OR AGREEMENT FOR EXPENDITURE ARISING FROM ANY PROCUREMENT MADE IN ITS NAME OR IN THE NAME OF ANY AGENCY, AUTHORITY, COMMISSION, OR OTHER GOVERNMENTAL BODY UNDER ITS AUTHORITY, BY AN UNAUTHORIZED PERSON OR ANY PERSON ACTING IN VIOLATION OF THIS PURCHASING POLICY OR OUTSIDE OF THE AUTHORIZATION OR DELEGATION AS PROVIDED BY THIS POLICY. THE EXPENSE OF ANY SUCH TRANSACTION SHALL BECOME THE PERSONAL LIABILITY OF THE INDIVIDUAL AT FAULT UNLESS OTHERWISE RATIFIED OR EXEMPTED BY MAYOR AND COUNCIL.

SECTION I – DEFINITIONS

When used in this policy, the following words, terms and phrases, and their derivations, shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning:

- A. APPROVERS means persons responsible for reviewing transactions to determine if purchases are job- related or otherwise authorized. All approvers are required to complete the Approver Card Program Acknowledgement form. The Approver is normally the supervisor to whom a Cardholder reports for authorization to purchase required supplies and services. Approvers are responsible for reconciliation of their Cardholder accounts, ensuring proper procedures are followed when purchasing supplies or services and verifying the information is properly reconciled after the Reconciler has completed the reconciliation of transactions. Policy prohibits a subordinate from acting as an Approver in any phase of the transaction.**
- B. BACKUP P-CARD PROGRAM ADMINISTRATOR a person who has been delegated P-Card Program Administrator duties. This person must be designated by the City Manager and have the same training requirements as the P-Card Program Administrator.**
- C. CARDHOLDER means the person responsible for using the card in a conscientious and ethical manner consistent with City policy. A cardholder card account and the cardholder’s name on the account. This person has defined responsibilities including those as outlined in this policy. Cardholders are City **Official and** employees who are authorized P-Card holders who receive and use a Purchasing Card (P-Card) for the purpose of obtaining and paying for goods and services that require a credit card payment.**
- D. CARD ABUSE use of the P-Card for non-City business use purchases (personal purchases).**
- E. CARD MISUSE use of the card for legitimate purchases but by a nonauthorized cardholder for goods or services that are prohibited by State or internal policy (e.g., purchase of fuel for a State vehicle). See definitions of card abuse and fraud.**
- F. CITY means the City of Stonecrest and, as the context warrants, those persons or bodies authorized to act on its behalf, including, but not limited to, the City Council, committees, boards and staff.**
- G. CITY ETHICS POLICY shall mean Article X, Ethics, of Chapter 2, Administration, of the Code of the City of Stonecrest, Georgia.**
- H. CITY FINANCE DIRECTOR/FINANCE DIRECTOR means the City Accountant as described in the City Charter, his agent, or the department head of the City Finance Department, if such a department is in existence.**

- I. EMPLOYEE means an individual drawing a salary or wage from the City whether on a full-time or part-time basis. The term shall encompass all members of the City Council without regard to whether or not such individuals are compensated. For purposes of this Purchasing Policy the term “employee” shall **include** any Vendor or any employee of such Vendor who has entered into a Contract with the City to provide administrative and department services contemplated in Section 2.12 of the Charter of the City.
- J. EMERGENCY means a situation that occurs suddenly and unexpectedly and demands immediate action to prevent delays which may vitally affect the health, safety or welfare of the public or City Employees and affects the continuation of services to the citizens, and/or serious loss or injury to the City. Emergency shall also mean a condition, malfunction, or occurrence in which the immediate procurement of an item (i.e. Good, Services, or Professional Service) is essential to comply with regulatory requirements.
- K. EMERGENCY PURCHASES means any procurement of Goods, Capital Assets, Services or Professional Services in the context of an Emergency.

L. END USER means the Department/Division that uses the goods, services, or work after purchasing or receiving it and directly benefits from its use. End Users have the authority and responsibility for determining the need for an item or service, its related specifications, and need date. The End User is responsible for funding the need and advising Purchasing of the approved funding and the specific budget account number. The End User is responsible for authorizing the purchases of all materials, services, repairs, leases and rentals in which the negotiated price exceeds the approved funding.

- M. GOODS or COMMODITIES means supplies, apparatus, materials, equipment and other forms of tangible personal property used by a City department in the accomplishment of its responsibilities other than Capital Assets.
- N. GOVERNING AUTHORITY means the Mayor and City Council of the City of Stonecrest or its designee(s).

OFFICIAL means any City elected or appointed person who holds office or any person appointed by the mayor and council of the City to serve on (1) the planning commission of the City, (2) any board or commission of the City having quasi-judicial authority; and, (3) any authority created by the City, either individually or jointly with other local governments pursuant to Georgia law.

- O. PERSON means any business, entity, company, firm, individual, union, committee, club or other organization or group of individuals.
- P. **PURCHASING** PURCHASING is the **organized acquisition of goods and services on behalf of the buying entity. Purchasing is also** the process of securing real estate, capital assets, materials, services, repairs, leases and rentals necessary for the operation and support of the City.

Q. PROCUREMENT OFFICIAL means the principal purchasing official directing, monitoring and overseeing purchasing and procurement activities of the City (Section III – Procurement Official). This person is appointed by the City Manager. The Procurement Official is authorized to purchase a range of Goods, Capital Assets, Real Estate, Services, Construction Services, or Professional Services on a routine basis.

R. .

O. PURCHASING CARD ADMINISTRATOR the P-Card Program Administrator serves as the main point-of-contact for all p-card program personnel and serves as a liaison between City Manager, Director of Finance, and Cardholders. In some cases, responsibilities may be shared and/or delegated as assigned by the City Manager.

P. P-CARD COORDINATOR A person who has been delegated P-Card Program Administrator duties. This person must be designated by the City Manager and has the same training requirements as the P-Card Program Administrator.

Q. SERVICES mean any performance of effort or labor, for which the City has contracted other than Professional Services or Construction Services. Services include, but are not limited to, janitorial, landscaping, and street striping.

R. THE REQUESTING DEPARTMENT/DIVISION (User) is defined as the department which has the authority and responsibility for determining the need for an item or service, its related specifications, and need date. The User is responsible for funding the need and advising Purchasing of the approved funding and the specific budget account number. The User is responsible for authorizing the purchases of all materials, services, repairs, leases and rentals in which the negotiated price exceeds the approved funding.

SECTION II - GENERAL PROVISIONS

A. Authority

The City of Stonecrest (“City”) was created by Senate Bill 208, passed in the Georgia General Assembly during the 2016 Session and subsequently confirmed by referendum. Senate Bill 208 provided a charter for the City of Stonecrest (the "City Charter") to establish the government structure of the city, define boundaries, specific powers, functions, essential procedures, and legal control. The City Charter authorizes the City Council by ordinance to establish procedures for a system of centralized purchasing for the city. As a part of the City’s centralized purchasing **the City Council must authorize the issuance and specify policies regarding the use of City Purchasing Cards (P-Cards) or government credit cards by public vote.**

B. Purpose

The purpose of this policy is to **establish governing** requirements and standards for the City of Stonecrest, Georgia Purchasing Card Program (**P-Card Program**). **This policy is aligns with the standards set by the Official Code of Georgia Annotated (O.C.G.A) § 36-80-24, O.C.G.A. § 50-5-50 et seq., all other relevant Georgia Statutes, the City Charter, the City Purchasing Policy State of Georgia Commission of Ethics, and Georgia Office of Inspector General (GOIG), related to the use of government issued P-Cards to authorized City Officials and employees.**

Additionally, this policy provides a payment mechanism for Vendors that only accept credit card payments, addresses travel related reservation expenses such as hotel/flights (refer to travel policy for additional information), and addresses unplanned, non-routine, or urgent point of sale purchases under established internal controls. This policy also, addresses unauthorized use of a City issued P-Cards for unauthorized purchases. This policy provides clarifications on the duties and responsibilities of P-Card Program Administrator, Cardholders and Approvers. Travel-Related Expenses and Food or Meals Refer to Travel Policy

C. Cardholders

All purchases made through the program must be for official or constitutional City business. Internal policies governing use of the accounts can be more, but not less, restrictive than the Statewide and City Purchasing Card Policy. Use of the card or the transactions made on the card cannot violate other laws or policies based on the funding sources.

Note: Only the employee whose name appears on the face of the card is authorized to initiate transactions with the card. Use of card by any other person, even if the purchase

is for legitimate City business, is considered misuse of the card. Cardholders are City employees and authorized designees: Cardholders must be permanent or full-time employees whose jobs require the use of a P-Card or other account.

Authorized Cardholders

- a. City Manager and/or designee(s)
- b. Finance Director and/or designee(s)
- c. Department Directors

D. Training

All cardholders must complete P-Card and Purchasing Training and be bonded prior to obtaining a P-Card. sign a cardholder agreement that contains the terms and conditions for use of the P-Card and any other account. The mandatory cardholder agreement is available through viewing the P-Card Policy and by contacting the Procurement Department.

E. Cardholder Responsibilities

Cardholders are limited to one (1) active P-Card.

1. Card Usage

- 1.1 Ensure that no other persons have access to any card information (i.e., card account number, expiration date, security code).
- 1.2 Ensure that all purchases comply with State and City policies and are related to official City business.
- 1.3 Receive prior approval before making a purchase or making a payment by completing the Purchase Card Purchase Request Form.

2. Monthly Reconciliation Responsibilities and Requirements

Note: Upon completion of implementation of the Tyler P-Card Module, all transactions will be reconciled in Tyler. Documents will be uploaded into Tyler, reviewed and approved by the designated approver and P-Card Program Administrator.

- 2.1 Ensure that all invoices and/or receipts must be signed, dated and meet the requirements in accordance with the City's P-Card Policy and contain adequate supporting documentation of each transaction.

Refer to the Purchasing Policy, Procurement Processes and Procedures Manual. Complete the Purchase Card Purchase Request Form providing the following information:

- ✓ Provide the supplier's information (name, contact information, location);
 - Please make sure the Vendor is registered to do business with the City prior to making a purchase or making a payment.
- ✓ Invoice and/or receipt shall include a detailed line-item description, including quantity, unit price, and total price;
- ✓ Request sales tax be removed. The City is tax-except where appropriate (Refer to Travel Policy);

- ✓ Complete a Lost Receipt Affidavit Form, if a receipt is lost and a duplicate cannot be obtained. Use of this form more than three times during a fiscal year will result in suspension of card privileges as determined by the P-Card Program Administrator.
 - ✓ Provide all required additional supporting documentation for workshops, event, membership, subscription, and travel related expenses.
 - ✓ All documentation must be legible (e.g., not too dark, not too light)
 - ✓ All documentation must contain copies of all pages of invoices or other documents.
- 2.2 Cardholders are responsible for maintaining proper documentation, reconciliation of assigned P-Card transactions and ensuring funds are available prior to making a purchase or making a payment and ensure department funds are reduced accordingly.
- 2.3 Reconcile of transactions within the timeframe established by the P-Card Program Administrator.
- 2.4 Maintain knowledge of City procurement policies and procedures related to use of the P-Card.

G. Restrictions:

- ~~1. According to O.C.G.A. §50-5-83, neither cards nor accounts will be issued to employees of foundations associated with any State Entity as well as the City of Stonecrest. The City of Stonecrest will not issue P-Cards to This includes student employees, temporary workers (e.g., hired from a temporary staffing agency), or contractors (e.g., a person hired for a pre-determined period for a specific project). Use of the card by a City employee when foundation funds will be used is prohibited.~~
2. Cards and other accounts will not be issued in the name of a department or work unit (e.g., Facilities Maintenance) to be shared by multiple employees.
3. Only the employee whose name is shown on the face of the card is authorized to make purchases with the card, either in person, on-line, or telephone.
4. Use by any other person, even if for City business purposes, is considered misuse of the card.
5. Only the City Manager, Director of Finance and P-Card Program Administrator can approve requests for a P-Card and use of other accounts including renewals of existing accounts.

H. Legal Issues

~~All procurement laws in the O.C.G.A., and administrative rules found in the Georgia Procurement Manual, State P-Card Policy, City's Purchasing Policy, Procurement~~

~~Processes and Procedures apply to the use of the P-Card. Cardholders, program users, CFOs (City's Finance Director) or supervisors/approving authority who knowingly, or through Willful neglect or failure to comply with the P-Card policy may be subject to suspension or termination of account privileges or other disciplinary action, up to and including termination of employment and criminal prosecution to the fullest extent of the law.~~

- ~~• City's Purchasing Policy, Procurement Processes and Procedures Manual~~
- ~~• City Purchasing Card Program~~
- ~~• State Purchasing Act – O.C.G.A. sections related to governmental purchasing.~~
- ~~• Statewide Purchasing Card Policy~~

~~The City Manager or designee reserves the right to withdraw any authority or delegated approval due to non-compliance with applicable laws, rules, regulations, policies, and procedures, or the terms of any conditional approval.~~

~~I. Prohibited P-Card Use and Prohibited Purchases~~

~~The City cannot allow purchases that are prohibited by the Statewide Purchasing Card Policy.~~

~~1. Personal Use:~~

~~Cardholders are prohibited from using the P-Card for the purchase of any goods or services not directly or indirectly related to official City business. Intentional use of or approval for the use of the card for personal purchases will result in disciplinary action, up to and including termination from City employment and criminal subject to prosecution. Cardholders and approvers who knowingly, or through willful neglect, approve personal or fraudulent purchases are subject to the same disciplinary actions as those making the purchases.~~

~~**State Funds:** O.C.G.A. §50-5-80 states that any person who knowingly uses state funds for personal purchases under \$500 is guilty of a misdemeanor. A person who knowingly uses state funds for personal purchases of \$500 or more is guilty of a felony punishable by one to 20 years in prison.~~

~~2. Prohibited Purchases~~

~~The following types of purchases are strictly prohibited: either by O.C.G.A., or to meet reporting requirements of by the City:~~

- ~~1. Goods or services not directly related to job responsibilities or other official City business (i.e., personal purchases).~~
- ~~2. Data plans, software, or applications (apps) for non-City issued devices, including, but not limited to, smart phones, laptop computers, and tablets.~~

3. Memberships at wholesale warehouses and shopping clubs (e.g., Sam's, Costco, Amazon Prime) when membership is in the name of a person rather than the City.

The City's Amazon Prime Enterprise Business account is the mandatory Amazon Prime membership account, and no other type of Amazon Prime account may be purchased.

4. Cash advances.
5. Gift cards, stored value cards, calling cards, and similar products.
6. Employee travel expenses related to lodgings and meals, except as specifically covered under Allowable Purchases. A request is an exception to this requirement in the event of a declared emergency. Purchase Card Purchase Request form is required.
7. Entertainment (e.g., in-room movies for City employees traveling on business).
8. Alcoholic beverages or products.
9. Tobacco products.
10. Fuel, mechanical repairs, and maintenance for City-owned or rental vehicles.

4. Allowable Purchases

The P-Card and other accounts can be used for official purchases of supplies, materials, equipment, or services where not otherwise prohibited or restricted. All purchases must be within **assigned spending authorized transactional limits** unless prior written approval is received to exceed those limits.

1. Allowable purchases include:

1. Goods and services used in the furtherance of the City's mission.
2. Purchases of goods or services intended for *official City work-related use* that are not otherwise excluded herein.

3. Equipment

When the Vendor requires credit card payment to purchase or rental/lease equipment.

4. Software, Data Plans, Aps

When the Vendor requires credit card payment and with the following restrictions

- ✓ Data plans, software, or applications (apps) for City-issued computers, smart phones, and tablets only (e.g., iPhone, Android, iPad).
- ✓ Purchases cannot be made for personal devices even if used for business

purposes.

J. Emergencies and Natural Disasters

At times, an emergency purchase must be made to prevent significant disruption in operations, to protect health and safety, or to address immediate or unforeseen circumstances requiring prompt action. This can include, but is not limited to, repairs to essential equipment, procurement of safety or personal protection gear, or immediate need for services to restore infrastructure functionalities.

Purchasing Card Administrators are permitted to allow these transactions and to waive other City and Statewide Purchasing Card Policy requirements with proper supporting documentation.

K. Split Purchases Prohibited

The City requires competitive bidding for all open-market purchases anticipated to be \$50,000.00 or more. However, the policy requires the Single Transaction Limit (STL) for unplanned, non-routine, or urgent point of sale P-Card transactions be set at daily or monthly transaction limits **provided in Section R** and purchases that are preapproved and go through the requisitions process unless the Vendor only accepts P-Cards. If the Vendor requires credit card payments a P-Card Purchase Request Form must be completed and approved prior to making a purchase or making a payment **within the** under \$5,000 (i.e., \$4,999.99 or less) threshold amount.

Note: Point of sale transactions include purchases made at a physical store, in person, or over the phone.

1. Cardholders are prohibited from splitting a transaction between two or more transactions on a single account, two or more transactions on multiple accounts, or two or more transactions using the P-Card and a purchase order to circumvent competitive solicitation requirements. *Refer to the City Purchasing Policy.*
- 2 Cardholders are prohibited from splitting a transaction between two or more transactions on a single card number, two or more transactions on multiple card numbers, or two or more transactions using the P-Card and a purchase order in order to circumvent the Single Transaction Limit (STL) or Cycle Limit (CL) imposed on the card regardless of the amount of the STL or CL.

L. Payment of Sales and Use Tax

~~O.C.G.A. § 48-8-3 Exempts purchases made by Agencies, Universities, Colleges, and Technical Colleges from State Sales and Use Tax when payment is made with appropriated funds.~~

1. Cardholders must present the City's Tax Exemption Form to suppliers to ensure taxes are not charged and upon request. This form can be obtained by contacting the Finance Department.
2. The requirement for out-of-state suppliers to charge Sales and Use Tax on shipments to purchasers in the State of Georgia does not apply to tax-exempt State Entities including

the City. To avoid confusion, the cardholder must provide out-of-state suppliers with a copy of the City Tax Exempt Form prior to placing an order to be shipped into the State of Georgia.

3. If the supplier refuses to remove taxes, the cardholder must make the purchase from a different supplier whenever possible.
4. Cardholders are responsible for ensuring that suppliers do not charge tax or provide credit for inadvertent charges.
5. If taxes are charged, the cardholder must contact the supplier to obtain a credit to the account. Please contact the P-Card Program Administrator for assistance.
6. Credits cannot be obtained by any other method, including, but not limited to, cash, gift cards, or store credit.
7. Documentation of attempts to obtain credit for any State Sales and Use Tax charged in error must be maintained with documentation for the transaction where the tax was charged. Contact the P-Card Program Administrator for assistance if needed.

M. E-Verify

The City Georgia Security and Immigration and Compliance Act, O.C.G.A. § 13-10-91, requires suppliers to file an affidavit that the supplier and its subcontractors have registered and participate in the federal work authorization program known as E-Verify. This program is intended to ensure that only lawful citizens or lawful immigrants are employed by the supplier or subcontractor.

1. The City is required to obtain a signed and notarized affidavit from suppliers prior to entering into any service contract \$2,5000 or greater involving the supplier's physical performance of services within the State of Georgia. The State of Georgia Attorney General's Office has interpreted this to include one-time P-Card transactions for services.
2. For P-Card transactions that meet this definition, the cardholder or another person within the City is responsible for ensuring receipt of this affidavit. A copy of this affidavit must be included with all transaction documentation.

N. Internal Controls

A strong system of internal controls is essential for detection and deterrence of fraud, cardholder misuse, or cardholder abuse of the P-Card. Internal controls include policies, procedures, and training in addition to spending limits and Merchant Category Code restrictions.

The City has established an internal control structure that ensures compliance with State procurement laws, the Statewide Purchasing Card Policy, and City P-Card and Purchasing Policy, and sound accounting practices.

Minimum requirements include:

- 1. Separation of duties between ordering cards (P-Card Program Administrators), making transactions (cardholders), and reviewing or approval of transactions for payment (directors/approvers).**
- 2. Ensuring prior approval is obtained before a purchase is made (usually P-Card Program Administrator, Department Director, Director of Finance, City Manager or designee.**
- 3. Ensuring reconcilers are limited to one per card and are not a subordinate of the cardholder. The reconciler role will be given to either the cardholder or assigned to a proxy to reconcile on the cardholder's behalf.**

Note: Each card must have only one reconciler; however, one reconciler can be the sole reconciler on multiple cards.

- 4. The P-Card Program Administrator, Card Program Backup or Coordinator, or anyone with administrator-level access cannot be a cardholder.**
- 5. The number of cardholders assigned to an approver will be limited to ensure adequate review of business needs and documentation for each purchase and payment.**
- 6. Cardholders cannot approve their own transactions but may reconcile their own transactions.**
- 7. Approvers cannot be subordinates of cardholders for whom they are responsible.**
- 8. Sharing of login information or passwords is strictly forbidden.**
- 9. Delegation of the approver duties is unallowable. Should an approver be on leave or otherwise unavailable to approve a purchase or transaction, another trained approver already assigned approver responsibility may assume those duties temporarily.**
- 10. Provision for annual self-assessment of the P-Card Program by the P-Card Program Administrator or Internal Auditor must be submitted annually to the City Manager and Director of Finance.**

Self-assessments must include adequacy of:

- City policies and procedures**
- Cardholder spending limits**
- Monthly reconciliation procedures**
- Documentation for transactions**

O. Merchant Category Code Authorizations

Merchant Category Codes (MCCs) are codes assigned by a supplier's merchant bank based on the types of goods and/or services provided. By allowing or blocking certain

codes, the **State–City** has some protection against unauthorized or prohibited purchases. The Bank creates MCC groups upon request by the City. The P-Card Program Administrator, City Manager, and Director of Finance will conduct periodic evaluations of authorized codes and MCC groups to determine if the codes and the groups meet the needs of City.

P. Public Inspection and Record Retention

In accordance with O.C.G.A. § 50-18-71 where applicable any documents related to purchases using government purchasing cards or government credit cards incurred by employees shall be available for public inspection.

- 1. Documents related to transactions (e.g., receipts) are accounting records and must be maintained according to the requirements of Accounts Payable Files.**
- 2. Documents related to the issuance of accounts to employees (e.g., profile forms) are accounting records and must be maintained according to the requirements of Credit Card Administration Records.**

Q. Spending Limits and Utilization

Imposing spending limits enables management to provide cardholders with the purchasing power to accomplish the needs of the job without exposing the City to unnecessary risk. Spending limits should be based on job responsibilities. Cardholder spending limits must be reviewed at least annually to determine if actual usage is consistent with spending limits and increases with approval or decreases made as needed.

R. Daily and Monthly (Transaction Limits)

Transaction limits are hereby established to ensure compliance with state purchasing laws, City's policy, maintain proper budgetary controls, and to minimize excessive use of any individual credit line. Individual monthly card limits cannot exceed those established by the City. The established monthly card limit is based upon the city's budgetary constraints and is not to exceed the approved transaction limits as specified here in per month.

Spending Limits Requirements (STL)

City Policy establishes the maximum STL for unplanned, non-routine, or urgent point of sale P-Card transactions be **set at the transaction limits listed below** and purchases that are preapproved and go through the requisition process prior to the purchase be set at under \$5,000 (i.e., \$4,999.99 or less). The City Manager, Director of Finance and P-Card Program Administrator can establish STLs up to this amount as determined by overall needs.

1. Available Spending Limits

- 1. Cycle (Credit) Limit – Mandatory spending limit that restricts the total value of purchases a cardholder can make in one billing cycle. The cycle limit cannot be more than the established limits without prior written approval from the City Manager, Director of Finance or Designee.**

- ✓ The established single transaction limit for the City Manager shall not exceed \$50,000.00.
- ✓ The established monthly transaction limit for the City Manager shall not exceed \$100,000.00.
- ✓ The established single transaction limit for the Director of Finance shall not exceed \$25,000.00.
- ✓ The monthly transaction limit for the City Manager and Director of Financial Officer shall not exceed \$100,000.00.
- ✓ The established single transaction limit for each department director’s card must be less than \$5,000.00.
- ✓ The established monthly transaction limit for each department director’s card must be less than \$25,000.00

| Transaction Limits | City Manager | Finance Director | City Manager Designee | Department Director |
|---------------------------|--------------|------------------|-----------------------|---------------------|
| Single Transaction Limit | \$50,000 | \$25,000 | \$5,000 | \$5,000 |
| Monthly Transaction Limit | \$100,000 | \$100,000 | \$25,000 | \$25,000 |

Note: Single Transaction Limit (STL) – Mandatory spending limit that restricts the amount of a single purchase regardless of the Cycle Limit on the card.

Note: Number of Transactions per Day – Optional spending limit that restricts the total number of transactions a cardholder can have in one 24-hour period.

Request for Temporary Daily Transaction Increase:

Changes in spending limits shall be submitted to the P-Card Program Administrator by completing a P-Card Limit Increaser Request form. A justification explaining the need for the temporary increase with supporting documentation (as applicable) is required. Such request must be approved by the City Manager.

S. P-Card Program Administrator

The City Manager appoints the Procurement Official as the P-Card Program

Administrator of City's Purchasing Cards or government credit cards. The P-Card Program Administrator serves as the main point-of-contact for all card program personnel and serves as a liaison between City Manager, Director of Finance, and Departments Directors. In some cases, responsibilities may be shared and/or delegated to a P-Card Program Back-Up or Coordinator.

The P-Card Program Administrator shall fulfill responsibilities in the following areas:

1. P-Card Management

- 1. Develops and maintains the City's P-Card policy to address policy areas unique to the City or that are not covered by the Statewide Purchasing Card Policy.**
- 3. Works with the City Manager and Director of Finance, to identify job titles or positions that require a P-Card or would be good candidates for use of the card and/or other accounts and determine limits if different from established limits.**
- 4. Develops internal procedures for requesting new cards and/or changes to existing cards (e.g., change in spending limits).**
- 5. Works with the City Manager and the Director of Finance to determine appropriate cardholder spending limits based on budget restrictions, job requirements, historical spending patterns, and overall procurement practices.**
- 6. Evaluates cardholder spending limits against actual usage at least annually to identify cards with little or no usage to determine if the cards are needed.**
- 7. Cancel cards with consistent low usage.**
- 8. Order and cancel cards for employees as needed and directed by the City Manager.**
- 9. Collect, cut-up/shred and cancel cards immediately for employees that end their employment with the City by resignation or termination.**
 - Cardholders P-Cards who resign with notice (2 week ect.) P-Cards limits will be reduced to \$0.00 and turned in upon date notice is given .**
 - Cardholders P-Cards who are terminated will turn in surrender the card immediately.**
- 10. Place P-Cards in active status for cardholders on leave.**
- 11. Perform all other duties related to the P-Card Program Administrator assigned by the City Manager.**

2. City P-Card Reconciliation Responsibilities

- 1. Ensure reconciliations are timely and allocation of transactions to the General Ledger are accurate each monthly.**

2. **Ensure all card accounts are being utilized properly as set forth by state law and City P-Card and Finance Policy.**
 3. **Ensure proper documentation and internal reconciliation processes and associated forms, are appropriate for reconciliation of transactions.**
 4. **Disputing transaction(s) with the Bank as needed.**
 4. **Ensure compliance with State laws and policies in addition to the City policies**
 5. **Establish and update written City policies and procedures to ensure compliance with State Procurement Laws and Statewide P-Card Policy.**
 6. **Establish written procedures for requesting exceptions to either State or City policy requirements using the P-Card Purchase Request Form and P-Card Temporary Limit Increase Request Form.**
 7. **Submits all P-Card Plan amendments and requests for exceptions to the Purchasing Card Policy to the City Manager and Director of Finance.-**
4. **Internal Controls**
1. **Ensure City's internal P-Card procedures are in compliance with the principles of sound internal controls.**
 2. **Ensures the City has sufficiently documentation, internal controls and implement and monitor other measures (e.g., audits) to prevent and/or detect misuse or abuse of the P-Card and other accounts.**
 3. **Ensure the City policy and procedures for ordering cards and canceling cards when lost or stolen or when a cardholder leaves employment is adhered to.**
 4. **Report and document actual and/or potential cardholder abuse or misuse. Suspend or revoke P-Card privileges for employees found to be in violation of the **State and** City P-Card and Purchasing Policies.**
 5. **Report violations with City Manager, Director of Finance and City Attorney.**
 6. **Conduct monthly and/or quarterly audit reviews of transactions through a self-assessment process.**
5. **P-Card Program Training**
1. **P-Card Program Administrator, including primary, backups, and coordinators, must complete the relevant DOAS P-Card training to become a Georgia Certified Purchasing Card Administrator (GCPCA).**
 2. **Develops City specific training for all cardholders and approvers.**
 3. **Develops appropriate refresher training to be delivered at least annually.**
 4. **Ensures that all card program personnel receive notification of changes in State**

and internal policies, including Official Announcements from the State Purchasing Division.

5. Report and address fraudulent uses, lost or stolen cards immediately.

6. Limitations on Elected Officials (City Council/Mayor):

O.C.G.A. § 36-80-24 provides limitations on elected official's or constitutional officer's use of government issued purchasing or credit cards; policy development.

a) As used in O.C.G.A. § 36-80-24 , the term “constitutional officer” means the locally elected clerk of superior court, judge of the probate court, sheriff, tax receiver, tax collector, or tax commissioner.

(b) An elected official of a county, municipal corporation, local school system, or consolidated government or a constitutional officer shall be prohibited from the use of a government purchasing card or a government credit card unless:

(1) Such purchases are solely for items or services that directly relate to such official's or constitutional officer's public duties; and

(2) Such purchases are in accordance with guidelines adopted by the county, municipal corporation, local school system, consolidated government, or constitutional officer.



PURCHASE CARD (P-CARD) PURCHASE/PAYMENT REQUEST FORM:

EMPLOYEE NAME: _____ **EMPLOYEE SIGNATURE:** _____

JOB TITLE: _____ **DEPARTMENT:** _____

DEPARTMENT DIRECTOR: _____ **DIRECTOR SIGNATURE:** _____

VENDOR NAME: _____ **VENDOR NUMBER:** _____

DATE REQUEST SUBMITTED: _____

VENDOR REQUIRES PAYMENT BY P-CARD ONLY: ___ YES ___ NO **PAYMENT DUE BY DATE:** _____

DETAILED DESCRIPTION OF EVENT, WORKSHOP, PURCHASE: _____

| ITEM DESCRIPTION | ACCOUNT NUMBER | EXPENSE TYPE | UNIT PRICE | TOTAL AMOUNT |
|--------------------|----------------|--------------|------------|--------------|
| | | | | \$ |
| | | | | \$ |
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| | | | | \$ |
| TOTAL COST: | | | | \$ |



NOTE: By signing this request, you are certifying that the listed expenses are business related.

EACH REQUEST MUST INCLUDE SUPPORTING DOCUMENTATION: Quote provided by vendor, if associate with an event include the event flyer, etc..

DIRECTOR OF FINANCE: _____ DATE: _____ APPROVED DENIED

PROCUREMENT OFFICIAL/P-CARD ADMINISTRATOR: _____ DATE: _____ APPROVED DENIED

CITY MANAGER: _____ DATE: _____ APPROVED DENIED

ADDITIONAL COMMENTS: _____



P-Card Cardholder Agreement

The City is pleased to present you with this Purchasing Card. It represents trust in you and your empowerment as a responsible agent to safeguard and protect City assets.

I, _____, Employee ID No.: _____, hereby acknowledge receipt of a City of Stonecrest Purchasing Card, Card Number _____, a _____® card issued by _____ that will only be used to acquire materials and supplies for the City of Stonecrest.

I agree to comply with the following terms and conditions relating to my use of the Purchasing Card.

1. As an authorized cardholder, I agree to comply with the terms and conditions of this Agreement and with the provisions of the Purchasing Card Policy and Purchasing Policy, Procurement Processes and Procedures Manual. I have received a copy of the Purchasing Card Policy and confirm that I have read and understand its terms and conditions. In addition, I have completed the required Procurement and Purchasing Card Training.
2. I understand that City of Stonecrest is liable to _____ for all charges I make on the Purchasing Card.
3. I agree to use the Purchasing Card for authorized official business purchases only and agree not to charge personal purchases. I authorize the City of Stonecrest whatever steps are necessary to collect an amount equal to the total of the improper purchases, including but not limited to declaring such purchases an advance on my wages to the extent allowed by law.
4. I agree to notify the City of Stonecrest Purchasing Card Program Administrator at 770-227-0200 or Procurement@stonecrestga.gov if my name or contact information changes. I further acknowledge that name changes will require proof of change, i.e. copy of marriage license and/or decree of legal change.
5. If the Purchasing Card is lost or stolen, I will immediately notify _____ at _____ I will also notify the City's Purchasing Card Program Administrator, Department Director, and Finance Director in writing, at the first opportunity during normal business hours.
6. I understand that improper or fraudulent use of the Purchasing Card may result in disciplinary action, up to and including termination of my employment. I further understand that the City of Stonecrest City Manager, Director of Finance and Purchasing Card Program Administrator, may terminate my right to use the Purchasing Card at any time for any reason.
7. I agree to surrender the Purchasing Card prior to voluntary separation from the City of Stonecrest, immediately upon request or upon termination of employment for any reason.

Cardholder: Agreed and accepted this _____ day of _____ 20__

Print Name: _____ Signature: _____

Department: _____ Phone: _____ E-Mail Address: _____

Director of Finance: _____ Date: _____

Purchasing Card Program Administrator: _____ Date: _____

City Manager: _____ Date: _____



P-Card Approver Agreement

You have designated you as an approver of one or more Purchasing Cards. This responsibility represents trust in you and your empowerment as a responsible agent to safeguard and protect City assets.

I, _____, hereby acknowledge and agree to comply with the following terms and conditions relating to my role as Purchasing Card Approver.

1. As an authorized card approver, I agree to comply with the terms and conditions of this Agreement and with the provisions of the City Purchasing Card Policy as it may be modified from time-to-time. Any Purchasing Card Policy shall be accessible through the Procurement website. I agree to read and understand terms and conditions of any Purchasing Card Policy available through the Procurement website. In addition, I have completed the required Purchasing Card and Procurement Training.
2. I understand that the City is liable for charges on Purchasing Cards in accordance with the contract agreement with Truist Bank.
3. I agree to only approve official business purchases and agree not to approve personal purchases.
4. I acknowledge that I am subject to the same disciplinary actions as those making the purchases, if I knowingly, or through willful neglect, approve personal, fraudulent, or otherwise prohibited purchases.
5. I understand that I must have a thorough knowledge of the cardholders' job responsibilities to determine if purchases are job-related or otherwise authorized.
6. I agree to notify the City's Purchasing Card Program Administrator and immediate supervisor if my name or contact information changes. I further acknowledge that name changes will require proof of change, i.e. copy of marriage license or decree of legal change.
7. I understand that the approval of improper or fraudulent use of the Purchasing Card may result in disciplinary action, up to and including termination of my employment. I further understand that the City may terminate my ability to approve purchases made on Purchasing Cards at any time for any reason.

Agreed and accepted this _____ day of _____ 20__.

P-CARD APPROVER:

Name: _____

Signature: _____

E-mail Address: _____

Phone Number: _____

Department: _____

Employee Id No.: _____

Purchasing Card Program Administrator: _____ Date: _____

City Manager: _____ Date: _____

Director of Finance: _____ Date: _____



PURCHASE CARD (P-CARD) TEMPORARY LIMIT INCREASE REQUEST FORM:

EMPLOYEE NAME: _____ **EMPLOYEE SIGNATURE:** _____

JOB TITLE: _____ **DEPARTMENT:** _____

APPROVER: _____ **APPROVER SIGNATURE:** _____

DATE REQUEST SUBMITTED: _____

DETAILED JUSTIFICATION FOR INCREASE: _____

P-CARD PROGRAM ADMINISTRATOR: _____ **DATE:** _____ **APPROVED** **DENIED**

DIRECTOR OF FINANCE: _____ **DATE:** _____ **APPROVED** **DENIED**

CITY MANAGER: _____ **DATE:** _____ **APPROVED** **DENIED**

ADDITIONAL COMMENTS:

DATE CARD LIMIT WILL BE REDUCED: _____



CITY COUNCIL AGENDA ITEM

SUBJECT: Resolution to approve Travel Policy Revisions Recommendation

AGENDA SECTION: *(check all that apply)*

- PRESENTATION PUBLIC HEARING CONSENT AGENDA OLD BUSINESS
 NEW BUSINESS OTHER, PLEASE STATE: Click or tap here to enter text.
-

CATEGORY: *(check all that apply)*

- ORDINANCE RESOLUTION CONTRACT POLICY STATUS REPORT
 OTHER, PLEASE STATE: Click or tap here to enter text.
-

ACTION REQUESTED: DECISION DISCUSSION, REVIEW, or UPDATE ONLY

Previously Heard Date(s): 03/10/25 & Click or tap to enter a date.

Current Work Session: Click or tap to enter a date.

Current Council Meeting: Monday, March 24, 2025

SUBMITTED BY: Lakeisha Gaines, Finance Director

PRESENTER: Lakeisha Gaines, Finance Director

PURPOSE: Resolution to adopt revisions to the Travel Policy

FACTS:

OPTIONS: Choose an item. Click or tap here to enter text.

RECOMMENDED ACTION: Click or tap here to enter text.

ATTACHMENTS:

- (1) Attachment 1 - Travel Policy
- (2) Attachment 2 - Click or tap here to enter text.
- (3) Attachment 3 - Click or tap here to enter text.
- (4) Attachment 4 - Click or tap here to enter text.
- (5) Attachment 5 - Click or tap here to enter text.

STATE OF GEORGIA
COUNTY OF DEKALB
CITY OF STONECREST

1 **A RESOLUTION BY THE MAYOR AND COUNCIL OF THE CITY OF**
2 **STONECREST, GEORGIA TO AMEND THE TRAVEL POLICY BY**
3 **ADOPTING CERTAIN REVISIONS; TO PROVIDE AN EFFECTIVE**
4 **DATE; TO PROVIDE FOR SEVERABILITY; AND FOR OTHER LAWFUL**
5 **PURPOSES.**
6

7 **WHEREAS**, the governing authority of the City of Stonecrest (“City”) is the Mayor and Council
8 thereof; and
9

10 **WHEREAS**, pursuant to the City charter the city council shall have the authority to adopt and
11 provide for the execution of such ordinances, resolutions, policies, rules, and
12 regulations, not inconsistent with this Charter and the Constitution and the laws of
13 the State of Georgia, which it shall deem necessary, expedient, or helpful for the
14 peace, good order, protection of life and property, health, welfare, sanitation,
15 comfort, convenience, prosperity, or well-being of the inhabitants of the City of
16 Stonecrest and may enforce such ordinances by imposing penalties for violation
17 thereof.; and
18

19 **WHEREAS**, the purpose of the City’s Travel Policy is to is to provide guidelines for payment of
20 travel expenses in an efficient, cost-effective manner, and to enable travelers to
21 successfully execute their travel requirements at the lowest reasonable costs,
22 resulting in the best value for the City; and
23

24 **WHEREAS**, the City desires to amend the Travel Policy to adopt certain revisions to the
25 purchasing policy.
26

27 **NOW THEREFORE, BE IT AND IT IS HEREBY RESOLVED BY THE MAYOR AND**
28 **COUNCIL OF THE CITY OF STONECREST, GEORGIA:**
29

30 **BE IT FUTHER RESOLVED**, the City of Stonecrest Travel Policy is hereby
31 amended by adopting the provisions set forth in Exhibit A attached hereto and made
32 a part by reference.
33

34 **BE IT FUTHER RESOLVED**, the preamble of this Resolution shall be
35 considered to be and is hereby incorporated by reference as if fully set out herein.

BE IT FURTHER RESOLVED, to the extent any portion of this Resolution is
declared to be invalid, unenforceable, or nonbinding, that shall not affect the
remaining portions of this Resolution.

BE IT FURTHER RESOLVED, all City resolutions are hereby repealed to the
extent they are inconsistent with this Resolution.

BE IT FINALLY RESOLVED, this Resolution shall take effect immediately.

**STATE OF GEORGIA
COUNTY OF DEKALB
CITY OF STONECREST**

RESOLVED this _____ day of _____, 2025.

[SIGNATURES ON FOLLOWING PAGE]

**STATE OF GEORGIA
COUNTY OF DEKALB
CITY OF STONECREST**

CITY OF STONECREST, GEORGIA

Jazzmin Cobble, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM BY:

City Attorney

**STATE OF GEORGIA
COUNTY OF DEKALB
CITY OF STONECREST**

Item XII. d.

EXHIBIT A

CITY TRAVEL REGULATIONS

INTRODUCTION: The City of Stonecrest (the “City”) has adopted the following Travel Policy and Regulations (the “Policy”) to comply with the requirements set forth in federal law and in O.C.G.A §36-35-4 regarding expenses of municipal employees.

PURPOSE

The purpose of this Policy is to provide guidelines for payment of travel expenses in an efficient, cost-effective manner, and to enable travelers to successfully execute their travel requirements at the lowest reasonable costs, resulting in the best value for the City. Teleconferencing instead of travel should be considered when possible. Each department is charged with the responsibility for determining the necessity, available resources and justification for the need and the method of travel.

It is important for the Mayor and City Council members (the “Elected Officials”) and employees to understand the intent of the Policy and work with management to comply with the Policy regarding work related travel.

AUTHORITY

Per the provisions of O.C.G.A §36-35-4 and City Ordinance 2018-07-03, the Mayor and Council are authorized to adopt rules and regulations governing in- state and out-of-state travel and travel reimbursement to promote economy and efficiency in city government and to ensure that elected officials and employees are treated fairly and equitably. Appeals from any decision made under this travel policy shall be considered by the Mayor and City Council. In the event that an Elected Official appeals a decision, the Elected Official shall be recused from voting on the appeal.

COMPLIANCE AND ACCOUNTABILITY

Throughout this document the words "must" and "should" are used. When the word "must" is used, departments or individuals may not deviate from the associated portion of the Policy. The word "should" is used to convey that departments and individuals are expected to follow the associated portion of the Policy as written. Deviations from the Policy are permitted if, based upon the specific facts of the situation, a reasonable justification (in writing) can be provided for the deviation.

All departments and governing bodies are required to follow the guidelines outlined in the Policy. For travelers with disabilities, the City will, in conformance with the requirements of the Americans with Disabilities Act, provide reasonable accommodations during travel on official City business.

All requests for reimbursements under this policy should be made within thirty (30) days of incurring the expense. The City will not provide reimbursement for expense requests submitted more than thirty (30) days after the traveler incurred the expense.

GENERAL PROVISIONS

The City of Stonecrest reimburses travelers for reasonable and necessary expenses actually incurred in connection with approved travel on behalf of the City and in connection with the traveler's official duties. All reimbursements for Elected Officials must be in accordance with the City's Charter and Georgia law. The City encourages travelers to take advantage of arranged travel discounts whenever possible.

A necessary expense is one for which there exists a clear business purpose and which falls within the City's expense policy limitations. A clear business purpose will include the reasons for the traveler’s attendance at the event and how the expenditure benefited the City.

This Policy is intended to be a guideline for the planning and reimbursement of all City approved travel expenses. There are several key points to remember when incurring expenses on behalf of the City:

- Under no circumstances should an individual approve his/her own expense report.
- All expense reports must be submitted by the individual who incurred the expense.
- The City will not reimburse employees or Elected Officials for personal expenses.
- All expense reports and receipts are subject to disclosure under the Open Records Act.
- When submitting an expense report, the traveler is subject to O.C.G.A. § 16-10-20, which sets forth the penalties for making false statements and writings, concealing facts, and presenting fraudulent documents in matters within the jurisdiction of state or political subdivisions.
- Advances for travel expenses are not permitted.

AUTHORIZATION FOR TRAVEL

Elected Officials and employees may be reimbursed for reasonable travel-related expenses incurred while on official business for the City. In order to be eligible for reimbursement of travel expenses, Elected Officials and employees must sign the expense reimbursement form, attesting that the information presented on the form is accurate. Subject to the provisions outlined in these travel regulations, reimbursements are authorized for the following expenses:

- Meals associated with overnight travel and in certain circumstances where there is no overnight lodging;
- Lodging expenses; associated with education and training
- Mileage for use of a personal motor vehicle (mileage will be reimbursed at the standard business rate for the applicable year as established by [FY 2025 per diem rates for Georgia | GSA](#))
- Transportation expenses; and
- Certain miscellaneous expenses associated with travel, such as parking and toll fees.

Except in the case of emergencies, requests for travel authorization should be made at least seven (7) days prior to date of travel.

Employees who are required to travel for their job and are eligible for travel reimbursement must receive written authorization from their department head prior to performing the travel.

Employees must utilize the travel request form for in-state and out-of-state travel. Upon return from the travel, the employee must complete an Expense Reimbursement form.

Elected Officials will notify the City Manager in writing of their request to travel. Upon return from the approved travel, the elected official must complete an expense reimbursement form. The City Manager signs all elected officials' expense reimbursement forms. Per the City Council Leave of Absence Policy Sec. 2-6. (e). No City funds shall be expended by such member or on such member's behalf for costs or expenses incurred while the member is on a leave of absence or for any period during which a leave of absence was effective.

TRAVEL TO CONFERENCES FOR CERTIFICATION PURPOSES

Department Heads, Elected Officials and Employees traveling to a conference or event for certification purposes should limit their travel to these conferences and prohibit "discretionary" travel. If travel for certification is necessary, then efforts should be made to seek a location within the State of Georgia or an adjacent state. If such travel occurs during the current COVID-19 pandemic and/or at any time when a national or state public health emergency is in effect, the traveler may be asked to sign a document acknowledging

that such travel is being undertaken at the traveler’s own risk and that the City bears no responsibility for any illness contracted during travel to and from the conference or while the traveler is attending the conference.

REIMBURSEMENT PROCEDURES

Elected Officials and employees requesting reimbursement for travel expenses are required to submit their claim to authorized personnel on the employee expense reimbursement form within thirty (30) days of incurring the expense.

Requests for reimbursement should include the following information:

- Itemized expenses for authorized lodging, mileage, transportation, and miscellaneous expenses. The types of expenses that are authorized and the allowable limits are set forth below;
 - Explanation of any expenses that exceed the established limits;
 - Explanation of any unusual expenses;
 - Explanation of the purpose for the trip; and
 - Description of the type(s) of transportation used.

Elected Officials and employees are required to submit receipts for expenses, including:

- Meals purchased,
- Lodging,
- Airline or Railroad fares,
- Rental of motor vehicles,
- Registration Fees,
- Gasoline purchased for rental vehicles,
- Parking,
- Tollway,
- Mass transit,
- Taxi, and
- Airport vans.
- Training Itinerary

If a receipt is not available, Elected Officials and employees are required to include an explanation of the expense on the travel expense statement. Credit card receipts are valid provided they contain complete details of the purchase.

BAGGAGE AND LUGGAGE FEES - Baggage and luggage fees are a reimbursable expense. All travelers should consider the extra fees charged by the airlines prior to making their travel arrangements and plan accordingly. When combining personal travel and City business travel, baggage and luggage fees should be allocated accordingly and in a manner that is reasonable under the circumstances.

MEALS AND INCIDENTAL TRAVEL EXPENSES

Generally, meals are reimbursable on an actual expense basis, subject to the maximum amount. The maximum rate shall not exceed the standard rate as listed by the GSA at [FY 2025 per diem rates for Georgia | GSA](#).

However, the traveler may only receive reimbursement for the actual expense of the meal excluding the cost of any alcohol purchased with the meal. If the traveler is dining with a companion, the traveler’s meal_mu

be on a separate receipt.

It should be noted that the City of Stonecrest Travel Regulations **do not** authorize Elected Officials and employees to receive a reimbursement for a "lunch meeting" in which the meal and meeting are the same, or when meals are otherwise provided at the meeting.

Reimbursement for meals must be reasonable and necessary.

LODGING EXPENSES

Elected Officials and employees who travel more than fifty (50) miles from City Hall, may be reimbursed for lodging expenses associated with **approved** overnight travel when the travel is for education and training purposing only.

Elected Officials and may be reimbursed for the actual lodging expenses, providing the expenses are reasonable and have been pre-approved.

- Elected Officials who travel under 50 miles for training, education or other Stonecrest related business who have special circumstances, may be reimbursed for overnight lodging with **prior notification**.
- Employees who travel under 50 miles for training, education or other Stonecrest related business may be reimbursed for overnight lodging with **prior approval**. All overnight lodging request **MUST** detail the need for the overnight stay and Director approval must be received **prior** to reserving any accommodations.

Elected Officials and employees traveling overnight are responsible for ensuring the most reasonable lodging rates are obtained. To accomplish this, the employee should:

- Provide Finance with information about hotel accommodations,
- Utilize minimum rate accommodations,
- Avoid the "luxury" hotels and motels, and
- Obtain City/Government rates, whenever possible.
- Refer to [FY 2025 per diem rates for Georgia | GSA](#) for the most current per diem rates

Elected Officials and Employees who stay at a hotel/motel that is holding a scheduled meeting or seminar may incur lodging expenses that exceed the rates generally considered reasonable if no alternative hotels or lodging is available or the higher cost is justified in order to avoid excessive transportation costs between a lower cost hotel/motel and the location of the meeting. If this is the case, the traveler must provide a written explanation for the higher cost lodging.

Elected Officials and employees should attempt to resolve any problems with the billing prior to checkout.

Elected Officials and employees should review hotel/motel receipts to ensure that taxes have not been applied to their lodging expenses in accordance with state tax laws and regulations. Elected Officials and employees traveling within the state for official business are exempt from paying the **county or municipal excise tax** on lodging ("hotel/motel" or "occupancy" tax). [OCGA 48- 13-51 (h) (3)], regardless of the payment method being used. Elected Officials and employees are required to submit a copy of the hotel/motel tax-exemption from when they register at a hotel/motel. This exemption does not apply to Elected Officials and Employees staying at an out-of-state hotel/motel. Elected Officials and Employees should be able to provide proper identification to document their employment as a City/local government Employee or Official.

PROHIBITED MILEAGE REIMBURSEMENT

Elected Officials and Employees are not entitled to mileage reimbursement for travel between City Hall and their official headquarters, or personal mileage incurred while on travel status.

PARKING FEES AND TOLLS

The City may reimburse Elected Officials and Employees who incur parking fees and toll expenses while on

official business for the City. Elected Officials and Employees who attend offsite meetings or training s may also be reimbursed for parking expenses. These expenses are reimbursable for travel in both City-owned and personal vehicles. Elected Officials and employees are expected to obtain receipts for these expenses. If it is not possible to obtain a receipt, then a written explanation should be included on the expense statement.

TRAVEL EXPENSES & REQUIRED RECEIPTS/DOCUMENTATION

All requests for reimbursement of mileage, parking, and toll charges must be documented on the travel expense statement and a receipt must accompany the documentation. Employees should claim mileage based on the most direct route from the point of departure (which does not include a residence) to the destination.

TRAVEL BY COMMERCIAL OR PUBLIC TRANSPORTATION

When commercial transportation is necessary to reach a destination, Elected Officials and employees may be reimbursed for the expenses incurred. Elected Officials and employees will be reimbursed for actual expenses incurred, provided the appropriate steps are taken to obtain the most reasonable fare or cost.

Authorized department personnel must approve travel by commercial or public transportation prior to the date of travel. When considering such a request, authorized department personnel should consider the distance to be traveled, the travel time and the cost.

COMMERCIAL AIR TRANSPORTATION

Elected Officials and employees should utilize commercial air transportation when it is more cost effective and efficient to travel by air than by vehicle. Elected Officials and employees who choose to travel by personal vehicle when air travel is more cost effective will only be reimbursed for the cost of the lowest available airfare to the specified destination. In some instances, a higher airfare may be appropriate to reduce or eliminate multiple stops and extended travel time.

Under the circumstances stated above, the City of Stonecrest may reimburse Elected Officials and employees for expenses incurred for air travel, provided these expenses were approved prior to the date of travel. Additionally, the City may reimburse Elected Officials and employees for reasonable expenses associated with selecting seats or checking bags. These expenses should be included in the total cost of the airline ticket.

Elected Officials and employees who require air travel should obtain the most reasonable available airfare to the specified destination by comparing rates.

In general, it will be the City's policy that Elected Officials and employees traveling by commercial air carrier will not be reimbursed for the portion of non-coach (first class, business class, etc.) airfare that exceeds the cost of the most reasonable, available fare on the same flight.

TRAVEL BY MASS TRANSPORTATION, TAXI OR AIRPORT VANS

Elected Officials and employees officially on travel status may be reimbursed for necessary costs of transportation by bus, taxi, or airport vans in the following situations:

- Between the individual's departure point and the common carrier's departure point;
- Between the common carrier's arrival point and the individual's lodging or meeting place; and
- Between the lodging and meeting places (if in different locations).
- Elected Officials and employees will be reimbursed for economy parking only.

It is expected that airport vans will be utilized when available and practical and when they are the most reasonably priced alternative.

TRAVEL BY PERSONAL VEHICLE

A traveler may use a privately-owned vehicle for city travel. The Elected Official or employee will be reimbursed for mileage rates based on the federal per diem rate in effect.

PROHIBITED EXPENSES

The following expenses are not reimbursable unless specifically authorized by law:

- Tipping for maid services.
- Theater.
- Entertainment.
- Alcoholic beverages.
- Bank charges for ATM withdrawals.
- Clothing or toiletry items.
- Commuting between the traveler’s residence and the primary work location.
- Country club dues.
- Expenses related to vacation or personal days taken before, during or after a business trip.
- Haircuts and personal grooming.
- Laundry, cleaning, and pressing costs.
- Loss or theft of cash advance, money or airline tickets.
- Loss or theft of personal funds or property.
- Medical expenses while traveling (*Exceptions may be made to accommodate ADA compliance*).
- Mini-bar charges.
- Movies.
- No-show/cancellation fees or fees related to hotel late check-out (unless business or weather related).
- Personal reading materials (magazines, newspapers, etc.).
- Personal vehicle maintenance.
- Personal entertainment.
- Personal pet care.
- Recreational expenses.
- Saunas or massages.
- Shoeshines.
- Souvenirs or personal gifts.
- Traffic citations (moving violations), parking tickets, court fees and other fines.
- Travel accident insurance premiums.
- Valet services for parking, when self-parking options are available, unless there are valid security reasons.

DISCIPLINARY ACTIONS

Noncompliance or abuse of travel policy may result in disciplinary action, up to and including termination of employment.

Elected Officials must adhere to the Code of Ethics and other related policies and state laws governing elected officials.



CITY COUNCIL AGENDA ITEM

**SUBJECT: Resolution to Approve Financial Management Policy Revisions
Recommendation**

AGENDA SECTION: *(check all that apply)*

- PRESENTATION PUBLIC HEARING CONSENT AGENDA OLD BUSINESS
 NEW BUSINESS OTHER, PLEASE STATE: Click or tap here to enter text.
-

CATEGORY: *(check all that apply)*

- ORDINANCE RESOLUTION CONTRACT POLICY STATUS REPORT
 OTHER, PLEASE STATE: Click or tap here to enter text.
-

ACTION REQUESTED: DECISION DISCUSSION, REVIEW, or UPDATE ONLY

Previously Heard Date(s): 03/10/25 & Click or tap to enter a date.

Current Work Session: Click or tap to enter a date.

Current Council Meeting: Monday, March 24, 2025

SUBMITTED BY: Lakeisha Gaines, Finance Director

PRESENTER: Lakeisha Gaines, Finance Director

PURPOSE: Resolution to approve Financial Management Policy Revisions Recommendation

FACTS:

OPTIONS: Choose an item. Click or tap here to enter text.

RECOMMENDED ACTION: Click or tap here to enter text.

ATTACHMENTS:

- (1) Attachment 1 - Resolution
- (2) Attachment 2 - Financial Management Policy
- (3) Attachment 3 - Click or tap here to enter text.
- (4) Attachment 4 - Click or tap here to enter text.
- (5) Attachment 5 - Click or tap here to enter text.

STATE OF GEORGIA
COUNTY OF DEKALB
CITY OF STONECREST

1 **A RESOLUTION BY THE MAYOR AND COUNCIL OF THE CITY OF**
2 **STONECREST, GEORGIA TO AMEND THE FINANCIAL**
3 **MANAGEMENT POLICY BY ADOPTING CERTAIN REVISIONS; TO**
4 **PROVIDE AN EFFECTIVE DATE; TO PROVIDE FOR SEVERABILITY;**
5 **AND FOR OTHER LAWFUL PURPOSES.**
6

7 **WHEREAS**, the governing authority of the City of Stonecrest (“City”) is the Mayor and Council
8 thereof; and
9

10 **WHEREAS**, pursuant to the City charter the city council shall have the authority to adopt and
11 provide for the execution of such ordinances, resolutions, policies, rules, and
12 regulations, not inconsistent with this Charter and the Constitution and the laws of
13 the State of Georgia, which it shall deem necessary, expedient, or helpful for the
14 peace, good order, protection of life and property, health, welfare, sanitation,
15 comfort, convenience, prosperity, or well-being of the inhabitants of the City of
16 Stonecrest and may enforce such ordinances by imposing penalties for violation
17 thereof.; and
18

19 **WHEREAS**, the purpose of the City’s Financial Management Policy is to provide guidance to
20 elected officials and staff on fiscal issues and core financial decisions that affect the
21 management and function of the City; and
22

23 **WHEREAS**, the City desires to amend the Financial Management Policy to adopt certain
24 revisions to the financial management policy.
25

26 **NOW THEREFORE, BE IT AND IT IS HEREBY RESOLVED BY THE MAYOR AND**
27 **COUNCIL OF THE CITY OF STONECREST, GEORGIA:**
28

29 **BE IT FUTHER RESOLVED**, the City of Stonecrest Financial Management
30 Policy is hereby amended by adopting the provisions set forth in Exhibit A attached
31 hereto and made a part by reference.
32

33 **BE IT FUTHER RESOLVED**, the preamble of this Resolution shall be
34 considered to be and is hereby incorporated by reference as if fully set out herein.

BE IT FURTHER RESOLVED, to the extent any portion of this Resolution is
declared to be invalid, unenforceable, or nonbinding, that shall not affect the
remaining portions of this Resolution.

BE IT FURTHER RESOLVED, all City resolutions are hereby repealed to the
extent they are inconsistent with this Resolution.

BE IT FINALLY RESOLVED, this Resolution shall take effect immediately.

RESOLVED this _____ day of _____, 2025.

**STATE OF GEORGIA
COUNTY OF DEKALB
CITY OF STONECREST**

CITY OF STONECREST, GEORGIA

Jazzmin Cobble, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM BY:

City Attorney

**STATE OF GEORGIA
COUNTY OF DEKALB
CITY OF STONECREST**

Item XII. e.

EXHIBIT A

Stonecrest
Financial
Management
Policy

~~(ADOPTED January 2019)~~
REVISED March 2025

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SECTION I. GENERAL BUDGET POLICIES

The budget process provides the primary mechanism by which key decisions are made regarding the levels and types of services to be provided within estimated resources. The budget policy guides this process. The budget policy also directs the City's financial health and stability.

Georgia law (e.g., O.C.G.A. 36-81-2 et seq.) provides the budget requirements for Georgia local governments. The information below provides an outline of the City's application of those laws. The City's goal will be to adopt operating budgets where current revenues equal anticipated expenditures. All departments supported by the resources of this City must function within the limits of the financial resources identified or available specifically to them. A balance must be struck between revenues and expenditures, so that the public can realize the benefits of a strong and stable government. It is important to understand that this policy is applied to budget entities over periods of time which extend beyond current appropriations. By law, budgets cannot exceed available resources, defined as revenues generated in the current period added to balances carried forward from prior years. Temporary shortages, or operating deficits, can and do occur, but they are not tolerated as extended trends.

A. SCOPE

This policy ~~applies to all budgeted funds, which are the responsibility, and under the management of the City of Peachtree Corners and its Department of Finance.~~ **Provides guidance for how local government officials and staff should approach fiscal issues and core financial decisions that affect the management and function of the City.**

B. FINANCING CURRENT COSTS

Current costs shall be financed with current revenues, including the use of authorized fund balances. The City shall avoid balancing current expenditures through the obligation of future year's resources. The City shall strive to avoid short-term borrowing to meet cash flow requirements. ~~However, the City may enter into short term borrowing should a critical need arise.~~

C. BUDGET OBJECTIVE BY TYPE OF FUND

The following budget objectives are established for the different funds the City uses:

1. General Fund – ~~The annual budget for the General Fund shall provide for general government operations of the City and maintain working capital necessary for the City's financial health and stability.~~ **Is the primary operating fund used by government entities to finance the general administrative costs and delivers basic services such as public safety, salaries, office supplies and utilities. This fund is crucial as it handles the day-to-day operational costs that maintain**

the function of government services.

2. Special Revenue Fund(s) – ~~The City adopts annual budgets for each special revenue fund that demonstrates that any legally restricted revenue sources are used consistent with the applicable laws and/or regulations (i.e. Hotel/Motel Fund, Drug Enforcement Agency Fund, and Operating Grants Fund).~~ **Funds that are used by government entities to accumulate proceeds from certain revenue sources whose use is restricted to specific purposes or activities. Special revenue funds provide an extra level of accountability and transparency to taxpayers that their tax dollars will go toward an intended purpose.**

3. Capital Project Fund(s) – ~~The City adopts project budgets for each of its capital project funds. These adopted appropriations do not lapse at the end of a fiscal year; rather they remain in effect until project completion or re-appropriation by City Council.~~ **Funds used to account for financial resources to be used for the acquisition or construction of major capital facilities. These funds are critical for planning, financing, and tracking costs associated with large scale public infrastructure**

4. Debt Service Fund(s) – ~~The City adopts annual budgets for its debt service funds (if applicable). Any remaining fund balances from prior years plus current years projected revenues shall be sufficient to meet all annual debt service requirements.~~ **Funds established to account for the accumulation of resources for, and the payment of, general long-term debt principal and interest. These funds ensure that governments have the resources to repay debt obligations.**

5. Enterprise Fund(s) - ~~Although generally accepted accounting principles (GAAP) or Georgia statutes do not require the City to adopt budgets for enterprise funds, the City will adopt budgets for enterprise funds in order to monitor revenues and control expenses. The City will use a business approach if and when budgeting enterprise funds. Enterprise funds shall be self-supporting whenever possible and subsidized losses will be minimized when break-even is not possible. See revenue policies in Section IV~~ **These are self-supporting funds that pertain to the goods and services provided by government departments or units to the public for a fee. These funds are treated as business entities with separate accounting for their revenues and expenditures from other departmental activities. Enterprise funds include such as water and sewer.**

~~Additionally,~~ The City classifies funds as either operating funds or non-operating funds. Operating funds are those funds that include appropriations for the payment of salary **and** benefits ~~and whose maintenance & operating appropriations are necessary to continue that maintain~~ the daily operations of the City. The General Fund

will always be an operating fund. Non-operating funds are those funds that do not include appropriations for the payment of salary **and** benefits and whose maintenance & operating appropriations are not critical to the daily operations of the City. Examples of non-operating funds are the SPLOST Fund, and Grant Operating Fund.

OPERATING BUDGET

The operating budget ~~shall be prepared on an annual basis and include those funds detailed in Section I that are subject to annual appropriation (all funds excluding the Capital Project Funds).~~

is a financial plan that outlines all revenues and expenditures over a specific period, typically a year that guides governmental operations.

~~Prior year budget appropriations and prior year actual data will be provided as reference data, with the current year appropriation. At a minimum,~~ The City shall adopt **an** annual balanced budgets for the general fund, each special revenue fund, and each debt service fund (if applicable) in accordance with O.C.G.A. 36-81-3.

The annual proposed budget should be submitted to the governing authority while being held by the Department of Finance for public review/inspection in accordance with O.C.G.A. 36-81-3.

Public meetings will be conducted after proper advertisement prior to the City Council adopting and approving the annual budget document. (O.C.G.A. 36-81-5 and 36-81-6).

A. DEPARTMENTAL APPROPRIATIONS

The budget shall be developed based upon “line-item” expenditures within each department. This type of budget focuses on categories of expenditures such as personal services, contractual services, supplies, equipment, etc. within each department. At a minimum, each department’s appropriation in each fund shall be detailed within the budget document. (O.C.G.A. 36-81-3 and 36-81-5).

B. BUDGET PREPARATION CATEGORIES

Each department shall submit budget requests separately for:

- Current services - A current services budget is defined as that level of funding which is necessary to provide the same level of service for the upcoming year that is currently being provided. The current services budget will include replacement capital equipment.
- Expanded services - An expanded services budget includes funding requests associated with new services, additional personnel or new capital projects/equipment.

C. BALANCED BUDGET

~~The budget shall be balanced for each budgeted fund. Total anticipated revenues plus that portion of fund balance in excess of authorized reserves (see operating budget policy G below) that is designated as a budget funding source shall equal total estimated expenditures for each fund. A balanced budget is when total expected revenues are equal to total planned expenditures for each budgeted fund.~~

D. BASIS OF BUDGETING

~~Neither GAAP nor Georgia statutes address a required budgetary basis of budgeting, the City adopts budgets in conformity with GAAP for all budgeted funds. All governmental funds use the modified accrual basis of accounting and proprietary fund budgets (when applicable) use the accrual basis of accounting. The basis of budgeting refers to the recognition of expenditures and revenue in the development of the budget and in establishing and reporting appropriations. Governments use accrual basis of accounting which means that revenues are recorded when earned and expenses are recorded when liabilities are incurred.~~

E. BUDGET PROCESS

~~The budget process is a set of activities that encompass the development, implementation, and evaluation of a plan for the provision of services and capital assets.~~

~~The City Manager creates a budget calendar that details the timeline for the creation of the proposed budget. Department Heads submit their projections and financial request for the upcoming fiscal year to the Finance Department. The Finance staff compiles the balanced revenues and expenditures into a proposed budget document that is then presented to the Finance and TIPS Committee. All comments, changes and suggestions received from both committees are made to the proposed budget so that it can be presented to the Elected Officials and the Public. After the third public reading of the proposed budget, it will be adopted and published.~~

F. LEVEL OF BUDGET ADOPTION AND CONTROL

All budgets shall be adopted at the legal level of budgetary control, which is the department level within each individual fund. See policy J below for amending the budget.

G. ~~BUDGET STABILIZATION RESOURCES UTILIZATION OF FUND BALANCE~~

~~The City shall establish a fund balance reserve in all operating funds (defined in Section I of this policy) for working capital. The purpose of working capital is to cover the cost of expenditures caused by-~~

~~unforeseen emergencies, cover shortfalls caused by revenue declines, and to eliminate any short term borrowing for cash flow purposes. This reserve shall accumulate and then be maintained at all times an amount which represents no less than twenty five percent (25%) of operating and debt expenditures.~~
which is intended to serve as a measure of the financial resources available in the operating fund. Fund balance represents the net cash after all revenues have been deposited and all expenditures have been paid resulting in a surplus or a deficit. The City shall also establish a Reserves, which are designated funds to ensure stable service delivery, meets future needs and protect against financial instability. The amount of reserves that the City shall accumulate and maintain are no less than twenty-five percent (25%) and no more than forty-five percent (45%) of operating and debt expenditures. Any amounts in the reserves that accumulate to more than the forty-five percent (45%) can be allocated to Capital Projects. A proposal shall be submitted to the City Manager, detailing the request and need for the use of the funds. Approvals of the proposals will be made after evaluating the needs nd priorities of the growth of the City.

H. OPPORTUNITY FUND

The City shall establish a fund balance reserve in the general operating fund (defined in Section I of this policy) for future unknown projects. This reserve shall accumulate and then be maintained at all times an amount which represents no less than ten percent (10%) of operating expenditures. This policy shall not apply if the City or its component units have debt service payments.

~~I. UTILIZATION OF PRIOR YEAR'S FUND BALANCE IN BUDGET~~

~~If necessary, the City may use fund balance in excess of the reserve for working capital (see budget policy F above) as a funding source for that fund's budget. The amount of unreserved fund balance shall be estimated conservatively, taking into consideration future year needs. The minimum requirement for the reserve for working capital, equal to twenty five percent (25%) of operating and debt expenditures, must first be met before utilizing the excess fund balance as a funding source for the budget.~~

I. APPROPRIATION LAPSES AT YEAR END

All operating budget appropriations (including encumbered appropriations) shall lapse at the end of a fiscal year. Purchases encumbered in the current year, but not received until the following year, must be charged against a department's subsequent year appropriation. **Budget controls are necessary to ensure that a government does not spend more than the amount legally appropriated by its governing body. By establishing clear spending boundaries, budget controls also promote accountability and bolster trust throughout the organization.**

J. BUDGET CONTROL REPORTS

The City shall maintain a system of budgetary control reports to assure adherence to the budget. The City will prepare and distribute to departments, timely monthly financial reports comparing actual revenues, and outstanding encumbrances and expenditures with budgeted amounts.

K. AUTHORIZATION OF BUDGET ADJUSTMENTS AND AMENDMENTS

The budget is a dynamic rather than static plan, which requires adjustments and formal budget amendments as circumstances change. The City Council must approve all increases in total departmental appropriations, and increases in the personal services budgets (i.e., moving salary or employee benefit budget to other line items).

Department heads must submit budget amendment requests transferring appropriations from one line item to another, other than those prohibited above, and obtain approval by the Director of Finance and the City Manager. Adjustments from appropriations that have been obligated, committed, or reserved for a designated purpose shall not be transferred until a formal de-obligation occurs.

At the mid-point of each year, any necessary budgetary appropriations, including budgets for any projects authorized but not funded during the year, shall be appropriated through a supplementary budget ordinance. This mid-point adjustment is limited to requesting additional resources. Such supplemental appropriations shall be balanced with additional revenues for each fund. A justification for each requested change must be prepared (O.C.G.A. 38-81-3).

L. CONTINGENCY LINE-ITEM

The City shall establish an appropriated contingency of two percent (2%) of the total annual expenditure appropriation in all operating funds (defined in Section I of this policy) in order to accommodate unexpected operational changes, legislative impacts, or other economic events affecting the City's operations which could not have been reasonably anticipated at the time the budget was prepared.

Non-operating funds (defined in Section I of this policy) shall not require a contingency reserve appropriation.

This contingency reserve appropriation will be a separate line item within the budget. This amount shall be subject to annual appropriation. The approval of the City Manager is required before this appropriation can be expended. If approved, the Finance Department will transfer the appropriation from the contingency line item to the applicable line item(s) with the applicable department's budget.

M. MAINTENANCE AND REPLACEMENT OF CAPITAL EQUIPMENT

The City Council will give budget priority to requests that provide for **the** adequate maintenance of capital equipment and facilities and for their orderly replacement.

N. CONTRIBUTIONS

Unless authorized by the City Manager, outside contributions to programs operated by City departments shall be subject to the City's accounting and budgetary policies. The City welcomes both unrestricted and restricted contributions compatible with the City's programs and objectives. Any material contribution shall be appropriated by the City Manager prior to expenditure. Material contributions shall be defined as one-time contributions exceeding one percent of the department's annual maintenance and operating expenditure appropriation or \$10,000, whichever is less.

O. ADMINISTRATIVE SERVICE FEE/COST ALLOCATION

Whenever possible, the City may assess an administrative service fee from the General Fund to any other fund, based upon documentation and/or an outside independent study. This assessment will be based upon a percentage of the operating revenues, or services provided to the fund and shall be used to reimburse the General Fund for the administrative and support services provided to the assessed fund.

CASH FLOW BUDGET

For analysis and internal management purposes, the City shall prepare an annual cash flow budget in conjunction with the Operating Budget. The purpose of this document will be to provide the necessary guidelines to ensure that cash will be available to pay budget costs on a timely basis.

A. BUDGET ALLOTMENTS

Budget allocations (i.e., budget allotments) are used in the operating budget, when needed to manage cash flows. The annual appropriation may be divided into segments in order to ensure that the projected revenue streams will be adequate to fund the appropriated expenditures. The cash flow budget will provide details as to the periods in which the revenues will be collected, and thereby providing for available resources to pay obligations.

CAPITAL BUDGET

The Capital Projects Funds are used to accumulate resources available and expenditures approved for items that have an estimated life of five or more years including vehicles and large equipment. In providing additional detail on the criteria of operating vs. capital, projects that are appropriated may be continuations of previously completed projects. Projects resulting in improvements to enterprise or special revenue funds are paid directly from those funds.

The majority of the city's capital projects are financed on a pay-as-you-go basis. The financing mechanism for pay-as-you-go capital is an inter-governmental fund transfer originating from the general fund. Appropriations for the transfers are made primarily from undesignated fund balance. Additional revenue sources include State Department of Transportation funds for qualified street and highway improvements, grants, and interest earnings. As a matter of practice, the city does not customarily enter into contracts creating improvement districts for citizens whereby a re-payment is required for capital work to be completed. These types of projects customarily are qualified as the responsibility of the appropriate party.

Newly identified capital projects are accumulated throughout the year and are added to the "unfunded" project list. Each of these unfunded projects is prioritized on an on-going basis to allow for direct funding when available. The annual budget process appropriates project specific items as funding is available. When funded capital projects are completed, the remaining balance is transferred to an unallocated capital project account. Routinely, Council discussions apply unfunded budgetary appropriations to projects with the highest priority.

SECTION II. REVENUE

This section provides direction in the administration of the revenues the City receives.

The City levies, collects and records certain taxes, license and permit fees, intergovernmental revenues, charges for service, investment income, fines and forfeitures, and other miscellaneous revenues and financing sources.

A. DIVERSIFICATION AND STABILITY

All revenues have particular characteristics in terms of stability, growth, sensitivity to inflation or business cycle effects, and impact on the tax and ratepayers. A diversity of revenue sources can improve a City's ability to handle fluctuations in revenues and potentially help to better distribute the cost of providing services. The City shall strive to maintain a diversified and stable revenue structure to shelter it from short-term fluctuations in any primary revenue source. When possible, the revenue mix shall combine elastic and inelastic revenue sources to minimize the effect of economic downturns.

B. CONSERVATIVE REVENUE ESTIMATES

As part of the annual budget process, an objective analytical process will estimate revenues realistically and prudently. The City will estimate revenues of a volatile nature conservatively.

C. USER BASED FEES AND CHARGES ~~(Exchange Revenue)~~

The level of user fee cost recovery should consider the community-wide versus special service nature of the program or activity. The use of general-purpose revenues is appropriate for community-wide services, while user fees are appropriate for services that are of special benefit to easily identified individuals or groups. The City will strive to keep the revenue system simple for the taxpayer or service recipient and to decrease the occurrence of avoidance to pay. The City's revenue system will strive to maintain equity in its structure. That is, the City will seek to minimize or eliminate all forms for subsidization between entities, funds, services, utilities, and customers. However, it is recognized that public policy decisions may lead to subsidies in certain circumstances (e.g., senior citizen partial tax abatement). Fees will be reviewed and updated on an ongoing basis to ensure that they keep pace with changes in the cost-of-living as well as changes in methods or levels of service delivery. The Finance Department will forward any proposed changes to the City Council for approval. For services associated with a user fee or charge, a fee shall offset the costs of that service, where possible. Costs of services include direct and indirect costs such as operating and maintenance costs, administrative costs, and charges for the use of capital (e.g., depreciation and/or debt service).

D. ALTERNATIVE REVENUE SOURCES

The City shall seek alternative funding sources whenever possible to reduce the required revenue from non-exchange transactions (e.g., fines). Such alternative sources include private and public grants, federal or state assistance, and public and private contributions.

E. REVENUE COLLECTION

The City will follow a thorough policy of collecting revenues, consistent with state and federal laws. This policy includes charging of penalties and interest, revoking City licenses, and providing for the transferring and assignment of tax executions.

F. RATES AND CHARGES

The City Council shall approve annually, a fee schedule which includes all revenue rates, charges, and processes in association with receipted funds that are deposited by the City, in accordance with the Code of Ordinances.

CASH AND INVESTMENT MANAGEMENT

The objective of the cash and investment management policy is to maximize interest earnings within an environment that strongly emphasizes legal compliance and safety while providing cash flow liquidity to meet the City's financial obligations.

A. SCOPE

This investment policy applies to all cash and investments, both short and long-term, which are the responsibility, and under the management of the City of Peachtree Corners Department of Finance.

B. POOLED CASH/INVESTMENT MANAGEMENT

Except for cash in certain restricted and specialized funds, the City will consolidate cash balances from all funds to maximize investment earnings (if applicable). Investment income will be allocated to the various funds based upon their respective participation and in accordance with generally accepted accounting principles.

C. GENERAL OBJECTIVES

The primary objectives of investment activities shall be as follows:

1. Safety

Safety of principal is the foremost objective of the investment program. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The objective will be to mitigate credit risk and interest rate risk.

i. Credit Risk

The City will minimize credit risk, the risk of loss due to the failure of the security issuer or backer, by:

- Limiting investments to the safest types of securities (primarily obligations of the U.S. government or obligations explicitly guaranteed by the U.S. government)
- Requiring a credit rating of "A3" or better from Moody's rating agency and "A-" from Standard & Poor's.
- Pre-qualifying the financial institutions, brokers/dealers, intermediaries, and advisers with which the City will do business
- Diversifying the investment portfolio so that potential losses on individual securities will be minimized.

ii. Custodial Risk

Custodial risk, that is the risk associated with uninsured deposits, uninsured securities, or securities not registered in the City's name shall be minimized by,

- Collateralization in alignment with State of Georgia legislation equal to 110% of the deposit held in the City's name (see section F, Safekeeping and Custody, subsection 2, Collateralization);
- Securities shall be held in the City's name.

iii. Interest Rate Risk

The City will minimize the risk that the market value of securities in the portfolio will fall due to changes in general interest rates, by:

- Structuring the investment portfolio so that securities mature to meet cash requirements for ongoing operations, thereby avoiding the need to sell securities on the open market prior to maturity
- Investing operating funds primarily in shorter-term securities, money market mutual funds, or similar investment pools.

iv. Concentration Risk

The risk associated with a high concentration of government funds which are not diversified shall be reduced by:

- Limiting investments to any one issuer to less than 5% of the investment portfolio.
- Investments explicitly guaranteed by the U.S. government and investments in mutual funds, external investment pools, and other pooled investments are excluded from this requirement.

v. Foreign Currency Risk

The City will negate all foreign currency risk through investment only in instruments where exchange rates do not apply.

2. Liquidity

The investment portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated. This is accomplished by structuring the portfolio so that securities mature concurrent with cash needs to meet anticipated demands (static liquidity). Furthermore, since all possible cash demands cannot be anticipated, the portfolio should consist of securities with active secondary or resale markets (dynamic liquidity). A portion of the portfolio also may be placed in instruments offering same-day liquidity for short-term funds.

3. Yield

The investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the investment risk constraints and liquidity needs. Return on investment is of secondary importance compared to the safety and liquidity objectives described above. The core of investments are limited to relatively low risk securities in anticipation of earning a fair return relative to the risk being assumed. Securities shall not be sold prior to maturity with the following exceptions:

- A security with declining credit may be sold early to minimize loss of principal or to reduce any eminent risk as identified under Section 1, "Safety" of this policy
- A security swap which improves the quality, yield, or target duration in the portfolio
- Liquidity needs of the portfolio require that the security be sold.

D. STANDARDS OF CARE

1. Prudence

The standard of prudence to be used by investment officials shall be the “prudent person” standard and shall be applied in the context of managing an overall portfolio. Investment officer(s) acting in accordance with written procedures and this investment policy and exercising due diligence shall be relieved of personal responsibility of an individual security’s credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and the liquidity and the sale of securities are carried out in accordance with the terms of this policy. Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the ~~probably~~ probable income to be derived.

2. Ethics and Conflicts of Interest

Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with the proper execution and management of the investment program, or that could impair their ability to make impartial decisions. Employees and investment officials shall disclose any material interests in financial institutions which they conduct business. They shall further disclose any personal financial/investment positions that could be related to the performance of the investment portfolio. Employees and officers shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of the City.

3. Delegation of Authority

Authority to manage the investment program is granted to the Director of Finance, referred to as the investment officer in this policy. Responsibility for the operation of the investment program is hereby delegated to the investment officer, who shall act in accordance with the established written procedures and internal controls for the operation of the investment program consistent with this investment policy. Procedures should include references to: safekeeping, delivery vs. payment, investment accounting, repurchase agreements, wire transfer agreements, and collateral/depository agreements. No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the investment officer. The investment officer shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials.

E. SAFEKEEPING AND CUSTODY

1. Authorized Financial Dealers and Institutions

A list will be maintained of financial institutions authorized to provide investment services. In addition, a list also will be maintained of approved security broker/dealers selected by creditworthiness (e.g., a

minimum capital requirement of \$10,000,000 and at least five years of operation). These may include “primary” dealers or regional dealers that qualify under Securities and Exchange Commission (SEC) Rule 15C3-1 (uniform net capital rule). All financial institutions and broker/dealers who desire to become qualified for investment transactions must supply the following as appropriate:

- Audited financial statements
- Proof of National Association of Securities Dealers (NASD) certification
- Proof of state registration
- Completed broker/dealer questionnaire
- Certification of having read and understood and agreeing to comply with the City’s investment policy.

An annual review of the financial condition and registration of qualified financial institutions and broker/dealers will be conducted by the investment officer.

From time to time, the investment officer may choose to invest in instruments offered by minority and community financial institutions. In such situations, all criteria identified under above shall apply. All terms and relationships will be fully disclosed prior to purchase and will be reported to the appropriate entity on a consistent basis and should be consistent with state and local law. These types of investment purchases should be approved by the City Council in advance of their purchase.

2. Internal Controls

The City Manager is responsible for establishing and maintaining an internal control structure designed to ensure that the assets of the City are protected from loss, theft, or misuse. The internal control structure shall be designed to provide reasonable assurance that these objectives are met.

The concept of reasonable assurance recognizes that (1) the cost of a control should not exceed the benefits likely to be derived and (2) the valuation of costs and benefits requires estimates and judgments by management.

Accordingly, the investment officer shall establish a process for an annual independent review by an external auditor to assure compliance with regulatory policies and procedures including Generally Accepted Governmental Auditing Standards.

3. Delivery vs. Payment

All trades where applicable will be executed by delivery vs. payment (DVP) to ensure that securities are deposited in an eligible financial institution prior to the release of funds. Securities will be held by a third-party custodian in the City’s name, as evidenced by safekeeping receipts.

F. SAFEKEEPING AND CUSTODY

1. Investment Types

Investments (other than bond proceeds) shall be made in instruments permitted by the State of Georgia for local governments, regulated under Georgia Code, O.C.G.A. 36-83-4. Such instruments include:

- Obligations issued by the U.S. government,
 - Obligations fully insured or guaranteed by the U.S. government or by a government agency of the United States,
- Obligations of any corporation of the U.S. government;
- Prime bankers' acceptances,
- The Georgia local government investment pool (i.e., Georgia Fund I)
- Repurchase agreements, and
- Obligations of other political subdivisions of the state

In accordance with O.C.G.A. 36-82-7, investments made with unexpended bond proceeds shall be limited to:

- Bonds or obligations of the governmental entities and/or political subdivisions of the state,
- Bonds or obligations of the U.S. government which are fully guaranteed,
- Obligations of agencies of the U.S. government, bonds or other obligations of public housing agencies or municipal corporations in the United States,
- Certificates of deposit of national or state banks insured by the Federal Deposit Insurance Corporation;
- Certificates of deposit of Federal Saving and Loan Associations; and
- The Georgia local government investment pool (Georgia Fund I)

2. Collateralization

City shall require pledges of collateral from the depository institution covering at least 110% of the cash/investment. This requirement is in accordance with O.C.G.A. 36-83-5; 45-8-12; 50-17-59; and 45-8-13. Deposit-type securities (i.e., certificates of deposit) shall be collateralized at 110% of the face value. Other investments shall be collateralized by the actual security held in safekeeping by the primary agent.

3. Repurchase Agreements/Derivatives

Repurchase agreements shall be consistent with GFOA Recommended Practices on Repurchase Agreements. Investments in derivatives of the above instruments shall require authorization by the City Council and be consistent with GFOA Recommended Practices on the "Use of Derivatives by State and Local Governments".

G. USING GEORGIA FUND I

The City will utilize the State of Georgia local government investment pool (i.e., Georgia Fund I) anytime this investment tool is deemed to be in the best interest of the City. Criteria used to determine the use of this investment pool will be the same as any other investment purchase.

H. INVESTMENT PARAMETERS

1. Diversification

The investments shall be diversified by:

- Limiting investments to avoid over concentration in securities from a specific issuer or business sector (excluding U.S. Treasury securities)
- Limiting investment in securities that have higher credit risks
- Investing in securities with varying maturities, and
- Continuously investing a portion of the portfolio in readily available funds such as a the Georgia Local Government Investment Pool, money market funds or overnight repurchase agreements to ensure that appropriate liquidity is maintained in order to meet ongoing obligations.

2. Maximum Maturities

To the extent possible, the City shall attempt to match its investments with anticipated cash flow requirements. Unless matched to a specific cash flow, the City will not directly invest in securities maturing more than five (5) years from the date of purchase. The City shall adopt weighted average maturity limitations ranging from 90 days to 5 years, consistent with the investment objectives.

Reserve funds and other funds with longer-term investment horizons may be invested in securities exceeding five (5) years if the maturities of such investments are made to coincide as nearly as practicable with the expected use of funds. The intent to invest in securities with longer maturities shall be disclosed in writing to the City Council.

I. REPORTING

1. Methods

The investment officer shall prepare an investment report monthly which shall be included in the Department of Finance Financial Update Report. Information provided will include a management summary that provides an analysis of the status of the current investment portfolio and transactions made over the last month. This management summary will be prepared in a manner which will allow the City to ascertain whether investment activities during the reporting period have conformed to the investment policy. The report will be transmitted to the City Council via a consent item placed on a City Council Meeting Agenda. At a minimum, the report will include the following:

- Listing of individual securities held at the end of the reporting period with maturity dates
- Realized and unrealized gains or losses resulting from appreciation or depreciation by listing the cost and market value of securities over one-year duration that are not intended to be held until maturity
- Average weighted yield to maturity of portfolio on investments as compared to applicable benchmarks
- Percentage of the total portfolio which each type of investment represents.

City of Stonecrest Financial Management Policy

2. Performance Standards

The investment portfolio will be managed in accordance with the parameters specified within this policy. The portfolio should obtain a market average rate of return during a market/economic environment of stable interest rates. A series of appropriate benchmarks shall be established against which the portfolio performance shall be compared on a regular basis.

3. Marking to Market

The market value of the portfolio shall be calculated at least monthly and a statement of the market value of the portfolio shall be issued at least monthly.

Governmental Accounting Standards Board References:

Statement No. 3, Deposits with Financial Institutions, Investments, and Reverse

Repurchase Agreements

Statement No. 28, Accounting and Financial Reporting for Securities Lending

Transactions

Statement No. 31, Accounting and Financial Reporting for Certain Investments and for External Investment Pools

Statement No. 40, Deposit and Investment Risk Disclosures

GRANT MANAGEMENT

This policy provides direction in the application, acceptance and administration of funds awarded through grants to the City from other local governments, the state or federal government, nonprofit agencies, philanthropic organizations and the private sector.

A. GRANT APPLICATIONS

The City Manager and/or his/her designee is/are responsible for the submission of all grant applications on behalf of the City of Stonecrest. Departments who wish to submit grant applications must work in conjunction with the City Manager and/or his/her designee. Once a grant opportunity has been identified, the City Manager and/or his/her designee must notify the Department of Finance of the application, the financial reporting requirements, and any required matching funds or other City resources needed to meet the grant requirements. Prior to the acceptance of the grant, the Finance Department, in cooperation with the submitting/receiving department shall complete an analysis of financial requirements to ensure the City can meet the grant program's financial requirements and the City can fulfill the applicable obligations required by the grant. All grant revenues and expenditures, including matching requirements, must be appropriated, either in the current budget or included for appropriation in the subsequent budget. The City Manager shall approve grant applications and

submissions that allow both the submission of the grant application and the acceptance of the grant award.

B. GRANT ADMINISTRATION

The City Manager and/or his/her designee is/are responsible for fulfilling the financial reporting and accountability requirements of each grant the City accepts. The City Manager and/or his/her designee and receiving departments are responsible for adhering to the grant program requirements and tracking all applicable expenditures for reporting purposes. The Department of Finance is responsible for accounting for grant transactions according to the Accounting, Auditing, and Financial Reporting Policy and in compliance with Generally Accepted Accounting Principles (GAAP). The City Manager and/or his/her designee is/are responsible for maintaining the following records for each grant award.

- a. Copy of Grant Application
- b. Resolutions authorizing application **and acceptance of Grants**
- c. Notification of Grant Award
- d. Financial reporting and accounting requirements
- e. Schedule of funding needs
- f. Programmatic Reporting**
- g. Other documentation related to expenditures related to the Grant**

C. AUDITING

The Finance Department shall comply with all local, state, and federal requirements with respect to the auditing of information as they pertain to the acceptance of grant funds. This includes the Single Audit Act with any future revisions or additional that may be applicable to City Grant Projects.

SECTION III. EXPENDITURE

This section provides guidance on authorized expenditures for all departments under the authority of the Mayor and City Council. This section shall cover those costs incurred for normal business operations. Operating guidelines and procedures for procuring goods and services shall be issued under separate cover(s) as they do not constitute nor necessitate the City Council approval.

A. APPROPRIATION

In conjunction with the annual budget process, the City Council shall authorize departments appropriations consistent with the annual adopted operating and capital budgets. Departments shall not incur expenditures unless an appropriation is available.

B. EXPENDITURE APPROVAL

All expenditures relating to City operations shall be processed consistent with procurement/purchasing guidelines. Once the Finance Department receives the proper documentation from the incurring departments, the execution of payment shall occur. The Finance Department shall only process transactions for payment based upon the proper approval for the dollar amount of the expenditure, including adequate documentation, received either electronically or in writing.

C. SETTLEMENT OF DISPUTE

The Department of Finance shall review expenditure documents for compliance and appropriateness with all City policies and procedures. Expenditure documents that are not in compliance with these policies and procedures shall be returned to the originating department with Finance Department recommendations for changes (e.g., travel issues, cellular phone use). In the event the department does not agree with the Finance Department's recommendations, the City Manager shall make the final decision.

D. ELECTED OFFICIALS ALLOCATION

During the annual budget process, an appropriation will be allocated to each elected official to be used at his/her discretion for the benefit of the City (e.g., travel costs incurred at the annual GMA conference). The amount appropriated will be dependent upon the approval during the budget process.

E. PROFESSIONAL SERVICES

Professional services are those services considered to be "professional" in nature, i.e. technical or unique functions performed by independent contractors or consultants whose occupation is the rendering of such services. Examples include but are not limited to, Architects, Attorneys, Engineers, Accountants, Appraisers, etc... These types of services are awarded based on open competitive negotiations and demonstrated competence and qualifications for the type of services required at a fair and reasonable price rather than on "low-bid". When federal assistance or funding is being utilized all professional services awards shall be conducted in accordance with any mandatory applicable federal law or regulation (**refer to the Procurement Policy**). ~~The City follows the policies of the Brooks Act and procures all consultant professional services using the Qualification Based Selection (QBS) Process as required by the Brooks Act with regards to Federal Contracts~~

TRAVEL AND MEAL EXPENDITURE POLICIES

This section provides guidance on authorized expenditures for all departments under the authority of the Mayor and City Council. This section shall cover those costs incurred for travel and meal expenses by any elected official, City employee, or board member who travels on City related business. Operating

guidelines and procedures for procuring travel and meal expenses shall be issued under separate cover(s) as they do not constitute nor necessitate City Council approval (**refer to the Travel Policy**).

A. APPROPRIATION

In conjunction with the annual budget process, the City Council shall authorize department appropriations for travel and meal expenses consistent with the annual adopted operating budgets. Departments shall (**refer to the Travel Policy**) ~~not incur travel expenditures unless an appropriation is available, or budget amendment has been completed.~~

B. EXPENDITURE APPROVAL

All expenditures relating to travel and meals shall be processed consistent with procurement/purchasing guidelines (**refer to the Travel Policy**). ~~Once the Finance Department receives the proper documentation from the incurring departments, the execution of payment shall occur. The Finance Department shall only process transactions for payment based upon the proper approval for the dollar amount of the expenditure, including adequate documentation, received either electronically or in writing.~~

C. SETTLEMENT OF DISPUTED REIMBURSEMENT CLAIMS

The Department of Finance shall review expenditure documents for compliance and appropriateness with all City policies and procedures. Expenditure reimbursement requests that are not in compliance with these policies and procedures shall be returned to the originating department with Finance Department recommendations for changes (e.g., travel issues, cellular phone use). In the event the department does not agree with the Finance Department's recommendations, the City Manager shall make the final decision regarding whether to authorize the reimbursement.

D. TRAVEL EXPENSES

Refer to the Travel Policy

~~The City shall reimburse/pay expenses incurred by elected officials and employees for travel relating to official City business. Official business shall be deemed that which has been approved prior to the expenditure being incurred.~~

~~1. Lodging: hotel/motel charges shall qualify for reimbursement when they exceed a 50 mile radius of the employee's place of work. All traveling personnel shall minimize the expense associated with hotel/motel costs by procuring a government rate for qualified stays. Lodging expense shall be benchmarked against the U.S. General Services Administration (GSA) approved per diem rate of reimbursement. When the GSA rate is exceeded by 20% or more, additional justification shall be required from the traveler. When traveling in the State of Georgia, all travelers must use the hotel/motel tax exempt status form. Sales and occupancy taxes charged for lodging within the State of Georgia do not qualify as eligible reimbursable travel expenses under this policy. Per diem rates can be found in the personnel policy adopted by the Mayor and City Council. Hotel accommodations for travel less than a 50 mile radius from Stonecrest must be approved by the employee's direct supervisor. Elected officials, the City Manager, Department Directors, and members of Management of~~

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~~the City shall be allowed hotel accommodations for travel less than a 50-mile radius from Stonecrest, based upon meeting schedules and attendance needs.~~

~~2. Transportation: approved modes of transportation include vehicle, air, rail, or taxi and public transportation. The method selected by the traveler shall be subject to the most economically feasible, taking into consideration the value of time. If a City vehicle is available, it should be used in lieu of a personal vehicle. Generally, the City will not reimburse for the use of a personal vehicle within 10 miles of an employee's official headquarters and/or residence.~~

~~i. Mileage: miles traveled in personal vehicles shall be reimbursed at the rate designed by the Internal Revenue Service. Mileage shall be calculated using the employee's place of work as the origination point, so long as the employee reported to work prior to departing to the destination. In the event the employee does not report to work prior to traveling to the destination, mileage shall be reimbursed from the employee's origin, less their normal commute to the workplace. Expenses associated with employee's vehicles such as fuel, oil, tires, etc. (deemed normal wear and tear) shall not be subject to reimbursement and will be the responsibility of the traveler. Miles traveled in City owned vehicles shall not be subject to reimbursement to the traveler. However, expenses associated with the travel in City vehicles such as fuel, oil, tires, etc. shall be the responsibility of the City, and necessary purchases should follow the guidelines administered by the City Manager.~~

~~ii. Rental Cars: Expenses associated with rental cars, i.e. rental expense and fuel will be paid at cost, with receipts provided. Employees shall rent mid-size or smaller vehicles, or an appropriate vehicle size based upon the number of employees needing transportation. Expenses associated with exceeding this car class will be the responsibility of the traveler. Employees should decline additional insurance coverage offered by rental car companies since the City's insurance coverage is applicable to car rentals.~~

~~iii. Air/Rail: transportation provided by major airlines or railroads shall be paid at cost to the traveler. Travel will be limited to coach/economy classes of service. In the event the traveler chooses a class higher than coach/economy (business or first class), the difference of the expense shall be the responsibility of the traveler.~~

~~iv. Taxi/Shuttle: expenses associated with local transportation will be deemed eligible expenses as long as receipts are provided with point to point explanations for this mode of transportation. Such documentation should accompany receipts.~~

~~3. Meals/incidentals: expenses associated with meals (breakfast, lunch and dinner) and incidentals (snacks, tips, miscellaneous) shall be administered on a per diem basis by city. Per diem amounts will be derived from the U.S. General Services Administration (GSA), which can be found at <http://policyworks.gov/org/main/mt/homepage/mtt/perdiem>. Per diem will be advanced to the employee prior to travel and therefore, the City's procurement cards should not be used to pay for meal or incidental expenses. Receipts will not be required on incidental or meal expenses. Overages of meal expenses will be the responsibility of the employee, while any savings may be retained by the employee. Alcoholic beverages are not allowable reimbursable expenses, and will not be reimbursed pursuant to~~

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~~the City's Drug and Alcohol Policy. Expenses incurred for meals when travel has not included overnight stay shall be reimbursed under Section E of this policy. Refer to the Travel Policy~~

~~4. Program/Seminar/Conference Fees: charges relating to the traveler's attendance to the particular event (training, conference, seminar, etc) shall be paid by the corresponding department, subject to the provisions identified for expenditures in the City's Expenditure and Purchasing Policies.~~

~~5. Telephone/Long Distance: telephone, fax, long distance, Internet, and communication expenses (including postage) shall be reimbursed when relating to the traveler's employment. Expenses for business communication shall be limited to \$10.00 per day.~~

E. NON-TRAVEL MEALS

Expenses related to the furnishing of meals, snacks, or food should be limited to the following circumstances:

1. Meetings hosted by the City Council or City Manager;
2. A meeting during regularly scheduled business hours required by law or authorized by a department director which is anticipated to last more than two (2) hours and which, is scheduled through normal meal times;
3. A business meal with someone other than another City official or employee in order to discuss a specific item of City business;
4. Meals that are an integral part of a scheduled meeting at which the individual is required to attend;
5. A business meal with another City employee or official in order to discuss City business as called by an elected official, the City Manager, a Department Director, or management of the City or other persons to be reasonably determined by the City Manager, Department Director, or Management of the City. Receipts provided for meals within this category should detail the nature of the meeting and the people who were present for discussion.

F. SUBMISSION OF EXPENSES

All expenses relating to travel shall be submitted to the Finance Department no later than 10 days after return from the trip. Non-travel meals shall be submitted no later than 7 days from the date of occurrence **(refer to the Travel Policy)**.

G. EMPLOYEE BREAK ROOMS

City facilities equipped with break rooms shall be furnished with portable water, coffee, tea, hot cocoa, creamer, sugar, and cups/stirrers at the expense of the City.

H. EXCEPTIONS

Reasonable business expenses associated with an employee's travel, not to exceed \$1,000.00, shall be reimbursable upon approval by the City Manager.

Expenses exceeding \$1,000.00 will require Mayor and City Council approval.

PURCHASING AND CREDIT CARDS

A. Purpose

The purpose of this policy is to set requirements and standards for the City of Stonecrest Purchasing/Credit Card Program. The policy is not intended to replace current State of Georgia statutes but is intended to comply with such state laws and establish more efficient guidelines for elected officials and employees of the City using such purchasing and credit cards. At no time should a city issued purchasing card or credit card be used for personal purchases regardless of the circumstances. Utilizing the purchasing card or credit card for personal use or for any item or service not directly related to such official's public duty may result in disciplinary action including, but not limited to, felony criminal prosecution. All purchases utilizing a government purchasing card or government credit card must be in accordance with these guidelines and with state law.

B. Public Inspection

In accordance with O.C.G.A. § 36-80-24(b) any documents related to purchases using government purchasing cards or government credit cards incurred by elected officials shall be available for public inspection.

C. Transaction Limits

Transaction limits are hereby established to insure compliance with state purchasing laws, maintain proper budgetary controls, and to minimize excessive use of any individual credit line. Individual monthly card limits cannot exceed those established by the municipal governing authority. The established single transaction limit for each card must be less than \$1,000.00. Any single purchase above \$1,000.00 must be approved by the City Manager. The established monthly card limit is based upon the city's budgetary constraints and is not to exceed \$10,000 per month. Any exceptions to the standardized limits must have express written approval by the municipal governing authority and must be added to this policy by amendment or addendum.

F. Purchasing Restrictions

1. Elected Officials and employees of the City may not use a government purchasing card or government credit card for the following (**refer to the Purchasing Card Policy**)

~~a. Any purchases of items for personal use.~~

~~b. Cash refunds or advances.~~

- ~~c. Any transaction amount greater than the transaction limits set for by this policy.~~
 - ~~d. Items specifically restricted by this policy, unless a special exemption is granted by the municipal governing authority.~~
 - ~~e. Purchases or transactions made with the intent to circumvent the city purchasing policy, transactional limits, or state law.~~
- ~~2. Elected Officials and employees of the City may use government purchasing cards or government credit cards to purchase goods and/or services not prohibited by this policy or state law. Such purchases include, but are not limited to:~~
- ~~a. Purchases of items for official city use which fall within the transactional restrictions of this policy.~~
 - ~~b. Purchase of fuel, food, education and training materials while on city business and all items described in the travel and meal expenditure policy.~~
 - ~~c. Emergency purchases necessary to protect city property.~~

G. Administrator

~~The city designates the office of Finance, as the program administrator of government purchasing cards or government credit cards. Such administrator shall: (refer to the Procurement Policy)~~

- ~~1. Serve as a liaison between the city's cardholders and the issuers of such cards.~~
- ~~2. Maintain the cardholder agreement for all cardholders.~~
- ~~3. Provide instruction, training, and assistance to cardholders~~
- ~~4. Maintain account information and secure all cardholder information.~~
- ~~5. Keep cardholders up to date on new or changing information~~
- ~~6. Upon receipt of information indicating fraudulent use or lost/stolen cards immediately report it to appropriate parties, including the issuer.~~
- ~~7. Ensure all card accounts are being utilized properly as set forth by state law and this policy.~~
- ~~8. Define the city's policy and procedures for proper documentation and storage of receipts, logs, and approvals required under this policy.~~

- ~~9. Identify any changes to named persons authorized to use a government purchasing card or government credit card.~~
- ~~10. Any other duties assigned by the municipal governing authority.~~
- ~~11. Maintain a log for a general credit card that may be used by staff. The log must contain the staff members name, date of use, description of item(s) being purchased, and amount of item(s). Staff must follow all policy requirements when using the general credit card.~~

H. Accounting and Auditing

The Administrator, in an effort to ensure compliance with city policy and state law, will conduct monthly/quarterly reviews and audits of all government purchasing card or government credit card transactions. The review is designed to ensure compliance, identify non-compliance issues and misuse, and through corrective measures assist the city with improving compliance. The monthly/quarterly review and audit should happen within 15 days of the start of a new month/quarter. After completing the monthly/quarterly audit the Administrator shall notify cardholders of any violations or questions the Administrator has that occurred within that previous month/quarter. Depending on the severity of the violation, the Administrator may suspend or revoke the use of the government purchasing card or government credit card after notification to the cardholder and to the municipal governing authority, but only after consultation with the city attorney. Any unresolved violations should be reported to the municipal governing authority and the city attorney in writing within 15 business days.

I. Violations

The use of a government purchasing card or government credit card may be suspended or revoked when the Administrator, after consultation with the city attorney, determines that the cardholder has violated the approved policies or state law regarding the use of the government purchasing card or government credit card. The government purchasing card or government credit card shall be revoked whenever a cardholder is removed from office with the city and shall be suspended if such elected official has been suspended from office.

DEBT ISSUANCE AND MANAGEMENT

The goal of the City's debt policy is to maintain a sound fiscal position; thereby only utilizing long term debt to provide resources to finance needed capital improvements, buildings and equipment while accumulating adequate resources to repay the debt. In addition, it is the City's goal to maintain and improve its credit rating through strong financial administration. The City acknowledges that failure to meet the demands of growth may inhibit its continued economic viability, but also realizes that excess outstanding debt may have detrimental effects on the ability of the City to meet its continuing operational needs.

Issuing debt commits the City's revenues several years into the future, and may limit its flexibility to respond to changing service priorities, revenue inflows, or cost structures. Adherence to this debt policy helps ensure that the City issues and manages its debt prudently in order to maintain a sound financial position and protect its credit rating.

Credit ratings are the rating agencies' assessment of the City's ability and willingness to repay debt on a timely basis. Credit ratings are an important indicator in the credit markets and can influence interest rates a borrower must pay. Each of the rating agencies believes that debt management is a positive factor in evaluating issuers and assigning credit ratings. Therefore, implementing debt management practices will be viewed positively by the rating agencies and could influence the City's credit rating and ultimately lower borrowing costs.

A. CONDITIONS FOR ISSUING LONG-TERM DEBT

Debt financing for capital improvements, buildings, and equipment will be generally used when at least one of the following conditions exist:

1. When one-time, non-continuous projects (those not requiring annual appropriations) are desired;
2. When the City determines that future users will receive a benefit from the capital improvement that the debt financed;
3. When the project is necessary to provide basic services to the City residents;
4. When total debt, including debt issued by overlapping governments (e.g., the county), does not constitute an unreasonable burden to the taxpayers; and
5. Exhaustion of the use of all other possible revenue sources provides no alternative funding for capital projects.

The City will limit its short-term borrowing to cover cash flow shortages through the issuance of tax anticipation notes.

B. SOUND FINANCING OF DEBT

When the City utilizes debt financing, the following will occur to ensure that the debt is soundly financed:

1. Analysis of the financial impact, both short-term and long-term, of issuing the debt;
2. Conservatively projecting the revenue sources that the City will use to repay the debt;
3. Insuring that the term of any long-term debt the City incurs shall not exceed the expected useful life of the asset the debt financed;

4. Maintaining a debt service coverage ratio (i.e., for revenue secured debt) that ensures that the revenues pledged for the repayment of the outstanding debt will be adequate to make the required debt service payments.

C. DEBT RETIREMENT

Generally, borrowings by the City should be of a duration that does not exceed the economic life of the capital improvement, building, or equipment that it finances and where feasible, should be shorter than the projected economic life. To the extent possible, the City should design the repayment of debt so as to recapture rapidly its credit capacity for future use.

D. DISCLOSURE

The City shall follow a policy of full disclosure in financial reporting and with the preparation of a bond prospectus.

E. LEGAL COMPLIANCE

When issuing debt, the City shall comply with all legal and regulatory commission requirements, including the continuing disclosure requirements. This compliance includes adherence to local, state and federal legislation and bond covenants.

More specifically, the Director of Finance is responsible for maintaining a system of record keeping and reporting to meet the arbitrage rebate compliance requirements of the federal tax code. This effort includes tracking investment earnings on bond proceeds, calculating rebate payments in compliance with tax law, and remitting any rebate able earnings to the federal government in a timely manner in order to preserve the tax exempt status of the City's outstanding debt issues. Additionally, general financial reporting and certification requirements embodied in bond covenants are monitored to ensure that all covenants are complied with.

The City will comply with Amended SEC Rule 15c2-12 (the "Rule") by providing secondary market disclosure for all long-term debt obligations, which are subject to the Rule. As required, the City will submit annual financial information to all nationally recognized municipal securities repositories.

F. CREDIT RATINGS

The City Manager and Director of Finance are responsible for maintaining relationships with the rating agencies that assign ratings to the City's various debt obligations. This effort includes providing periodic updates on the City's general financial condition along with coordinating meetings and presentations in conjunction with a new debt issuance.

G. DEBT SERVICE COVERAGE RATIO

To assure the City follows sound financing of debt, the City may not exceed a twenty-five percent (25%) debt service coverage ratio of operating funds of the City and its component units for each fiscal year.

H. OTHER POLICIES

All bond issue requests shall be coordinated by the Department of Finance. Requests for new bonds must be identified during the Capital Improvement Program (CIP) process. Opportunities for refunding outstanding bonds shall be communicated by the Department of Finance.

Annual budget appropriations shall include debt service payments (interest and principal) and reserve requirements for all debt currently outstanding.

Long-term borrowing shall be incorporated into the City's capital improvement plan (see above).

PURCHASING POLICIES

Purchasing Code of Ethics (**refer to the Procurement Policy**)

~~The public must have confidence in the integrity of its government. The purpose of this purchasing policy is to give guidance to all City employees so that they may conduct themselves in a manner that will be compatible with the best interest of the City.~~

~~Proper purchasing procedure requires that:~~

- ~~• Actions of City employees be impartial and fair.~~
- ~~• Government decisions and policies are made in the proper channels of government structure.~~
- ~~• Public employment is not to be used for personal gain. City employees may not solicit, accept, or agree to accept any gratuity for themselves, their families or other that would or could result in personal gain. Purchasing decisions must be made impartially. The following are examples of items not considered gratuities:~~
 - ~~Discounts or concessions realistically available to the general population;~~
 - ~~Items received that do not result in personal gain;~~
 - ~~Samples to the City used for general City use.~~

~~The City of Stonecrest is a Georgia-certified City of Ethics under the Georgia Municipal Association City of Ethics Program. Whereas the governing authority of the City of Stonecrest, Georgia, adopted the ethics principles approved by the GMA Board and conducts the City's affairs in accordance with the City's Ethics Ordinance.~~

A. SYSTEM ESTABLISHED

~~The City has established a centralized purchasing system to be used for all purchases of goods and procurements of services by the municipal government.~~

B. ROLES OF THE CITY MANAGER OR HIS DESIGNEE

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~~The City Manager shall be responsible for ensuring adherence to all rules and regulations for the centralized purchasing system. The Finance Director or his designee shall oversee the day to day processing of all purchases and procurements made through the system.~~

C. INITIATING PURCHASES; REQUIRED FORM

~~In order to initiate a purchase, an employee must submit in writing a purchase request form. The completed purchase request form must include a cost for each product or service noted on the form; where the exact cost is not known, estimates may be provided. The purchase request form must be signed by the department head and submitted to the Finance Department for approval. The department head must identify and annotate the accounting code (budget line item) for this expenditure as part of the request. In determining where to purchase products and services based on competitive prices and costs incurred in obtaining the purchase, the City shall purchase locally when all of these requirements are equal.~~

D. DEPARTMENTAL LIMITS ON PURCHASES

~~Should the cost or estimated cost of the requested good or service being processed in accordance with paragraph C above be at least \$500.00, but below \$10,000, the department head must submit the purchase request to the Finance Director accompanied by at least two (2) quotes from vendors providing the good or service being ordered. These quotes may be in the form of verbal, phone or email quotes, but nevertheless, be identified by the department head in writing and attached to the request. If the department head chooses to use the more expensive of the quotes obtained, he or she must attach a brief statement to the requisition form justifying that decision. The Finance Director shall then process such requests in accordance with all other requirements of the centralized purchasing system.~~

~~Should the cost or estimated cost of the requested good or service being processed in accordance with paragraph 2.3 above be at least \$10,000.00, but not more than \$50,000.00, the department head must submit the request directly to the City Manager's office accompanied by at least three (3) written quotes from vendors providing the good or service being requested. The City Manager shall review the request and quotes and determine whether or not the request should be approved. The City Manager shall typically approve such requests, but may issue a denial where he or she determines; a) that additional vendor quotes should be obtained; b) the good or service being requested does not reasonable relate to the line item identified by the department head; c) the cash flow in the fund from which the purchase would be made is low or otherwise inadequate; or d) a bona fide problem exists in the management of the requesting department's budget. This section shall not apply to professional services.~~

E. PURCHASES EXCEEDING THE CITY MANAGER'S SPENDING LIMITS

~~Should the cost or estimated cost of the requested good or service being processed in accordance with paragraph C above be more than \$50,000.00, the City Manager shall ensure that: a) at least three (3) written quotes from vendors have been obtained are attached to the request; b) the request is accompanied by a written determination of whether the request was anticipated in the budget;~~

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~~e) compliance with Section I of this policy has been met in the case of the non-budgeted requests; and d) the need for a budget amendment does or does not exist. This section shall not apply to professional services.~~

~~F. PURCHASES EXCEEDING \$50,000~~

~~All purchases with an estimated total cost exceeding \$50,000 require formal approval by the Mayor and City Council. This section shall not apply to professional services.~~

~~G. PROFESSIONAL SERVICES~~

~~All purchases for professional services including, but not limited to architects, engineers, and other professional services require the approval of the City Manager and must be appropriated in the budget.~~

EMERGENCY PURCHASES

A. PROCESS

~~There are certain functions and purchases that may be performed without prior Mayor and Council approval. The emergency repair of city infrastructure and clearing of blocked streets and roads resulting from washouts or similar natural or man-made disasters. However, if such exceeds the \$50,000.00 City Manager limitation, the City Manager shall report the situation to the Mayor and Council within 48 hours following such repairs.~~

SECTION IV. INTERNAL CONTROLS

The City shall maintain a system of financial monitoring, control, and reporting for all operations and funds in order to provide an effective means of ensuring that financial integrity is not compromised. In addition, such practices shall provide City officials with the necessary resources in order to make sound financial decisions.

A. SCOPE

This policy applies to all accounting records that are the responsibility and under the management of the City's Department of Finance. **The scope of internal controls include the following components and principles:**

Control of Environment

Risk Assessment

Control Activities

Information and Communication

Monitoring

Charge Controls

Audit Trails

B. GENERALLY ACCEPTED ACCOUNTING PRINCIPLES (GAAP)

The City will establish and maintain a high standard of accounting practices. Accounting standards will conform to generally accepted accounting principles of the United States as promulgated by the Governmental Accounting Standards Board (GASB). The City also will follow the Financial Accounting Standards Board's pronouncements, as applicable.

C. FUND STRUCTURE

Item XII. e.

The City will maintain the minimum number of funds consistent with legal compliance and sound financial administration. The City will adhere to the mandatory fund structure included in the Georgia

Department of Community Affairs' (DCA) chart of accounts (see below). Funds shall be classified in conformity with GAAP. Further, all funds shall be reported within the annual financial statements.

D. CHART OF ACCOUNTS

The Georgia General Assembly passed the Local Government Uniform Chart of Accounts and Reporting act in 1997 (House Bill 491). This law requires the DCA to prepare and issue a standardized chart of accounts for Georgia governments. It shall be the policy of the City to implement and utilize the account classifications as the chart of accounts prescribes.

CASH MANAGEMENT POLICY

A. Procedures for Cash Collection Points

The following list of procedures is required for the operation of cash collection points:

- All cash received must be recorded through a computerized accounting system with computer generated official City receipts or official City temporary cash receipts. When a cash collection point with a computerized accounting system uses temporary cash receipts, those temporary receipts must be converted over to computerized receipts as soon as possible. If the conversion cannot be accomplished within 48 hours, the cash should be deposited into the department's primary operating account and tracked in detail until it is recorded on the computerized accounting system. The customer must be presented an official City receipt form with a duplicate record being retained by the receiving department. All numbered receipts must be accounted for, including the original of voided receipts.
- The cash collection point must maintain a clear separation of duties. An individual should not have responsibility for more than one of the cash handling components: collecting, depositing, disbursement, and reconciling.
- The funds received must be reconciled to the computerized accounting system cash report or to the total of the temporary receipts at the end of the day or at the end of each shift. Cash must be reconciled separately from checks, credit cards, and money orders by comparing actual cash received to the cash total from the cash report or to the sum of the cash sales from the manual receipts.
- All cash must be protected immediately by using a cash drawer, safe or other secure place until they are deposited. A secure area for processing and safeguarding funds received is to be provided and restricted to authorized personnel.
- Checks must be made payable to City of Stonecrest, and must be endorsed promptly with a restrictive endorsement stamp payable to City of Stonecrest. The endorsement stamps must be ordered through the Finance Department.
- Checks or credit card transactions will not be cashed or written for more than the amount of purchase.
- Collections must be deposited to the City Depository within 24 hours.

- All cash must be deposited intact and not intermingled or substituted with other cash.
- Refunds or expenditures must be paid through the appropriate City bank account on a signature City generated check.
- Each Department will use only depository issued deposit slips for reconciliation of the supporting documentation to the deposit and to the monthly statements of account.

B. Cash received in person

- A receipt must be issued for each payment received. At a minimum, manual prenumbered receipts must include the date, mode of payment (cash, check or credit card), and the identification of the department and the person issuing the receipt. Machine generated receipts must contain all information required by the accounting system to properly credit and track the payment.
- All checks must be endorsed immediately with a restrictive endorsement stamp payable to City of Stonecrest.
- All voided transactions are to be approved and initialed by the area supervisor.
- Only one cashier is allowed access to a specific cash drawer during a single shift.
- Cash must be kept in a safe or a secure place.

C. Cash received Through the Mail

- The mail must be opened with two people present and all checks must be endorsed immediately with a restrictive endorsement stamp. All cash must be listed on a "Daily Mail Collection Report".
- If the cash is not credited directly into the appropriate City account or receipted through a computerized accounting system, a list of the checks, credit card transactions and or cash should be prepared in duplicate. The list should include the customer's name, amount received, check number and any other information available that may assist in proper allocation of the funds. The envelope should also be retained as part of the records. An official City temporary receipt should be prepared, the original going to the customer, one copy should be kept in the area, one should accompany any deposit processed thru the Finance Department, and a copy left intact in the receipt book and returned to the Finance Department.
- Cash must be stored in a safe or other secure place approved by the Auditor's Office until it is deposited.
- Unidentified receipts must be deposited to a depository account approved for such. All reasonable attempts should be made to identify the correct account and transfer the funds.

D. Balancing of Cash Receipts

- All funds collected must be balanced daily, by mode of payment, by comparing the total of the cash, checks and credit cards to the computerized accounting reports, to the pre-numbered receipts totals, and to the totals of the money received by mail.
- Over/short amounts must be separately recorded, and investigated and resolved to the extent possible as set out in the over/short portion of this policy.

E. Preparation of Deposits

- Checks must be made payable to City of Stonecrest, A double calculator tape of the checks should be included with the checks bundled together.
- Cash must be recorded on the deposit slip in the appropriate space.
- Attach a copy of the Transmittal Batch showing transaction totals for credit card receipts.
- Only Depository issued deposit slips including the appropriate account number(s) and sub-code(s) are to be used.
- Someone not involved with collecting the cash, opening the mail or reconciling the deposit must verify the deposit.
- The deposit must be delivered to the Depository by way of Code Enforcement.
- Locking deposit bags are available at the Depository.

E. Reconciliation of Cash Collected

- Balance all cash receipts daily to the accounting system and supporting documentation (daily deposit slip, system receipts, and system reports) and resolve all discrepancies.
- Balance the total monthly receipts to the monthly bank account statements and accounting system monthly reports and resolve all discrepancies.

F. PRE-NUMBERED RECEIPTS

Official City temporary pre-numbered receipt books are issued by the Finance Department

G. EXCEPTIONS

The City Manager must approve any exception to these procedures. For example, in cases where there is not enough staff available to maintain complete separation of duties, an alternate process to safeguard City funds must be established and approved by the City Manager.

G. RECORD RETENTION

All cash receipts and related documents must be maintained in accordance with Record Retention schedules. Accounting reports, deposit slips, credit card receipts, copies of manual cash receipts, etc. should be kept for seven years.

AUDITING

Georgia Law on Local Government Audits, O.C.G.A. Section 36-81-7, requires an independent annual audit for the City. The annual independent audit shall be conducted in accordance with generally accepted auditing standards (GAAS) and generally accepted governmental auditing standards (GAGAS). In addition, the City shall comply with the requirements of the General Accounting Office (GAO) and the Office of Management and Budget (OMB) when audits are conducted relating to federal funding, consistent with the 1996 (and any future) amendments to the Single Audit Act.

A. SCOPE

The scope of auditing involves several key components, including objectives, materiality, timing, coverage, and resources. Government audits play a crucial role in ensuring transparency, accountability, and efficiency within public sector operations. This policy applies to all funds that are the responsibility and under the management of the City of Stonecrest and its Department of Finance..

B. AUDITOR QUALIFICATIONS

~~A properly licensed Georgia independent public accounting firm shall conduct the audit~~ **Independent Auditors should perform their audits in accordance with the audit standards promulgated in the U.S. Government Accountability Office's Government Auditing Standards (GAGAS), provide a higher level of assurance with regard to internal control than Generally Accepted Audit Standards (GAAS), which are fully incorporated into GAGAS.**

C. CHOOSING THE AUDIT FIRM

When necessary, the City will issue a request for proposal to choose an audit firm for a period of five years with two five year renewal options. The City will request two proposals from qualified public accounting firms. One proposal shall contain the firm's costs and a second will contain the firm's qualifications. The cost proposals shall only be opened after three qualified firms are determined. When awarding the contract for the independent audit, not less than 70% of the decision will be based upon technical qualifications rather than cost.

D. AUDITING AGREEMENT

The agreement between the independent auditor and the City shall be in **the** form of a written contract or an engagement letter. The contract or engagement letter shall include the request for proposal as an appendix to the written document and all issues addressed in the request for proposal shall be required as part of the contract or engagement letter.

E. INTERNAL AUDIT

The City shall work towards developing and maintaining a strong internal audit function, whereby applying financial practices and policies to transactions. The City shall develop accounting practices and

City of Stonecrest Financial Management Policy
procedures, which will be documented for use in internal control evaluation.

F. MALFEASANCE AND EMBEZZLEMENT

Any employee will be prosecuted to the **fullest** extent of the law in any instance where the employee is proven to have committed an illegal act such as theft.

FINANCIAL REPORTING

The Department of Finance shall develop and maintain an ongoing system of financial reporting to meet the information needs of the government, authorities, and regulatory agencies. In addition, the City Manager, Mayor, Council, Department Heads and the public shall have access to reports to allow them to monitor, regulate, and to use as a basis for future financial decisions.

A. ~~COMPREHENSIVE~~ ANNUAL COMPREHENSIVE FINANCIAL REPORT

In conjunction with the annual independent audit, the City shall work towards preparing and publishing a ~~Comprehensive~~ Annual **Comprehensive** Financial Report (~~CAFR~~ **ACFR**). The City shall prepare the ~~CAFR~~ **ACFR** in conformity with GAAP and the Government Finance Officers Association's (GFOA) program requirements. Annually, the City will submit its ~~CAFR~~ **ACFR** to the GFOA to determine its eligibility to receive the GFOA's "Certificate of Achievement for Excellence in Financial Reporting." The City shall make this report available to the elected officials, bond rating agencies, creditors and citizens. All financial statements and schedules contained within the ~~CAFR~~ **ACFR** shall be audited, with the purpose to effectively communicate the complete financial affairs of the City to all interested readers.

B. ANNUAL BUDGET DOCUMENT

The City shall prepare and publish an annual budget document in accordance with the policies contained within this document. This budget shall measure the annual funding and forecast the financial position of the City for the two subsequent fiscal years.

C. FINANCIAL REPORTING TO THE CITY COUNCIL

On a monthly basis, the Finance Department shall prepare and present a summarized "Statement of Revenues and Expenditures" to the City Council for all of the City's operating funds. This report shall detail prior year comparisons to provide data for analysis.

D. FINANCIAL REPORTING TO THE ADMINISTRATION

In addition to the external reporting detailed above, the Finance Department shall coordinate the reporting needs of each department in order to design and implement those reports which the departments need to make sound business decisions. At a minimum, departments will receive reports detailing monthly department financial activity including expenses, any personnel costs in excess of the approved budget, and recommended budget line-item reallocations.

City of Stonecrest Financial Management Policy

E. EXTERNAL FINANCIAL REPORTING

The City shall report in conformity with O.C.G.A Section 36-81-7. A copy of the City's annual audit (i.e., the ~~CAFR~~ **ACFR**) shall be submitted to the Georgia Department of Audits and Accounts within 180 days of year- end, as required.

INTERNAL AUDIT

Government managers are responsible for designing and implementing effective internal controls to ensure that assets are safeguarded; records are reliable; reports on operations are sufficient and fairly presented; fraud, waste, and abuse are deterred; and programs, functions, and activities are conducted economically, efficiently, and effectively. Audits help provide reasonable assurance that local governments are operating in accordance with laws, rules, regulations, and policies; responding to citizen needs; and functioning economically, efficiently, and effectively.

By independently reviewing and reporting on programs, functions, activities, and organizations, auditors provide the public, elected officials, and government managers with a fair, objective, and reliable assessment of local government performance.

A. SCOPE

This policy applies to all departments, offices, boards, commissions, agencies, or other activities under the authority of the City Manager, Mayor and City Council. It applies to all internal operations of those entities or activities, as well as contracts, agreements, and all other transactions between the City and external entities (e.g., other federal, state, or local government entities and private sector entities).

B. AUDIT SCHEDULE

Scheduling of audits will be a continuous and dynamic process and provide adequate coverage of the City's programs and operations. Managers are encouraged to work with the Finance Director or Independent Auditor ~~Contractor~~ by suggesting areas or programs for audit or requesting other assistance (e.g., reviewing proposed contract terms and conditions, analyzing alternative approaches, conducting investigative work). Potential audits or other requests will be prioritized based on potential risks, City management requests for coverage in specific areas, public interest in a particular area, and achieving an acceptable mix of audit coverage for all of the City's operations.

C. ACCESS TO EMPLOYEES, RECORDS, AND PROPERTY

All officers and employees of the City shall furnish the Finance Director or Independent Auditor ~~Contractor~~ with unrestricted access to employees, information, and records (including automated data) within their custody regarding powers, duties, activities, organization, property, financial transactions, contracts, and methods of business needed to conduct an audit or otherwise perform audit duties. In addition, they shall provide access for the Finance Director or Independent Auditor ~~Contractor~~ to inspect all property, equipment, and facilities within their custody. In addition, all contracts, subcontracts, or other agreements between the City and any outside entity (public or private) shall provide for auditor

access to all revenue, expense, and other financial records; performance-related records; and property, equipment, or other purchases paid for in whole or in part with governmental funds and facilities.

D. REPORTING

A final draft audit report will be forwarded to the audited department, office, board, commission, agency, or other activity and the City Manager for review and comment regarding factual content before it is released. The audited entity must respond in writing and specify agreement with audit findings and recommendations or reasons for disagreement with findings and/or recommendations, plans for implementing solutions to issues identified, and a timetable to complete such activities. The response must be forwarded to the Internal Auditor within 30 calendar days or as otherwise specified by the Finance Director or Independent Auditor ~~Contractor~~. The final report will include the audited entity's response. If no response is received, the final report will note that fact. Final audit reports, along with a report summary, will be transmitted to the Mayor and City Council and will be made available to the public upon request.

EQUITY POLICY

A. FINANCIAL RESPONSIBILITY

The City will live within its means. All departments supported by the resources of this City must function within the limits of the financial resources identified or available specifically to them. A balance must be maintained between revenues and expenditures, so that the public can realize the benefits of a strong and stable government. It is important to understand that this policy is applied to budget entities over periods of time which extend beyond current appropriations. By law, budgets cannot exceed available resources, defined as revenues generated in the current period added to balances carried forward from prior years. Temporary shortages, or operating deficits, can and do occur, but they are not tolerated as extended trends. The City will not develop a legacy of shortages or a legacy of mixing one-time resources and expect the continued delivery of services, the very reason for which it exists.

B. BUDGET STABILIZATION RESOURCES

~~The City shall establish a fund balance assignment in the General Fund for working capital purposes. The purposes of working capital is to eliminate cash flow issues, cover the cost of expenditures caused by unforeseen emergencies, cover shortfalls caused by revenue declines, and to eliminate any short term borrowing for cash flow purposes. This assignment shall accumulate and then be maintained at an amount, which represents the equivalent of approximately twenty five percent (25%) of operating and debt expenditures, including transfers to other funds (i.e. approximately 25% of budgeted General Fund expenditures). Refer to Section I~~

SECTION V. FIXED ASSETS POLICY

A. Fixed Asset Criteria

A fixed asset is defined as a financial resource meeting all of the following criteria:

1. It is tangible in nature.
2. It has a useful life of greater than two years.
3. It is not a repair part or supply item.
4. It has a value equal to, or greater than, the capitalization threshold of \$5,000.

Keeping an accurate record of the City's fixed assets is important for a myriad of reasons. Some of the most important reasons that the City needs to keep a good record of fixed assets are: for financial statement information, for insurable values, for control and accountability, for maintenance scheduling and cost analysis, for estimating and accounting for depreciation, for preparation of capital and operating budgets, and for debt management.

B. General Policy

1. The Finance Department is responsible for the proper recording, acquisition, transfer, and disposal of all assets city wide. *City property may not be acquired, transferred, or disposed of without first providing proper documentation.* A fixed asset information form must accompany each step. Each Department Head is ultimately responsible for reporting all changes in a timely manner to the Finance Department.

2. Recording of Fixed Assets

Unless otherwise approved by the Finance Officer, all recordable fixed assets must be recorded within 30 calendar days after receipt and acceptance of the asset.

A fixed asset form must be attached to the purchase order before submitting request for payment.

Assets will be capitalized at acquisition cost, including expenses incurred in preparing the asset for use.

Donated assets shall be recorded at fair market value as determined by the Department Head. Fair market value may be defined as, but is not limited to, an average of documented prices for equivalent items from three separate vendors.

The City will recognize acquisition costs based on individual unit prices. Assets should not be grouped. For example, in acquiring equipment, if three pieces of identical equipment items were acquired simultaneously at \$5,000 each, this would not be an asset of \$15,000 consisting of 3 pieces of equipment. Instead, it would be 3 separate acquisitions of \$5,000. Each item would be recorded as a separate controllable item.

For equipment purchases, title is considered to pass at the date the equipment is received. Similarly, for donated assets, title is considered to pass when the asset is available for the agency's use and when the agency assumes responsibility for maintaining the asset.

Constructed assets are transferred from the construction in progress account to the related building, improvements other than buildings, or equipment accounts when they become operational. Constructed buildings, for example, are assumed to be operational when an authorization to occupy the building is issued, regardless of whether or not final payments have been made on all the construction contracts.

3. Acquisition of Fixed Assets

There are various methods by which assets can be acquired. The asset acquisition method determines the basis for valuing the asset. Fixed assets may be acquired in the following ways:

- New purchases
- Donations
- Transfers from other City departments
- City surplus
- Internal/external construction
- Lease purchases
- Trade-in
- Forfeiture or condemnation

4. Lease Purchases

Assets may be lease-purchased through installment purchases (an agreement in which title passes to the City) or through lease financing arrangements (an agreement in which title may or may not pass).

Departments considering a lease purchase must consult with the City Administrator.

5. Transfer of Fixed Assets

A transfer between departments will be treated as a transfer rather than sale. That is, the asset is recorded under the new Department with original acquired date and funding amount.

A fixed asset form must be sent to the Finance Department for all transfers.

6. Sale of Fixed Assets

Sale of fixed assets by a department must be to the highest, responsible bidder and must be conducted by sealed bid or by auction. The sale must be publicized in accordance with state laws.

7. Disposal of Fixed Assets

When an asset is disposed of, its value is removed from the financial balances reported and from inventory reports; however, the asset record, including disposal information, remains on the master file for three years, in the City's Finance Department, after which time it is purged from the system according to general accepted accounting principles. This preserves an audit trail for disposed items, and facilitates departmental comparisons between actual or historical useful life information with useful life guidelines. Such comparisons permit a more precise definition of an asset's useful life than those provided by the Internal Revenue Service (IRS) or other guidelines initially used.

A disposal action is appropriate only when certain conditions occur resulting in an asset no longer being in the possession of the agency. Assets no longer in use, which remains in the possession of the department, are considered surplus property and not a disposal.

Fixed assets may be disposed of in any one of six ways:

- a. Sale or trade-in
- b. Abandonment/Retirement
- c. Lost or stolen
- d. Transfer
- e. Cannibalization (taking parts and employing them for like uses within the department, such as is often the practice in computer or vehicle maintenance).
- f. Casualty loss

Only when the asset is no longer in possession of the department, due to one of the six reasons listed above, is disposal action appropriate.

Assets are "abandoned" or "retired" when there is no longer any use for them in the Department, they are of no use to any other City department, and they cannot be repaired, transferred, cannibalized, sold, or traded-in. Thus meaning that, there is no safe and appropriate use for the abandoned goods to the City or for others.

Stolen items must be reported to the City Manager and a police report filed. A copy of this report must accompany the disposal record.

Casualty losses must be documented within 24 hours of loss and reported to the Finance Department immediately for follow-up with the City's insurance carrier.

Cannibalized items are considered surplus and are disposed of by noting cannibalization on the disposal record. Ideally, this method will allow departments to look at cannibalized items on the disposal report and assess what surplus parts may be available. Departments will send documentation of items cannibalized to the Finance Department, and all remaining costs and accumulated depreciation will be removed from appropriate asset accounts in the general fixed asset fund.

All assets no longer in the possession of the department, due to one of these six qualifying conditions and after submission of all appropriate documentation to the Finance Department, will be removed from the master departmental asset file and considered disposed.

Department management is responsible for reviewing disposal reports, evaluating causes and trends leading to disposals, and implementing procedures to more effectively manage and control disposals when the dispositions represent problems, inefficiencies, and/or the incurrence of unnecessary cost.

The Peachtree Corners Public Works Department will not take City property for disposal without the accompaniment of proper documentation.

8. Physical Inventory

An annual physical inventory of all fixed assets will be performed by the Finance Department in conjunction with each department. The inventory will be conducted with the least amount of interruption possible to the department's daily operation. A full report of the results of the inventory will be sent, within 30 days of completion, to all departments for verification and acceptance.



CITY COUNCIL AGENDA ITEM

SUBJECT: Resolution for SDP 24-001 Preliminary Plat 2955 Klondike Road

AGENDA SECTION: *(check all that apply)*

- PRESENTATION PUBLIC HEARING CONSENT AGENDA OLD BUSINESS
- NEW BUSINESS OTHER, PLEASE STATE: Click or tap here to enter text.

CATEGORY: *(check all that apply)*

- ORDINANCE RESOLUTION CONTRACT POLICY STATUS REPORT
- OTHER, PLEASE STATE: Click or tap here to enter text.

ACTION REQUESTED: DECISION DISCUSSION, REVIEW, or UPDATE ONLY

Previously Heard Date(s): Click or tap to enter a date. & Click or tap to enter a date.

Current Work Session: Click or tap to enter a date.

Current Council Meeting: Monday, March 24, 2025

SUBMITTED BY: Shawanna Qawiy, Division Director Community Development

PRESENTER: Shawanna Qawiy, Division Director Community Development

PURPOSE: The applicant is seeking an approval of a preliminary plat for a 72 unit townhomes development to be known as Klondike Station.

FACTS: The applicant proposes to construct a 72 unit townhomes development to be known as Klondike Stations. Located at 2955 Klondike Road, the parcel is currently zoned R-100 Residential Medium Lot with an Urban Neighborhood future land use designation in the Stonecrest Overlay -Tier 3. There are 6.85 acres of undevelopable areas. The applicant plans to build on 4.76 acres. The development will be subject to private covenants and governed by a mandatory homeowners’ association..

OPTIONS: Approve, Deny, Defer Approve

RECOMMENDED ACTION: Approve with Conditions/Comments as outlined by Staff.

ATTACHMENTS:

- (1) Attachment 1 - Staff Analysis/ Application



CITY COUNCIL AGENDA ITEM

- (2) Attachment 2 - CPIM Meeting Minutes
- (3) Attachment 3 - Resolution
- (4) Attachment 4 - [Click or tap here to enter text.](#)
- (5) Attachment 5 - [Click or tap here to enter text.](#)



Staff Analysis of Preliminary Plat

Case Number: SDP 24-001

Applicant: William Cordell Lyons

Owner: William Cordell Lyons

Project Location: 2955 Klondike Road Stonecrest, GA 30038

Parcel(s): 16 138 01 001

City Council District: Council District 1 Councilwoman Tammy Graves

Acreage: 11.61 +/- acres

Current Zoning: R-100 Residential Medium Lot

Overlay District: Stonecrest Overlay Tier 3

Proposed Zoning: R-100 Residential Medium Lot

Future Land Use Area Designation: Suburban

Proposed Development/Request: The applicant is requesting an approval of a Preliminary Plat for a 72 unit townhomes development to be known as Klondike Station.

Staff Recommendations: **APPROVAL WITH COMMENTS/CONDITONS.**

City Council Recommendations: **TBD**



Background:

KLONDIKE STATION PRELIMINARY PLAT:

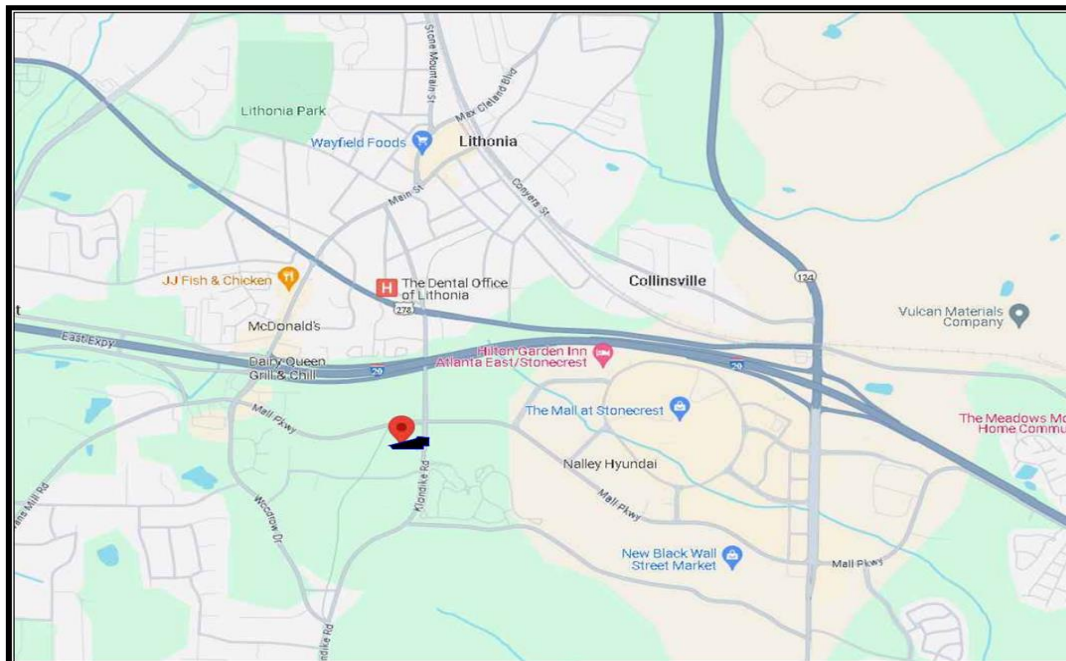
The applicant proposes to construct a 72 unit townhomes development to be known as Klondike Stations. Located at 2955 Klondike Road, the parcel is currently zoned R-100 Residential Medium Lot with an Urban Neighborhood future land use designation in the Stonecrest Overlay -Tier 3.

The site is partially developed with a paved road and underground utilities installed, including stormwater, sewer and water lines. The owner proposes to build 72 3-bedroom townhomes. New underground utilities will be installed, and portions of the existing pipes (stormwater and sewer) will be relocated as needed to accommodate the proposed site layout.

The applicant has confirmed that no more than the street right of way will be dedicated to the City of Stonecrest . The owner will dedicate 4,658SF (0.10AC) of new R.O.W to the City of Stonecrest to accommodate the construction of a sidewalk.

There is 6.85 acres of undevelopable areas, building on 4.76 acres. The development will be subject to private covenants and by a mandatory homeowners’ association. According to the applicant most of the trees on site are small under-matured pine trees, which are less than 8-inches in diameter. The homeowners association will be responsible for maintaining all commonly held parcels includes green spaces and buffers. Proposing 20.33% in open space and 2.0 parking spaces per unit with a one(1) car garage and one(1) additional space in the driveway per unit.

VICINITY MAP



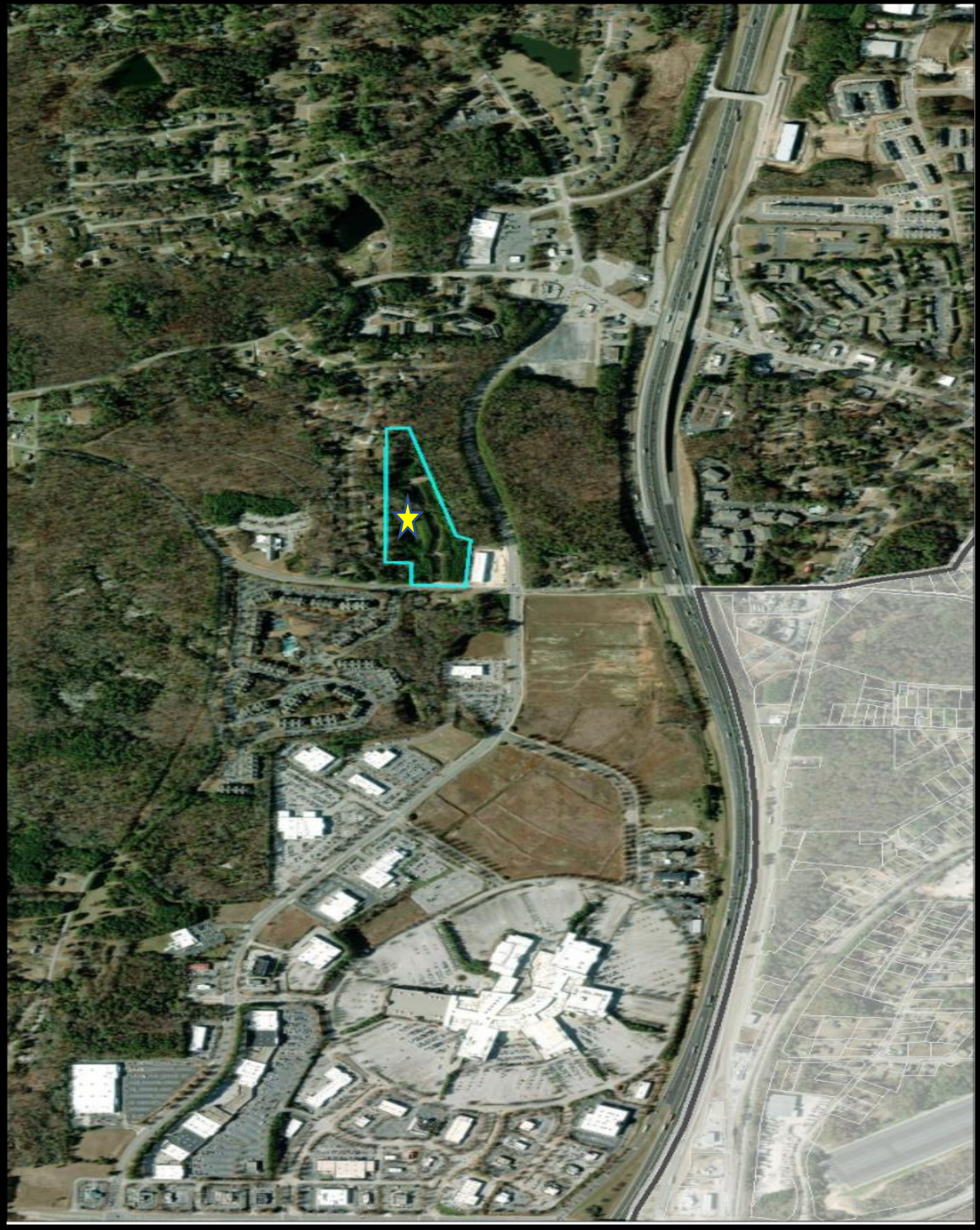


The subject property is predominantly surrounded by single family residential with the R-100 zoning category. Detail site and architectural plans must be submitted to the Planning & Zoning Department for the Pre-Development Review Team and shall be in substantial conformity with the City of Stonecrest Development Standards.

| ADJACENT ZONING AND LAND USE | | |
|-------------------------------------|---|---|
| | Zoning | Zoning Land Use |
| Adjacent: North | C-1 Local Commercial | Stonecrest Development Authority |
| Adjacent: East | R-100 (Residential Medium Lot) District MR-1 (Medium Density Residential) O-I (Office Institutional) | Single-family |
| Adjacent: South | R-100 (Residential Medium Lot District) | Single-Family |
| Adjacent: West | R-100 (Med Residential) | Single-family Residential |

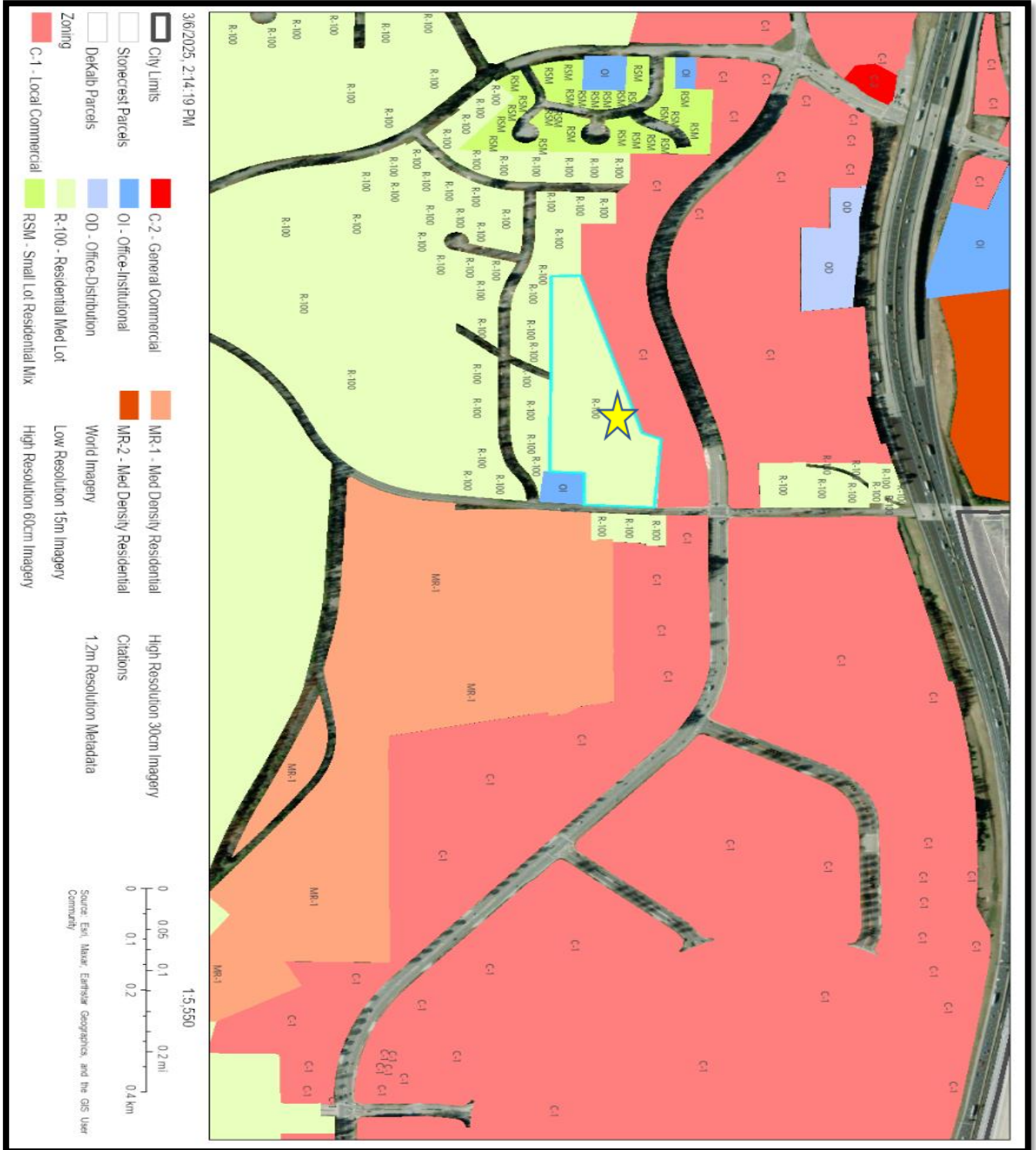


AERIAL MAP



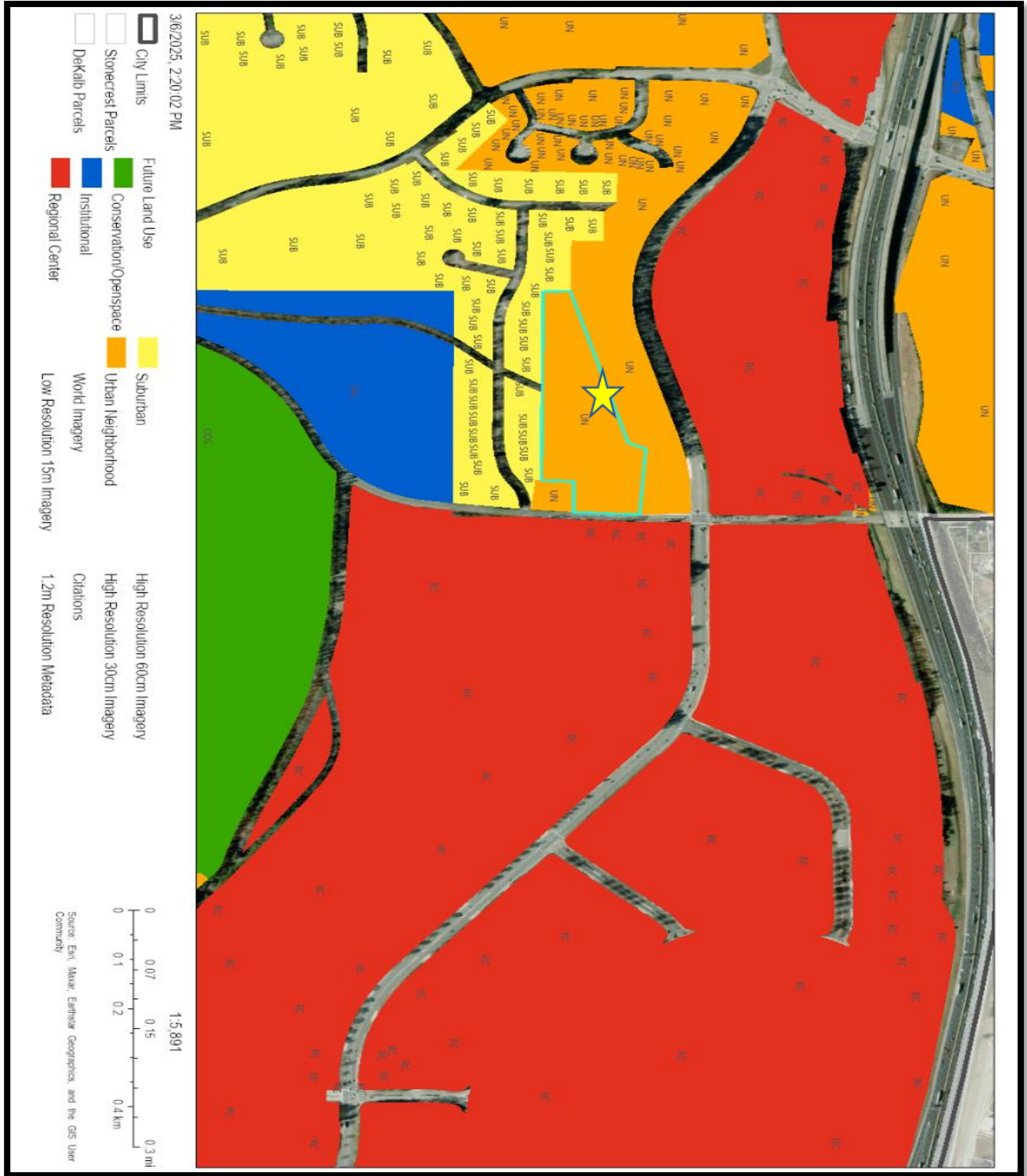


ZONING



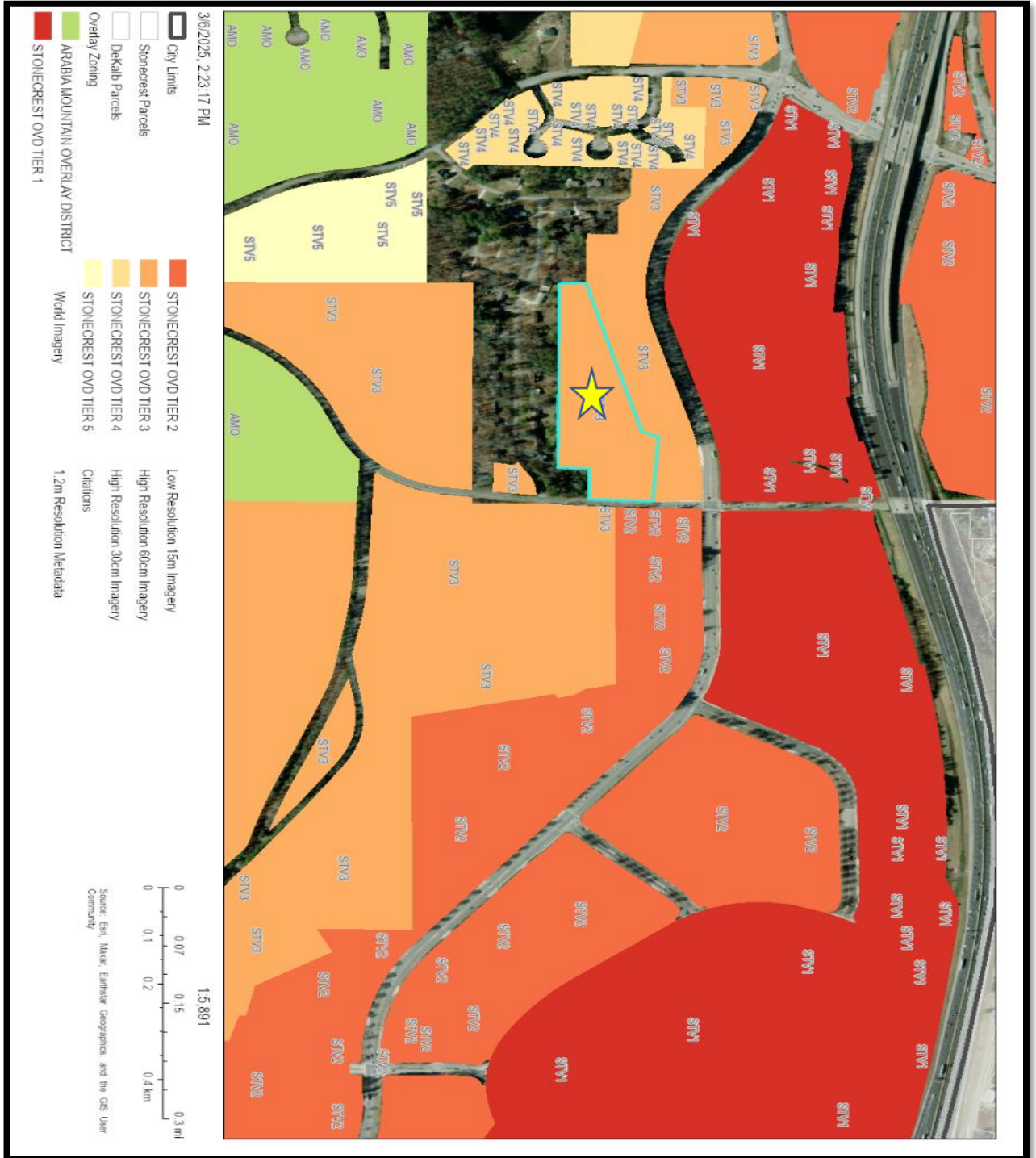


FUTURE LAND USE





OVERLAY ZONING





DIVISION 5. R-100 (RESIDENTIAL MEDIUM LOT-100) DISTRICT

Sec. 2.5.1. Statement of purpose and intent.

The purpose and intent of the City Council in establishing the R-100 (Residential Medium Lot-100) District is as follows:

- A. To provide for the protection of neighborhoods within the city where lots have a minimum area of 15,000 square feet;
- B. To provide for compatible infill development in neighborhoods;
- C. To provide "For Sale", Single family detached residential subdivisions and For Sale Communities;
- D. To provide flexibility in design on the interior of new development while protecting surrounding development;
- E. To ensure that the uses and structures authorized in the R-100 (Residential Medium Lot-100) District are those uses and structures designed to serve the housing, recreational, educational, religious, and social needs of the neighborhood;
- F. To provide for appropriately sized accessible and useable open space in new developments for health, recreational and social opportunities for city residents; and
- G. To implement the future development map of the city's comprehensive plan.

(Ord. of 8-2-2017, § 1(2.5.1); Ord. No. 2022-10-03, § 2(Exh. A), 10-24-2022)

Sec. 2.5.2. Permitted and special land uses.

Permitted uses and uses requiring special land use permits shall be as provided below. In cases where a use is permitted but there are supplemental use regulations for that use specified in article 4 of this chapter, such regulations shall also apply.

- A. Permitted Uses. The following uses are permitted as of right under this Code:
 1. Agricultural Activities.
 - a. Keeping of livestock; see section 4.2.
 - b. Keeping of poultry/pigeons; see section 4.2.
 - c. Riding academies or stables; see section 4.2.
 - d. Urban Community Garden, up to 5 acres; see section 4.2.
 2. Residential.
 - a. Dwelling, single-family (detached).
 3. Institutional/Public.
 - a. Golf course or clubhouse, public or private; see section 4.2.
 - b. Government facilities.



- c. Neighborhood or subdivision clubhouse or amenities; see section 4.2.
 - d. School, public kindergarten, elementary, middle or high schools.
 - 4. Communications—Utility.
 - a. Essential services.
 - b. Satellite television antenna; see section 4.2.
 - 5. Wireless Telecommunications.
 - a. Carrier on Wheels (declared emergency); see section 4.2.
- B. Special Administrative Uses. The following uses are permitted only with administrative approval:
 - 1. Agricultural.
 - a. Urban, community garden, over 5 acres.
 - 2. Residential.
 - a. Home occupation, no customer contact; see section 4.2.
 - 3. Commercial.
 - a. Farmer's market, temporary/seasonal; see section 4.2.
 - b. Food Trucks, Mobile Vending/Food Carts; see section 4.2.
 - c. Temporary outdoor retail sales; see section 4.2.
 - d. Temporary outdoor sales or events, seasonal; see section 4.2.
 - e. Temporary produce stand; see section 4.2.
 - f. Temporary trailer, as home sales office or construction trailer; see section 4.2.
 - 4. Wireless Telecommunications.
 - a. Attached wireless telecommunication facility used for non-residential purposes (prohibited if used as residential).
 - b. Carrier on wheels (non-emergency or event, no more than 120 days); see section 4.2.
 - c. Small cell installations (new support structures or collocation) on private property or ROW; see section 4.2.
- C. Special Land Use Permit. The following uses are permitted only with a special land use permit:
 - 1. Residential.
 - a. Bed and breakfast establishment; see section 4.2.
 - b. Home occupation, with customer contact; see section 4.2.
 - c. Child care home, 5 or less; see section 4.2.
 - d. Convents or monasteries; see section 4.2.
 - e. Personal care home, 6 or less; see section 4.2.
 - f. Senior housing; see section 4.2.



- g. Short-term vacation rental.
- 2. Institutional/Public.
 - a. Cemetery, columbarium, mausoleum; see section 4.2.
 - b. Places of worship; see section 4.2.
 - c. Recreation club; see section 4.2.
 - d. School, private kindergarten, elementary, middle or high schools; see section 4.2.
 - e. Swimming pools, commercial; see section 4.2.
- 3. Commercial.
 - a. Adult daycare facility, up to 6; see section 4.2.
 - b. Child day care facility, up to 6; see section 4.2.
 - c. Kennel, noncommercial.
- 4. Communication—Utility.
 - a. Amateur radio service or antenna; see section 4.2.
- 5. Wireless Telecommunication.
 - a. New support structure from 51 feet to 150 feet; see section 4.2.
- D. Permitted Accessory. The following uses are permitted as accessory only to a principal use:
 - 1. Residential.
 - a. Accessory uses or structures.
 - b. Dwelling, single-family, accessory (guesthouse, in-law suite); see section 4.2.
 - 2. Institutional/Public.
 - a. Educational use, private; see section 4.2.
 - b. Tennis courts, swimming pools, play or recreation areas, community; see section 4.2.
 - 3. Commercial.
 - a. Fitness center.

(Ord. of 8-2-2017, § 1(2.5.2); Ord. No. 2022-06-01, § 2(Exh. A), 8-2-2022; Ord. No. 2024-02-04, § 1(Exh. A), 2-26-2024)

Sec. 2.5.3. Dimensional requirements.

Dimensional requirements for the R-100 (Residential Medium Lot-100) District shall be as provided in Table 2.2, Residential Zoning Districts Dimensional Requirements.

(Ord. of 8-2-2017, § 1(2.5.3))

Sec. 2.5.4. Site and building design standards.

Design standards and regulations to be applied in this zoning district shall be as provided in article 5 of this chapter, site design and building form standards.

(Ord. of 8-2-2017, § 1(2.5.4))



DIVISION 5. STONECREST AREA OVERLAY DISTRICT

Sec. 3.5.1. Scope of regulations.

This division establishes standards and procedures that apply to any development, use, alteration, height, density, parking, open space, and building on any lot or portion thereof which is in whole or in part contained within the boundaries of the Stonecrest Area Overlay District.

(Ord. of 8-2-2017, § 1(3.5.1); Ord. No. 2019-11-001, § 1, 11-25-2019; Ord. No. 2019-11-03, § 1, 11-25-2019)

Sec. 3.5.2. Applicability of regulations.

This division applies to each application for a permit for the development, use, alteration, or modification of any structure where the subject property is in whole or in part contained within the boundaries of the Stonecrest Area Overlay District. The procedures, standards, and criteria herein apply only to that portion of the subject property within the boundaries of the Stonecrest Area Overlay District. When the Stonecrest Area Overlay District and the underlying zoning conflict, the Stonecrest Area Overlay District regulations control absent explicit language to the contrary.

(Ord. of 8-2-2017, § 1(3.5.2); Ord. No. 2019-11-001, § 1, 11-25-2019; Ord. No. 2019-11-03, § 1, 11-25-2019)

Sec. 3.5.3. Statement of purpose and intent.

The purpose and intent of the city council in establishing the Stonecrest Area Compatible Use Zone Overlay District is as follows:

- A. To preserve, protect and enhance existing and proposed open space networks that are adjacent to or within the Stonecrest Area;
- B. To enhance the long term economic viability of this portion of City of Stonecrest by encouraging new commercial and residential developments that increase the tax base and provide jobs to the citizens of City of Stonecrest;
- C. To implement the policies and objectives of the comprehensive plan and the policies and objectives of the design guidelines for the Stonecrest Overlay District;
- D. To establish and maintain a balanced relationship between industrial, commercial, and residential growth to ensure a stable and healthy tax base in City of Stonecrest;
- E. To provide a balanced distribution of regional and community commercial and mixed- use office centers;
- F. To support high density housing in office and mixed-use centers which have the appropriate location, access, and infrastructure to accommodate it;
- G. To encourage mixed-use developments that meet the goals and objectives of the Atlanta regional commission's smart growth and livable centers initiatives;

- H. To allow flexibility in development standards in order to encourage the design of innovative development projects that set high standards for landscaping, greenspace, urban design, and public amenities;
- I. To encourage an efficient land use and development plan by forming a live-work-play environment that offers employees and residents the opportunity to fulfill their daily activities with minimal use of single-occupant automobiles;
- J. To allow and encourage development densities and land use intensities that are capable of making productive use of alternative transportation modes such as bus transit, rail transit, ridesharing, bicycling and walking;
- K. To focus and encourage formation of a well-designed, pedestrian-friendly activity centers with high-density commercial and residential development that increases vitality and choices in living environments for the citizens of the City of Stonecrest;
- L. To protect established residential areas from encroachment of uses which are either incompatible or unduly cause adverse impacts on such communities;
- M. To protect the health, safety and welfare of the citizens of the City of Stonecrest;
- N. To promote uniform and visually aesthetic architectural features which serve to unify the distinctive visual quality of the Stonecrest Area Overlay District.

(Ord. of 8-2-2017, § 1(3.5.3); Ord. No. 2019-11-001, § 1, 11-25-2019; Ord. No. 2019-11-03, § 1, 11-25-2019)

Sec. 3.5.4. District boundaries.

- A. The boundaries of the Stonecrest Area Overlay District composed of Tiers I, II, III, IV, V, and VI described in the subparagraph B below, shall be depicted on the official zoning maps entitled "Official Zoning Map, Stonecrest, Georgia, Stonecrest Area Overlay District" (the "Stonecrest Overlay Maps"). The Stonecrest Overlay Maps are to be adopted contemporaneously with this chapter, together with all explanatory information contained or referenced thereon, is hereby adopted by reference and declared to be a part of this chapter.
- B. The Stonecrest Area Overlay District shall be divided into five [six] development tiers as follows:
 - 1. Tier I: High-Rise Mixed-Use Zone;
 - 2. Tier II: Mid-Rise Mixed-Use Zone;
 - 3. Tier III: Low-Rise Mixed-Use Zone;
 - 4. Tier IV: Transitional Mixed-Use Zone;
 - 5. Tier V: Cluster/Village Mixed-Use Zone ; and
 - 6. Tier VI: Viewshed Zone

The Stonecrest Overlay Maps shall be adopted contemporaneously with this chapter in digital format and contained on a compact disk to be maintained in its original, unedited and unaltered form by the clerk to the city council. A printed copy of the compact disk's contents depicting the Stonecrest Area Overlay maps on the date of its initial adoption shall also be maintained in its original, unedited and unaltered form by the clerk to the city council.

(Ord. of 8-2-2017, § 1(3.5.4); Ord. No. 2019-11-001, § 1, 11-25-2019; Ord. No. 2019-11-03, § 1, 11-25-2019)

Sec. 3.5.5. Open space.

- A. *Open space*: Each lot may provide open space. Open space must be a minimum of 20 percent of the lot. To the extent possible, lands containing streams, lakes, 100-year floodplains, wetlands, slopes over 15 percent shall remain undisturbed and included in open space. Natural open space areas shall form an interconnected and continuous network of paths, greenways, and trails throughout the development within the Stonecrest Area Overlay District. Credit for open space areas may be transferred from one parcel to another within overall developments that remain under unified control of a single property owner or group of owners, but must demonstrate interconnectedness of public areas.
- B. *Maintenance and protection of public space*. Each applicant that chooses to provide for public space shall present as a part of the application for a building permit within the Stonecrest Area Overlay District a legal mechanism under which all land to be used for public space purposes shall be protected. Such legal mechanism may include deed restrictions, property owner associations, common areas held in common ownership or control, maintenance easements, or other legal mechanisms, provided that said legal mechanism shall be approved by the city attorney as assuring each of the following mandatory requirements:
1. That all subsequent property owners within said Stonecrest Area Overlay District be placed on notice of this development restriction through the deed records of DeKalb County Superior Court;
 2. That all public space held in common will be properly maintained and insured with no liability or maintenance responsibilities accruing to the city;
 3. That a legal mechanism exists for notice of deficiencies in maintenance of the public space held in common, correction of these deficiencies, and assessment and liens against the properties for the cost of the correction of these deficiencies by a third- party or the city;
 4. When an applicant for a Stonecrest Area Overlay District chooses to utilize a property owners association in order to comply with the requirements of subsection A above, the applicant, in addition to meeting all of said requirements, shall provide for all of the following:
 - a. Mandatory and automatic membership in the property owners association as a requirement of property ownership;
 - b. A fair and uniform method of assessment for dues, maintenance and related costs;
 - c. Where appropriate, party wall maintenance and restoration in the event of damage or destruction; and
 - d. Continued maintenance of public space held in common and liability through the use of liens or other means in the case of default.

(Ord. of 8-2-2017, § 1(3.5.5); Ord. No. 2019-11-001, § 1, 11-25-2019; Ord. No. 2019-11-03, § 1, 11-25-2019)

Sec. 3.5.6. Greenspace requirements.

- A. *Landscape strips*. Landscape strips not less than five feet in width must be provided along all side and rear property lines and on all public streets. The landscape strip along the public street must be a minimum of ten feet in width and must be planted with a row of street trees of at least three and one-half inches in caliper selected from the list of street trees species identified in the design guidelines for the Stonecrest Area Overlay District and planted not less than 75 feet on center. Continuous landscaped strips shall be constructed along public rights-of-way where surface parking lots are adjacent to such sidewalks or public right-of-way except at points of ingress or egress into the facility.

- B. *Ground cover.* Ground cover must also be provided in accordance with the design guidelines for the Stonecrest Area Overlay District in order to protect tree roots and to prevent erosion. Ground cover must consist of evergreen shrubs or groundcover plant material mulched with pine bark mulch, or other similar landscaping material.
- C. Newly planted trees must conform to the design guidelines for the Stonecrest Area Overlay District.
- D. No tree shall be planted closer than two feet from the street or sidewalk, and no closer than five feet from a fire hydrant, sign post, streetlight standard, utility pole, or similar structure.
- E. *Greenspace requirements for parking lots:*
1. Greenspace areas are required in all parking lots and must comprise at least five percent of the total lot area of parking lot.
 2. In addition, all parking lots must include at least one tree for every 12 parking spaces provided. Tree planting areas may be included in the required greenspace area. Every three inches in caliper, as measured at a height of 36 inches above the ground level, of an existing tree shall count as one newly planted tree.
 3. Greenspace areas must be at least 36 square feet in area.
 4. All greenspace areas must be properly maintained in accordance with approved landscape plans. In the event that a tree or any plant material dies, it must be replaced within a reasonable time, so as to meet all requirements of this section and to allow for planting in the appropriate planting season.
 5. All trees planted pursuant to the requirements of Section 5.4.4 shall be counted for the purpose of meeting the tree planting and tree replacement requirements imposed by this chapter.

(Ord. of 8-2-2017, § 1(3.5.6); Ord. No. 2019-11-001, § 1, 11-25-2019; Ord. No. 2019-11-03, § 1, 11-25-2019)

Sec. 3.5.7. Transitional buffer zone requirements.

Any lot within the Stonecrest Area Overlay District, that is contiguous to any lot outside of the Stonecrest Area Overlay District zoned for a residential use, must maintain a 50 foot transitional buffer zone. The transitional buffer zone cannot contain any structures, impervious surfaces, or water retention ponds and cannot be used for permanent parking, loading, or storage. Trees may not be removed from the transitional buffer zone, other than dead, decayed, dying, or hazardous trees. Additional trees and plant material may be added to the transitional buffer zone.

(Ord. of 8-2-2017, § 1(3.5.7); Ord. No. 2019-11-001, § 1, 11-25-2019; Ord. No. 2019-11-03, § 1, 11-25-2019)

Sec. 3.5.8. Street standards.

Streets within the Stonecrest Area Overlay District may be either public or private streets. Private streets must comply with requirements of public streets found in chapter 14 and all other applicable sections of the City of Stonecrest Code, with the following exceptions:

- A. Streets in the Stonecrest Area Overlay District may be constructed with travel lanes at 11 feet in width, measured inside curb and gutter.
- B. Private or public alleys are permitted to provide secondary or service access within developments consisting of at least four buildings. An alley must provide a continuous connection between two streets. Alleys shall be paved and constructed to the same standards as the connecting streets except that:

1. No alley shall be longer than 400 feet;
2. No alley shall have a slope greater than seven percent;
3. The paved width of an alley must be at least 12 feet;
4. Alleys must be constructed with flush curbs;
5. Alleys must have seven-foot-wide unobstructed shoulders constructed of grass sod or gravel on both sides; and
6. Buildings must be set back at least ten feet from the back curb of an alley.

(Ord. of 8-2-2017, § 1(3.5.8); Ord. No. 2019-11-001, § 1, 11-25-2019; Ord. No. 2019-11-03, § 1, 11-25-2019)

Sec. 3.5.9. Underground utilities.

All utilities except for major electric transmission lines and substations are required to be placed underground except where the director of planning determines that underground utilities are not feasible due to pre-existing physical conditions, such as conflicting underground structures or utilities, shallow rock, high water table, or other similar geologic or hydrologic conditions.

(Ord. of 8-2-2017, § 1(3.5.9); Ord. No. 2019-11-001, § 1, 11-25-2019; Ord. No. 2019-11-03, § 1, 11-25-2019)

Sec. 3.5.10. Streetlights.

When necessary for the use and convenience of the occupants or users of a development, streetlights are required and shall conform to the design guidelines for the Stonecrest Area Overlay District.

(Ord. of 8-2-2017, § 1(3.5.10); Ord. No. 2019-11-001, § 1, 11-25-2019; Ord. No. 2019-11-03, § 1, 11-25-2019)

Sec. 3.5.11. Interparcel access.

To the maximum extent possible, sidewalks and parking lots serving adjacent lots shall be interconnected to provide continuous driveway connections and pedestrian connections between adjoining lots and streets, except that this requirement shall not apply to lots zoned for single family or duplex residential units.

(Ord. of 8-2-2017, § 1(3.5.11); Ord. No. 2019-11-001, § 1, 11-25-2019; Ord. No. 2019-11-03, § 1, 11-25-2019)

Sec. 3.5.12. Multi-modal access plans required.

Each new application for a development permit within the Stonecrest Area Overlay District must be accompanied by a multi-modal access plan prepared at a scale not greater than one-inch equals 100 feet. The multi-modal access plan must cover the full extent of the proposed development along with public rights-of-way of adjoining streets and any other property lying between the subject property and the nearest public streets on all sides. The purpose of the multi-modal access plan is to demonstrate a unified plan of continuous access to and between all buildings in the proposed development and adjacent properties. Connections to available transportation modes, such as driveways, sidewalks, and bike paths must be shown along adjacent streets and those entering adjoining properties. Safe and convenient pedestrian ways must be provided from sidewalks along streets to each building entrance, including pedestrian access routes across parking lots and between adjacent buildings within the same development. Where an existing or planned public transportation station or stop is within 1,250 feet (straight line distance) from any boundary of the subject property, the access plan must show how pedestrians may safely travel from such station or stop to the subject property. Where an existing or planned



bike path is located within 1,500 feet of the subject property, the access plan must show how safe, continuous and convenient bicycle access shall be provided to the subject property.

(Ord. of 8-2-2017, § 1(3.5.12); Ord. No. 2019-11-001, § 1, 11-25-2019; Ord. No. 2019-11-03, § 1, 11-25-2019)

Sec. 3.5.15. Low-rise mixed-use zone (Tier III).

A. *Permitted uses and structures.* The principal uses of land and structures allowed in the Tier III: Low-Rise Mixed-Use Zone of the Stonecrest Area Overlay District are as provided below:

1. All uses authorized in the C-1 and C-2 (General Commercial) District, O-I (Office Institutional) District, O-D (Office Distribution) District, M (Light Industrial) District, and MR-2 (Medium Density Residential) District except those listed in B., below.

B. *Prohibited uses.* The following principal uses of land and structures are prohibited in Tier III: Low-Rise Mixed-Use Zone of the Stonecrest Area Overlay District:

1. Kennels.
2. Junkyard.
3. Tire retreading and recapping.
4. Sexually oriented businesses.
5. Outdoor amusement service facility.
6. Outdoor storage.
7. Automobile repair, major and minor.
8. Hotel/motel.
9. Automobile sales.
10. Temporary outdoor sales.
11. Pawn shops.
12. Liquor stores.
13. Nightclubs.
14. Late-night establishments.
15. Car wash.
16. Self-storage.



17. Funeral home.
18. Mortuary.
19. Crematorium.
20. Farm equipment and supplies sales establishment.
21. Repair, small household appliance.
22. Salvage yard.
23. Automobile service stations, except automobile service stations over 4,000 square feet with special land use permit.
24. Commercial parking lot.
25. Check cashing facility.
26. Automobile emission testing facilities.
27. Small box discount stores.

C. *Accessory uses and structures.* The following accessory uses of land and structures shall be authorized in the Tier III: Low-Rise Mixed-Use Zone of the Stonecrest Area Overlay District:

1. Uses and structures which are customarily incidental and subordinate to the permitted principal uses and structures in this district.
2. Parking lots and parking garages.
3. Clubhouses, including meeting rooms or recreation rooms.
4. Swimming pools, tennis courts, and other recreation areas and similar amenities.

D. *Building setbacks.* The following building setback requirements shall apply to all structures in the Tier III: Low-Rise Mixed-Use Zone of the Stonecrest Area Overlay District:

1. Minimum front yard setback: 15 feet from right-of-way of public street, except that front-facing garages of residential units shall be set back a minimum of 25 feet from rights-of-way.
2. Minimum interior side yard: Ten feet. There shall be a minimum of 15 feet between buildings and structures less than two stories in height and a minimum of 20 feet between any two buildings and structures when one of them is greater than two stories in height.
3. Minimum rear yard: Ten feet.

E. *Height of buildings and structures.* Maximum height, three stories



F. *Density:* No development in Tier III may exceed 30 dwelling units per acre and a combined FAR of one and a half, unless it also provides additional public space or other amenities singly, or in combination as provided in subsection G, below.

G. *Bonus density:* In exchange for providing one or more of the amenities shown in Table 3.3 an applicant may receive a density bonus as provided in Table 3.3, not to exceed a total FAR of three.

Table 3.3 Bonus FAR: Tier III

| Additional Amenity | Increased FAR |
|--|---------------|
| Increase public space to 25 percent while providing connectivity | 0.5 |
| Increase public space to 30 percent while providing connectivity | 1.0 |
| Mixed-use building that combines office-institutional with commercial or retail uses. Each mixed-use building must include one principal use and at least one secondary use. No primary or secondary use may constitute less than ten percent of the gross floor area of the building. | 0.25 |
| Mixed-use building that includes multifamily residential units constituting at least 8 units per acre of land, and constructed in the same building with office, institutional, commercial or retail uses. | 0.5 |

H. *Required parking.* Required parking may be provided through a combination of off-street, on-street, or shared parking. All required parking must be located within 700 feet of the principal entrance of the building that the parking is intended to serve. The minimum number of required parking spaces must be as provided in article 6, except as follows:

1. Retail uses, personal service uses, and other commercial and general business uses, including food stores: Minimum of four spaces per 1,000 square feet of gross floor area.
2. Office and clinic uses: Minimum of three spaces per 1,000 square feet of gross floor area.
3. Hotel and motel uses: Minimum of one space per unit.
4. Multifamily residential uses-Minimum of one and one-half spaces per dwelling unit.

I. *Parking space area requirements.* Parking space area requirements must comply with the provisions of section 6.1.3.

J. *Sidewalks.* Sidewalks must be provided on all public streets. Sidewalks must be at least five feet in width.



K. *New or used motor vehicle dealers.* New or used motor vehicle dealers are authorized in Tier III of the Stonecrest Overlay District only if they comply with the following requirements:

New or used motor vehicle dealers must be located on a parcel with a lot area of no less than three acres, and must contain at least 6,000 square feet of building floor space.

New or used motor vehicle dealers must provide vegetative screening along any automobile display areas that abut a public right-of-way. Said vegetative screening shall be located outside any guard rails or security fencing abutting such public right-of-way. Within three years of planting, the vegetative screening must be of sufficient height to screen all guard rails or security fencing abutting the public right-of-way. Planting materials shall be subject to the approval of the City of Stonecrest Arborist.

New or used motor vehicle dealers must provide screening of all maintenance areas and storage yards for automobiles stored for service. Such screening shall be sufficient to shield the maintenance areas and storage yards from visibility from any adjacent properties or public rights-of-way. Should vegetative screening be used, planting material shall be subject to the approval of the City of Stonecrest Arborist.

No overhead bay doors opening into vehicle service areas shall be visible from a public right-of-way.

(Ord. of 8-2-2017, § 1(3.5.15); Ord. No. 2018-12-01, § 1(3.5.15), 12-1-2018; Ord. No. 2019-11-001, § 1, 11-25-2019; Ord. No. 2019-11-03, § 1, 11-25-2019; Ord. No. 2019-11-05, § I, 11-25-2019)





3120 Stonecrest Blvd. • Stonecrest, Georgia 30038 • (770) 224-0200 • www.stonecrestga.gov



PLAT APPLICATION

Preliminary

Final

Application Fee: \$200.00 + \$5/Lot.
All applications must be accompanied by four (4) folded copies of the lot division survey. (All plans must be folded).

PLEASE PRINT ALL INFORMATION

PROJECT NAME: Klondike Station PROJECT LOCATION: PARCEL I.D. NO: 16 138 01 001

PROPOSED USE: Residential

DATE OF SKETCH PLAT CONFERENCE: _____

SITE ACREAGE: 11.61 # LOTS: _____ # UNITS: 79 SEWER: SEPTIC TANK: _____

PROPERTY OWNER: William Cordell Lyons

PHONE: 301-704-5586

ADDRESS: 581 Barnes Dr

EMAIL: wclyons@glencorservices.com

CITY: Clinton STATE MD

ZIP CODE: 20735

APPLICANT: William Cordell Lyons

PHONE: 301-704-5586

ADDRESS: 581 Barnes Dr

EMAIL: wclyons@glencorservices.com

CITY: Clinton STATE _____

ZIP CODE: 20735

SURVEYOR / ENGINEER: Samuel McIntosh, P.E.

PHONE 770-756-4699

ADDRESS 2302 Parklake Dr, Suite 625

EMAIL smcintosh@civtechconsulting.com

CITY: Atlanta STATE GA

ZIP CODE: 30345

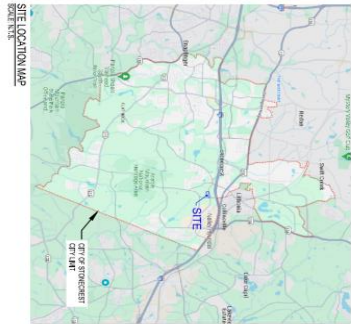
Terms & Conditions The undersigned, upon oath, states that the above information is true and correct, understands that the Permit issued is only for work as stated. This permit is granted on the express condition that the said construction shall, in all respects, conform to the ordinances of this jurisdiction including the zoning ordinance, regulating the construction and use of buildings, and may be revoked at any time upon violation of any provisions of said ordinances. Construction will begin no later than six months from the issue date of the permit. If any information is found to be false or misrepresented, the permit will be deemed invalid. I agree to indemnify and hold the city harmless from all damages, demands or expenses of every character which may in any manner be caused by construction and/or the structure.

William C. Lyons

3/1/2023

Applicant Signature (Property Owner or Owner's Rep)

Date

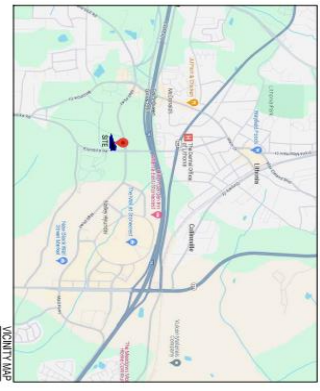


| GENERAL SUMMARY | 2955 KLONDIKE RD | STONECREST, GA 30038 |
|--|------------------|----------------------|
| PROJECT ID | 16-0831-001 | |
| OWNER/ARCHITECT | STONECREST TIFIA | |
| LOT/ZONE | 11-61 | DC |
| APPROXIMATE | 138.88 | SQ FT |
| NUMBER OF UNITS | 72 | |
| PERMITS/STATUS | REQUIRED | REQUIRED |
| OPEN SPACE (2,500 FT ² MIN) | 20% | 20.52% |
| MINIMUM LOT AREA (1.5 AC) | 19,527 | 19,527 |
| MINIMUM FRONT SETBACK | 19'5" | 19'5" |
| MINIMUM SIDE SETBACK | 25'0" | 25'0" |
| MINIMUM REAR SETBACK | 25'0" | 25'0" |
| MINIMUM FRONT YARD TREE | 19'5" | 19'5" |
| MINIMUM SIDE YARD TREE | 19'5" | 19'5" |
| MINIMUM REAR YARD TREE | 19'5" | 19'5" |
| MINIMUM FRONT YARD TREE | 19'5" | 19'5" |
| MINIMUM SIDE YARD TREE | 19'5" | 19'5" |
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| MINIMUM SIDE YARD TREE | 19'5" | 19'5" |
| MINIMUM REAR YARD TREE | 19'5" | 19'5" |

- EXISTING UTILITIES**
1. THERE ARE NO EXISTING UTILITIES ON THE SITE.
 2. THERE ARE NO UTILITIES ON THE SITE.
 3. THERE IS NO FUTURE LAYOUT PLAN ON THE SITE.
 4. THIS PROPERTY IS NOT A LOTS/BLIND DEVELOPMENT WITH
 5. SPECIAL AND/OR SPECIAL CONDITION OF APPLICABLE
 6. PROPERTY ASSOCIATED WITH THIS PROPERTY.
 7. THERE IS AN EXISTING SEWER MAIN AND SEWER
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PRELIMINARY PLAT PLANS
FOR
KLONDIKE STATION
(TOWN HOMES DEVELOPMENT)
2955 KLONDIKE ROAD
STONECREST, GA 30038
Dekalb County, Georgia
Parcel ID: 16 138 01 001
Zoning: R100
(Stonecrest Overlay District Tier 3)
REVIEW/SUBMITTAL CYCLE 2 - 05/17/2024
CITY OF STONECREST FILE # SDP22-000013
DEKALB COUNTY FILE AP #3152241

DEVELOPMENT WARRANT
 THE SITE/PROJECT IS PARTIALLY DEVELOPED IN 2008, INCLUDING A
 CENTRAL ROADWAY, WATER LINES, SEWER LINES, AND STORM PIPES.
 TWO STORMWATER POND WERE ALSO INSTALLED. THE OWNER WANTS
 TO DEVELOP THE SITE WITH THE CONSTRUCTION OF 72 TOWN HOMES AND
 EXTENDED ROADWAY AND UTILITIES. THIS APPLICATION IS FOR CITY OF
 STONECREST TO APPROVE A PRELIMINARY PLAT, AFTER WHICH THE
 OWNER WILL SUBMIT THE RELATED PERMITS AND SUPPORTING
 DOCUMENTS TO THE CITY OF STONECREST TO INSTALL THE NEW
 INFRASTRUCTURE AND BUILD THE HOUSING UNITS.



OWNER/ARCHITECT
 STONECREST TIFIA
 2955 KLONDIKE ROAD
 LITHONIA, GA 30038
 TEL: 770-240-0000
 WWW.STONECRESTGA.COM

ENGINEER
 CIVITECH CONSULTING, LLC
 2302 PARKLAKE DR., N.E., SUITE 625
 ATLANTA, GA 30345
 TEL: 770-756-1270
 WWW.CIVITECHCONSULTING.COM

DESIGNER
 CIVITECH CONSULTING, LLC
 2302 PARKLAKE DR., N.E., SUITE 625
 ATLANTA, GA 30345
 TEL: 770-756-1270
 WWW.CIVITECHCONSULTING.COM

COVER SHEET
 This document is a preliminary plat and is not intended for construction. It is subject to change without notice. The owner and engineer warrant that the information provided is true and correct to the best of their knowledge. The city of Stonecrest warrants that the information provided is true and correct to the best of its knowledge.

| | |
|-------------|-----------|
| DATE | 5/17/2024 |
| SCALE | AS SHOWN |
| DESIGNED BY | JM |
| CHECKED BY | SM |
| APPROVED BY | SM |
| DATE | 5/17/2024 |



KLONDIKE STATION
2955 KLONDIKE ROAD
LITHONIA, GA, 30038

CIVITECH CONSULTING, LLC
 2302 PARKLAKE DR., N.E., SUITE 625
 ATLANTA, GA 30345
 TEL: 770-756-1270

| DATE | REV. NO. | REVISION |
|-----------|----------|------------------------|
| 5/17/2024 | 1 | Address rebar comments |
| 5/17/2024 | 2 | Address rebar comments |



770.621.7200 (o) | Watershed Management
770.621.7271 (f) | 1580 Roadhaven Drive
DeKalbCountyga.gov | Stone Mountain, GA 30083

David E. Hayes, Director



LETTER SHOWING SEWER CAPACITY

December 29, 2022

Attention: Roger Grant
2862 Buford Hwy. #200
Duluth, GA 30096

Re: Klondike Rd. Residential Phase.1
2955 KLONDIKE ROAD
Dist. LL 16-151
Private
Honey Creek

- Chief Executive Officer
Michael Thurmond
- Board of Commissioners
 - District 1
Robert Patrick
 - District 2
Jeff Rader
 - District 3
Larry Johnson
 - District 4
Stephen Bradshaw
 - District 5
Mereda Davis Johnson
 - District 6
Edward "Ted" Terry
 - District 7
Lorraine Cochran-Johnson

Dear Roger Grant:

The DeKalb County Department of Watershed Management ("DWM") received a sewer capacity request regarding the potential availability of sanitary sewer capacity at the above-referenced location (the "Property"). **After evaluating the capacity request, it has been determined, based on the criteria set forth in DeKalb County's Modified Consent Decree (entered on September 22, 2021) and Section 4 of the incorporated Capacity Assurance Program (dated September 2020), that DWM's wastewater collection, transmission, and treatment system has adequate capacity to receive the wastewater flow contribution from your sewer service connection as documented in your sewer capacity request. As such, approval to proceed with the project is granted with regards to sanitary sewer capacity.**

Please note that the determination of available capacity expressed herein is not guaranteed as it is based upon the known conditions as of the date of this correspondence and the accuracy of the information provided in the Sewer Capacity Evaluation Request, which provided anticipated capacity needs associated with the project. This approval is conditional upon the accuracy of the information provided in that request and is valid for two years from the date of this correspondence. If the requested connection has not been made at that time, a new request for capacity must be submitted for the County's review and approval.

In the event that sewer system infrastructure improvements are required to accommodate any new flow contribution and ensure adequate sewer system capacity as a result of development on the referenced property, the developer will be responsible for the cost associated with installing any such improvements to the existing sewer system infrastructure pursuant to DeKalb County Code of Ordinances, Chapter 25, Article IV – "Sewers and Sewerage Disposal." Once installed and accepted by DeKalb County, the improvements will be owned and maintained by DeKalb County.

This information is based on currently available data and should only be used to substantiate the potential availability of sewer services as of the date of this correspondence. Circumstances are subject to change and the potential capacity indicated herein is in no way guaranteed.

Should you have any questions or concerns in reference to this response, please do not hesitate to contact the Division of Planning & Development of DWM at dataylor@dekalbcountyga.gov.

Sincerely,

Zachary L. Williams
Executive Assistant/Chief Operating Officer

Brent Zern, PE
Assistant Director, Dept. of Watershed Management



Samuel McIntosh

From: Taylor, Della A. <dataylor@dekalbcountyga.gov>
Sent: Monday, February 26, 2024 7:17 PM
To: Samuel McIntosh; Sewercapacity, Sewercapacity
Cc: Cordell Lyons; hugh@d2constructionservices.com
Subject: RE: Sewer Capacity Reequst for Klondike Station at 2955 & 2975 Klondike Rd

Hi Sam,

- This very small decrease does not need to come back in – I would consider this approved as-is.
- If you think it will start occupying within 1 or 2 years, we can grant up to a 1 year extension at a time by request (through email).

Thanks!

Della A. Taylor, PE

Engineering Manager - Planning & Development

Capacity Certification Engineer

Department of Watershed Management

178 Sams St.
Suite A2600
Decatur, Georgia 30030
dataylor@dekalbcountyga.gov

c 404.376.4124
DeKalbCountyGA.gov



[Book time with Taylor, Della A.](#)

- The approved capacity will expire in December 2024 (two years from the approval date, 12/29/2022) and it is possible that the new development will not be ready to connect by then. Is it advisable to submit for a new capacity certificate now, rather than waiting until the current approval expires in December?

If you don't mind, I will call you tomorrow to discuss our options.

Thanks,

Samuel McIntosh, P.E.
Principal Engineer
CivTech Consulting, LLC
2302 Parklake Dr, N.E., Suite 625
Atlanta, GA 30345

Tel. 770-756-4899 (c), 770-756-1270(e)
www.civtechconsulting.com



From: Samuel McIntosh <smcintosh@civtechconsulting.com>
Sent: Monday, February 26, 2024 5:16 PM
To: Sewercapacity, Sewercapacity <sewercapacity@dekalbcountyga.gov>
Cc: Taylor, Della A. <dataylor@dekalbcountyga.gov>; Cordell Lyons <wcl Lyons@glencorservices.com>; hugh@d2constructionservices.com
Subject: Sewer Capacity Reequst for Klondike Station at 2955 & 2975 Klondike Rd

Attached is a sewer capacity approval letter that was issued in December 2022 for the captioned project. This approval was based on a mix of single family, condos and townhomes with an average flow of 16,650gpd. The owner of the property is considering developing the property exclusively for townhomes of approximately 89 units with average flow of (89 x 185) = 16,465gpd.

Questions:

- Since the new expected flow will not exceed the approved flow, do we need to submit a new application, or can the approved one be transferred over to the new plan?



STANDARDS OF PRELIMINARY PLAT REVIEW:

Section 14-88 of the Stonecrest Zoning Ordinance list eight factors to be considered in a technical review of a zoning case completed by the Community Development Department and Planning Commission. Each element is listed with staff analysis.

The owner of the land where the proposed development is to occur, or his authorized agent, shall file a preliminary plat with the Director along with an application for approval. The application shall:

- (1) Be submitted with the plan set for a Land Disturbance Permit;
- (2) Be accompanied by minimum of six copies of the plans, which must be prepared by a registered civil engineer, surveyor, or landscape architect, as described in these regulations and complying in all respects with these regulations and conforming with the zoning of the property;
- (3) Be accompanied by an application fee in the amount set by the mayor and city council;
- (4) Be accompanied by a tree survey;
- (5) Include the name, address and telephone number of an agent who is authorized to receive all notices required by these regulations;
- (6) Be signed by the owner of the property, or if the application is not signed by the owner, a completed indemnification agreement signed by the owner of the property;
- (7) Be accompanied with a consent affidavit from the property owner;
- (8) Be accompanied by a small map of the City of Stonecrest depicted the subdivision location within the City;
- (9) Be accompanied by a vicinity map at a scale of 400 feet to one inch showing the location of the tract with reference to surrounding properties, streets, municipal boundaries, and streams within 500 feet of the tract show zoning districts of adjoining property;
- (10) Include the names of adjoining property owners and the zoning classifications of adjacent properties;
- (11) Include the name, address and phone of developer and engineer;
- (12) Be accompanied by a certification by the applicant that no lots plated are nonconforming or will result in any nonconforming lots;
- (13) The applicant shall obtain the approval of the DeKalb County Health Department and the DeKalb County Department for Watershed Management; and
- (14) Payment of the appropriate development review application fee.

(Ord. No. 2018-06-03, § 14-88, 6-3-2018)



STAFF RECOMMENDATION

The applicant has met the Preliminary Plat requirements stated in Section 14-88 of Chapter 14. Staff recommends **APPROVAL** of SDP24-001 with compliance to the below comments/conditions before final signatures.

1. The preliminary plat was approved by previous staff.
2. The city engineer shall review for accuracy if the prior approval is null.
3. The lot widths (20ft for SFA – taken from the MR-2 Medium Density Residential zoning category) with setbacks are illustrated with compliance to Sec. 3.5.15. - Low-rise mixed-use zone (Tier III).
4. The building spacing is compliant for 20ft but there are no elevation drawings to confirm height or story of structures.
5. The required 50' undisturbed transitional buffer to the south is in place. Though there's a residential underline zoning of the subject lot that abuts a C-1 Local Commercial zoning classification, both are within the Stonecrest OVD Tier 3 and not applicable for Sec. 3.5.7. - Transitional buffer zone requirements for (north side yard).
6. Proposed parking is within garages and driveway provided at 1.5 and .25. According to the count the development exceeds the required parking spaces of 1.5 x72 units. The .25 included in tabulation chart is noted but staff requires additional clarity.
7. The open space for overall lot is 20% (Open Space Area 11 - 2,554 and Open Space Area 12 - 984 square feet = 3,538 sq. ft. wouldn't meet 20% of the lot requirement. Greenspace is applicable to planting for landscaping and ground coverage mostly parking lot areas.
 - a. The applicant will need to clarify how they calculated the green space and open space. Update the plan with the correct calculations.

**STATE OF GEORGIA
CITY OF STONECREST**

RESOLUTION NO. _____

A RESOLUTION BY THE MAYOR AND COUNCIL OF THE CITY OF STONECREST, GEORGIA TO APPROVE THE PRELIMINARY PLAT FOR KLONDIKE STATION LOCATED AT 2955 KLONDIKE ROAD STONECREST, GEORGIA 30038; AND FOR OTHER LAWFUL PURPOSES.

WHEREAS, the governing body of the City of Stonecrest (“City”) is the Mayor and City Council (“City Council”) thereof; and

WHEREAS, Article IX, Section II, Paragraph IV of the 1983 Constitution of the State of Georgia authorizes the City to adopt plans and exercise the power of zoning; and

WHEREAS, the City Council is authorized by O.C.G.A. § 36-35-3 to adopt ordinances relating to its property, affairs, and local government; and

WHEREAS, Section 14-88 within DIVISION 2 (PLAT APPROVAL PROCEDURE) Chapter 14 (LAND DEVELOPMENT) requires owners of the land or authorized agents where proposed development is to occur to file a preliminary plat with the Director of Community Development along with an application for approval; and

WHEREAS, preliminary plats and applications must contain required information that include existing conditions and proposed features in accordance with Section 14-89; and

WHEREAS, in accordance with Section 14-87 the Director of Community Development shall review the preliminary plat within 90 days of a complete application and preliminary plat; and

WHEREAS, the preliminary plat shall not be forwarded to the mayor and council until such time that the Director of Community Development certifies that preliminary plat complies with all city zoning, environmental, and subdivision ordinances and regulations and all applicable state and federal laws; and

WHEREAS, the City Council shall vote to approve, deny, or defer the preliminary plat based on its compliance with chapter 14 LAND DEVELOPMENT; and

WHEREAS, the Director of Community Development has properly reviewed analyzed the application and preliminary plat submitted by KLONDIKE STATION; and

WHEREAS, the Director of Community Development certifies that the preliminary plat complies with all city zoning, environmental, and subdivision ordinances and regulations and all applicable state and federal laws; and

WHEREAS, the Director of Community Development presents to the City Council the preliminary plat for approval, denial, or deferment LLC attached here as EXHIBIT A.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF STONECREST, GEORGIA, HEREBY RESOLVES, that the Mayor, on behalf of the City, hereby approves the preliminary plat submitted for KLONDIKE STATION for the development located at 2955 Klondike Road Stonecrest, Georgia 30038.

BE IT FURTHER RESOLVED, that the preliminary plat and supporting documentation are attached here as EXHIBIT A and shall be considered to be and is hereby incorporated as if fully set out herein.

BE IT FURTHER RESOLVED, that the Director of Community Development or her designee is authorized to submit a final plat for final approval and certification.

BE IT FURTHER RESOLVED, to the extent any portion of this Resolution is declared to be invalid, unenforceable, or nonbinding, that shall not affect the remaining portions of this Resolution.

BE IT FURTHER RESOLVED, all City resolutions are hereby repealed to the extent they are inconsistent with this Resolution.

BE IT FINALLY RESOLVED, this Resolution shall take effect immediately.

SO RESOLVED AND EFFECTIVE this _____ day of _____, 2025.

[SIGNATURES ON FOLLOWING PAGE]

CITY OF STONECREST, GEORGIA

Jazzmin Cobble, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM BY:

City Attorney

EXHIBIT A



Staff Analysis of Preliminary Plat

Case Number: SDP 24-001

Applicant: William Cordell Lyons

Owner: William Cordell Lyons

Project Location: 2955 Klondike Road Stonecrest, GA 30038

Parcel(s): 16 138 01 001

City Council District: Council District 1 Councilwoman Tammy Graves

Acreage: 11.61 +/- acres

Current Zoning: R-100 Residential Medium Lot

Overlay District: Stonecrest Overlay Tier 3

Proposed Zoning: R-100 Residential Medium Lot

Future Land Use Area Designation: Suburban

Proposed Development/Request: The applicant is requesting an approval of a Preliminary Plat for a 72 unit townhomes development to be known as Klondike Station.

Staff Recommendations: **APPROVAL WITH COMMENTS/CONDITONS.**

City Council Recommendations: **TBD**



Background:

KLONDIKE STATION PRELIMINARY PLAT:

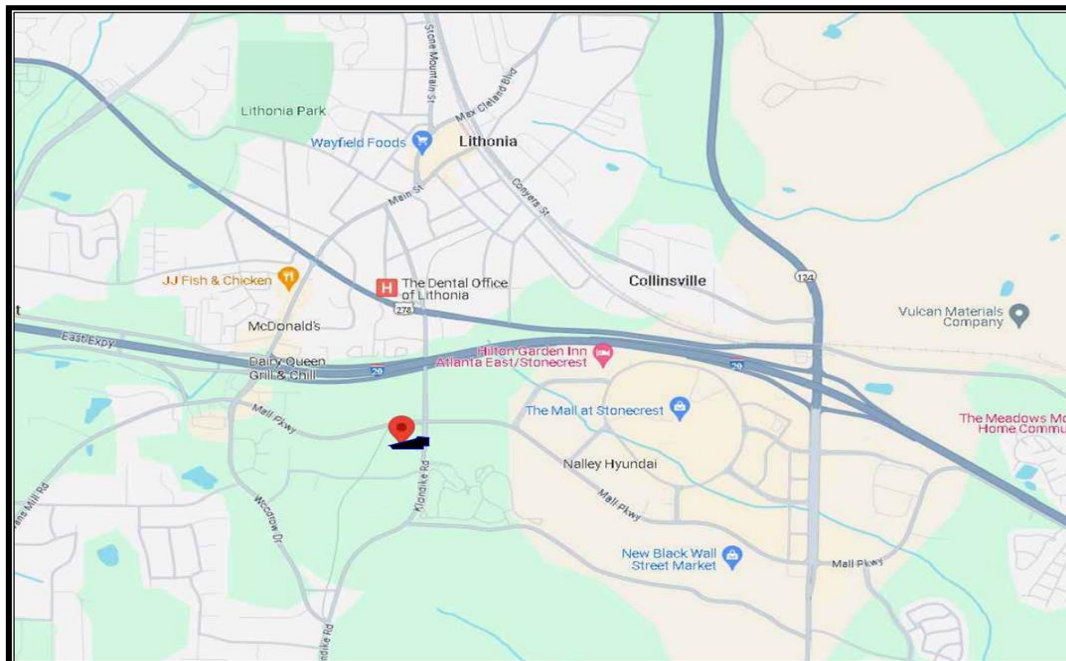
The applicant proposes to construct a 72 unit townhomes development to be known as Klondike Stations. Located at 2955 Klondike Road, the parcel is currently zoned R-100 Residential Medium Lot with an Urban Neighborhood future land use designation in the Stonecrest Overlay -Tier 3.

The site is partially developed with a paved road and underground utilities installed, including stormwater, sewer and water lines. The owner proposes to build 72 3-bedroom townhomes. New underground utilities will be installed, and portions of the existing pipes (stormwater and sewer) will be relocated as needed to accommodate the proposed site layout.

The applicant has confirmed that no more than the street right of way will be dedicated to the City of Stonecrest . The owner will dedicate 4,658SF (0.10AC) of new R.O.W to the City of Stonecrest to accommodate the construction of a sidewalk.

There is 6.85 acres of undevelopable areas, building on 4.76 acres. The development will be subject to private covenants and by a mandatory homeowners’ association. According to the applicant most of the trees on site are small under-matured pine trees, which are less than 8-inches in diameter. The homeowners association will be responsible for maintaining all commonly held parcels includes green spaces and buffers. Proposing 20.33% in open space and 2.0 parking spaces per unit with a one(1) car garage and one(1) additional space in the driveway per unit.

VICINITY MAP



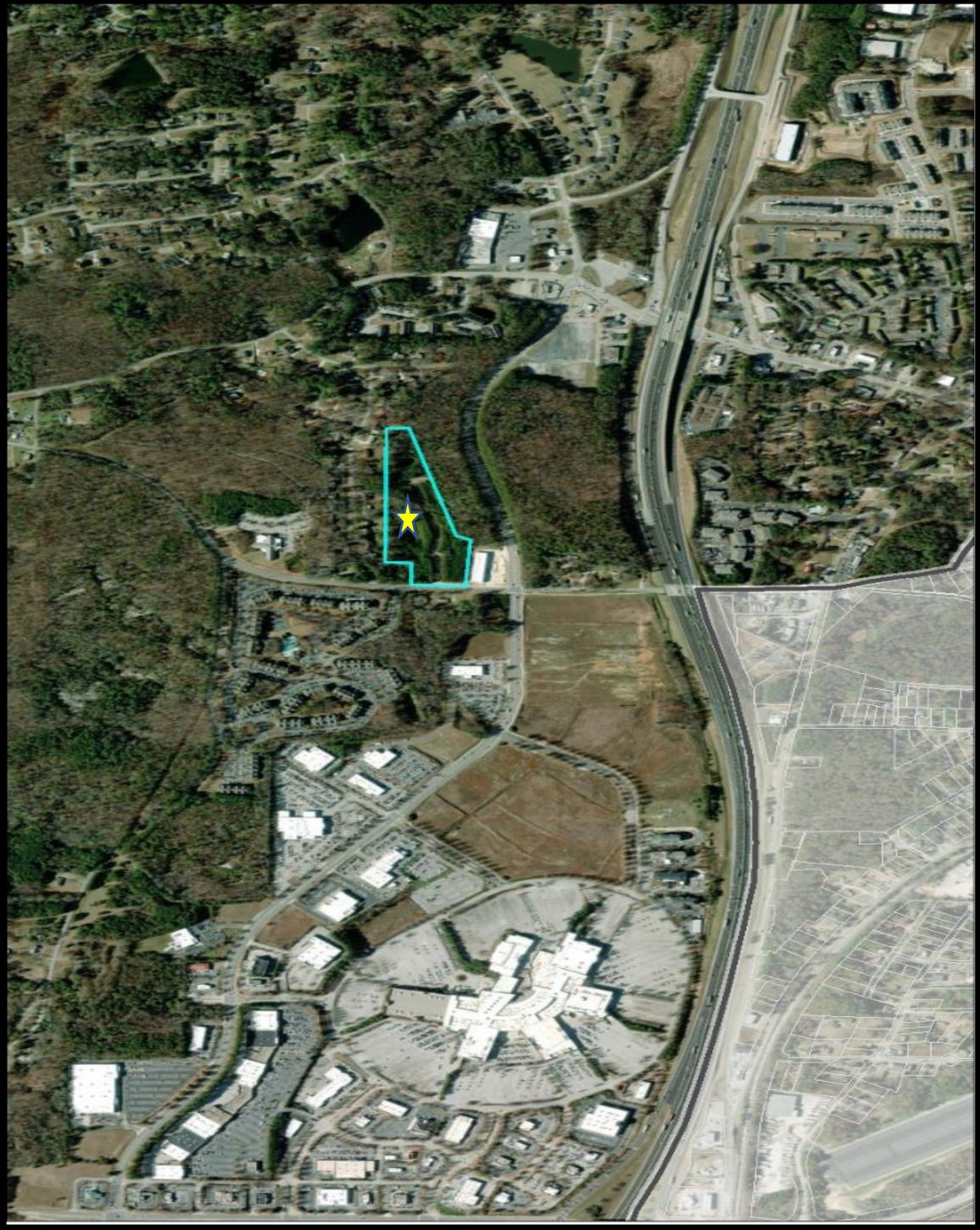


The subject property is predominantly surrounded by single family residential with the R-100 zoning category. Detail site and architectural plans must be submitted to the Planning & Zoning Department for the Pre-Development Review Team and shall be in substantial conformity with the City of Stonecrest Development Standards.

| ADJACENT ZONING AND LAND USE | | |
|-------------------------------------|---|---|
| | Zoning | Zoning Land Use |
| Adjacent: North | C-1 Local Commercial | Stonecrest Development Authority |
| Adjacent: East | R-100 (Residential Medium Lot) District MR-1 (Medium Density Residential) O-I (Office Institutional) | Single-family |
| Adjacent: South | R-100 (Residential Medium Lot District) | Single-Family |
| Adjacent: West | R-100 (Med Residential) | Single-family Residential |

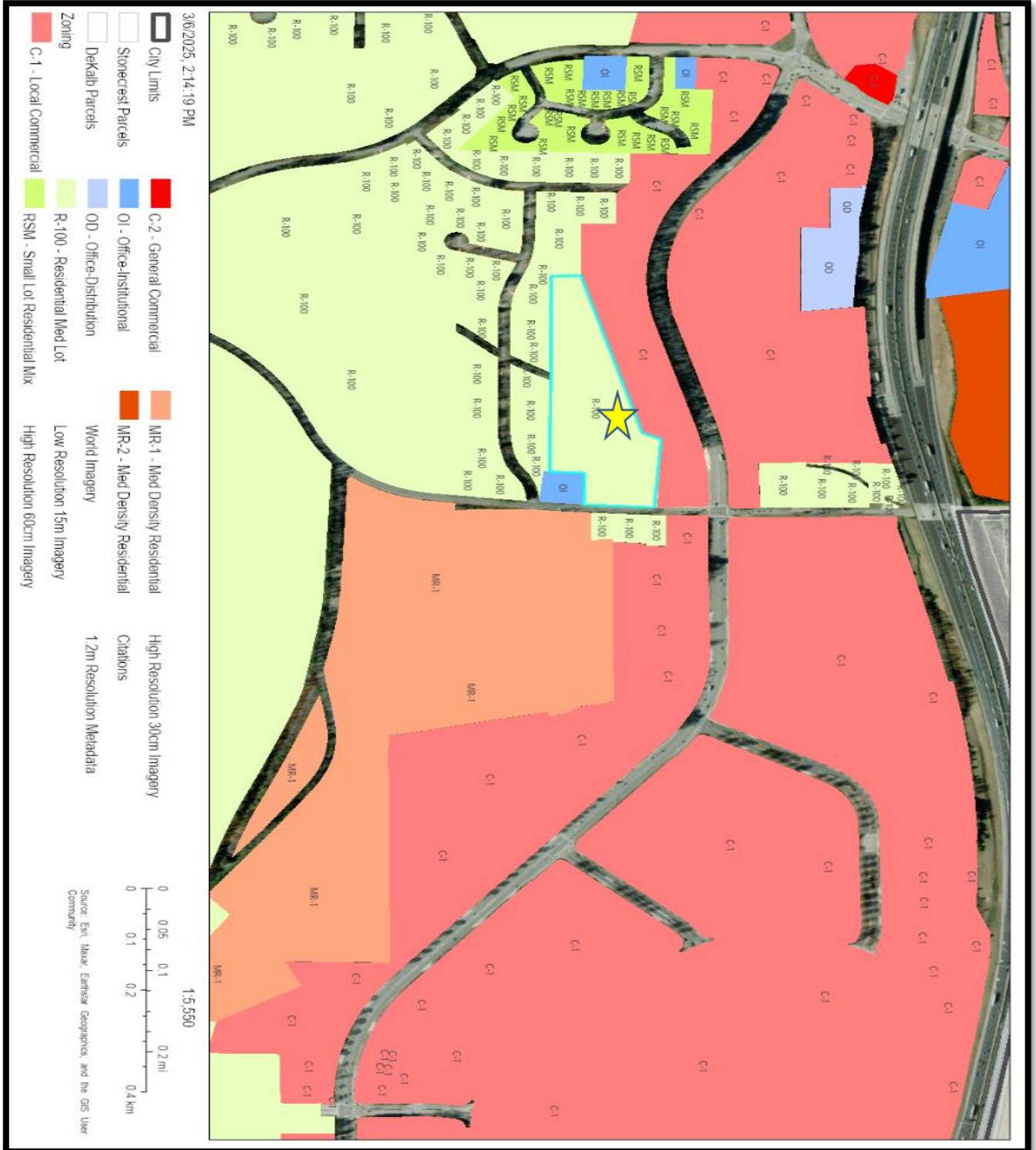


AERIAL MAP



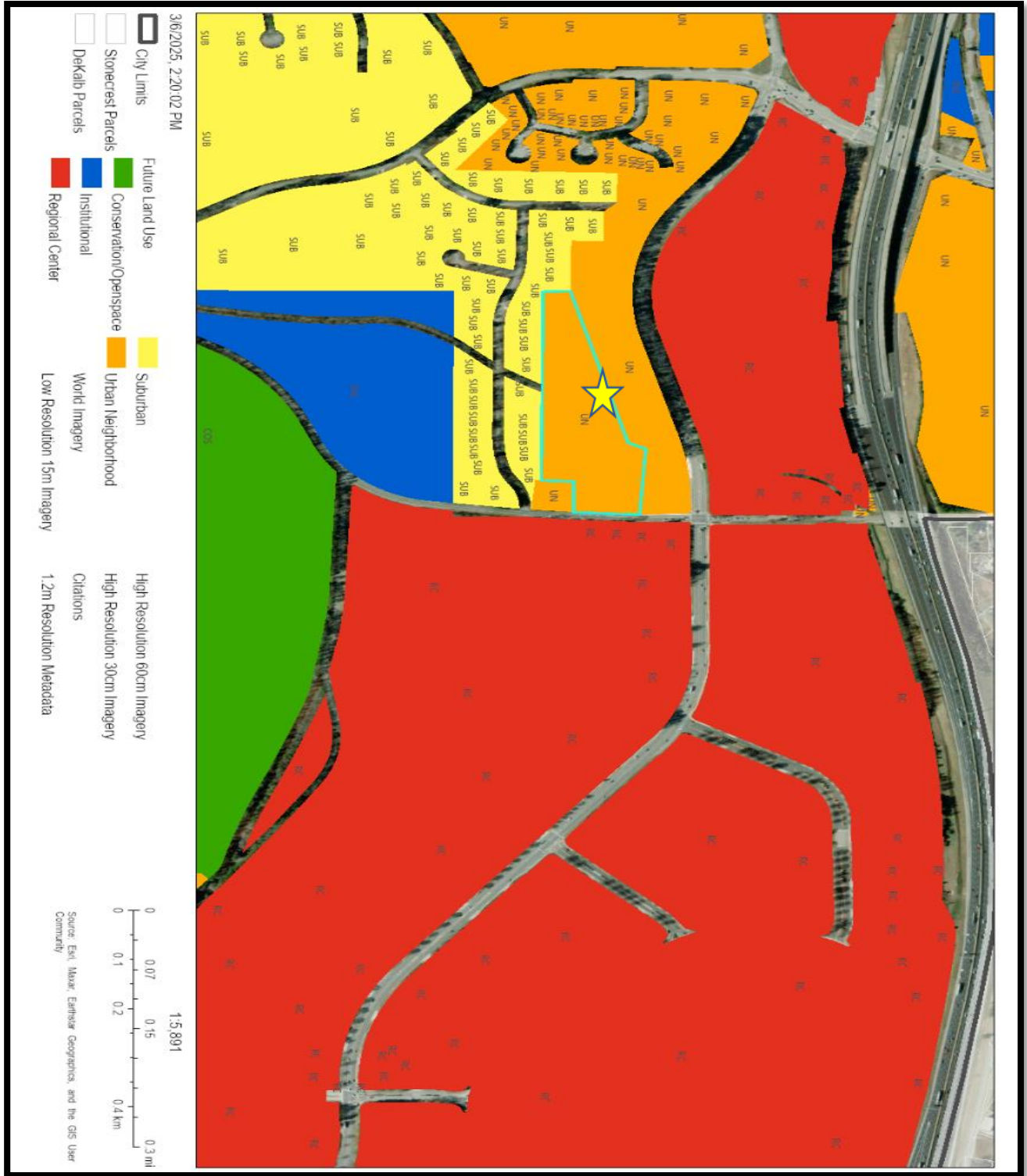


ZONING



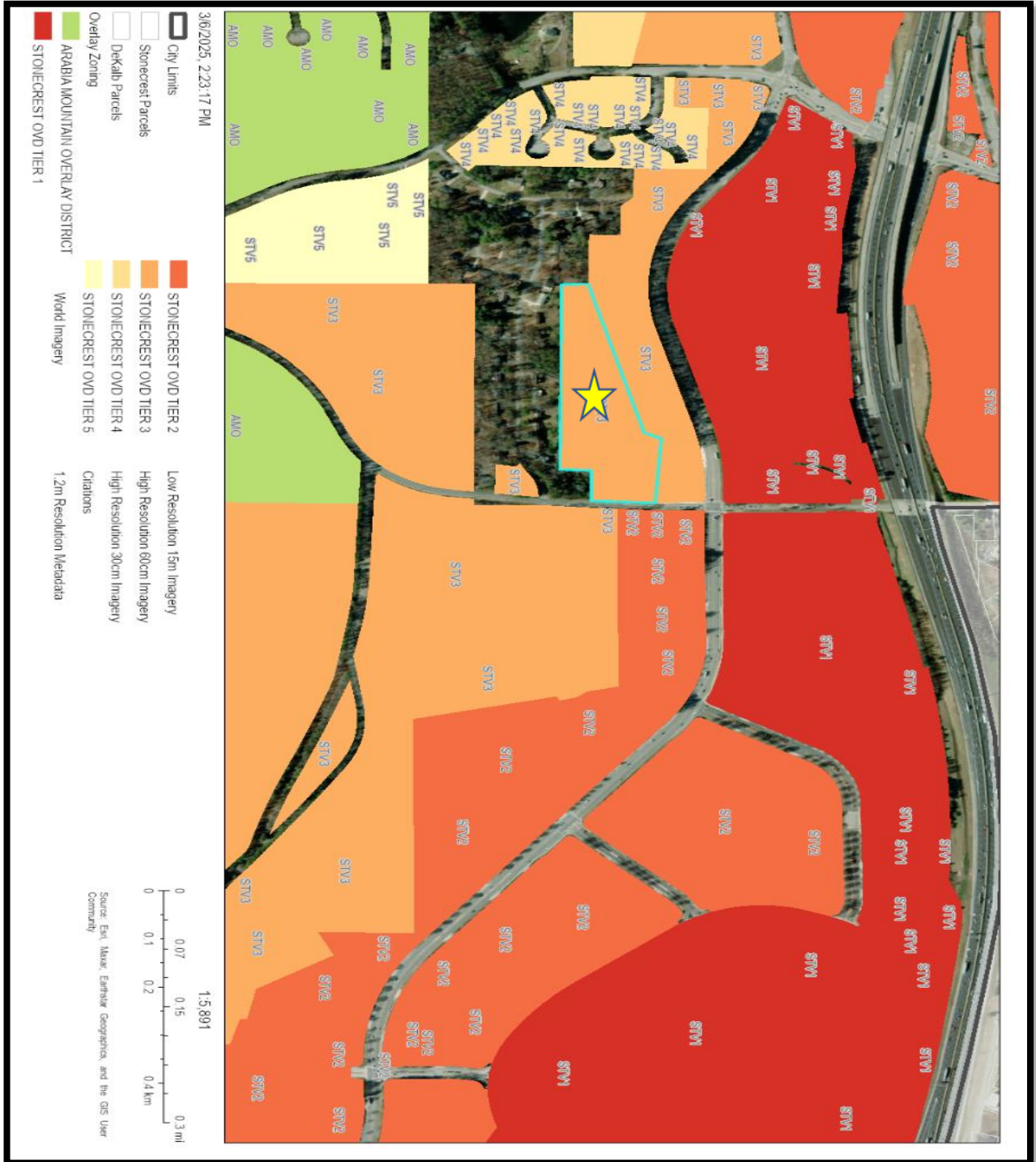


FUTURE LAND USE





OVERLAY ZONING





DIVISION 5. R-100 (RESIDENTIAL MEDIUM LOT-100) DISTRICT

Sec. 2.5.1. Statement of purpose and intent.

The purpose and intent of the City Council in establishing the R-100 (Residential Medium Lot-100) District is as follows:

- A. To provide for the protection of neighborhoods within the city where lots have a minimum area of 15,000 square feet;
- B. To provide for compatible infill development in neighborhoods;
- C. To provide "For Sale", Single family detached residential subdivisions and For Sale Communities;
- D. To provide flexibility in design on the interior of new development while protecting surrounding development;
- E. To ensure that the uses and structures authorized in the R-100 (Residential Medium Lot-100) District are those uses and structures designed to serve the housing, recreational, educational, religious, and social needs of the neighborhood;
- F. To provide for appropriately sized accessible and useable open space in new developments for health, recreational and social opportunities for city residents; and
- G. To implement the future development map of the city's comprehensive plan.

(Ord. of 8-2-2017, § 1(2.5.1); Ord. No. 2022-10-03, § 2(Exh. A), 10-24-2022)

Sec. 2.5.2. Permitted and special land uses.

Permitted uses and uses requiring special land use permits shall be as provided below. In cases where a use is permitted but there are supplemental use regulations for that use specified in article 4 of this chapter, such regulations shall also apply.

- A. Permitted Uses. The following uses are permitted as of right under this Code:
 1. Agricultural Activities.
 - a. Keeping of livestock; see section 4.2.
 - b. Keeping of poultry/pigeons; see section 4.2.
 - c. Riding academies or stables; see section 4.2.
 - d. Urban Community Garden, up to 5 acres; see section 4.2.
 2. Residential.
 - a. Dwelling, single-family (detached).
 3. Institutional/Public.
 - a. Golf course or clubhouse, public or private; see section 4.2.
 - b. Government facilities.



- c. Neighborhood or subdivision clubhouse or amenities; see section 4.2.
 - d. School, public kindergarten, elementary, middle or high schools.
 - 4. Communications—Utility.
 - a. Essential services.
 - b. Satellite television antenna; see section 4.2.
 - 5. Wireless Telecommunications.
 - a. Carrier on Wheels (declared emergency); see section 4.2.
- B. Special Administrative Uses. The following uses are permitted only with administrative approval:
 - 1. Agricultural.
 - a. Urban, community garden, over 5 acres.
 - 2. Residential.
 - a. Home occupation, no customer contact; see section 4.2.
 - 3. Commercial.
 - a. Farmer's market, temporary/seasonal; see section 4.2.
 - b. Food Trucks, Mobile Vending/Food Carts; see section 4.2.
 - c. Temporary outdoor retail sales; see section 4.2.
 - d. Temporary outdoor sales or events, seasonal; see section 4.2.
 - e. Temporary produce stand; see section 4.2.
 - f. Temporary trailer, as home sales office or construction trailer; see section 4.2.
 - 4. Wireless Telecommunications.
 - a. Attached wireless telecommunication facility used for non-residential purposes (prohibited if used as residential).
 - b. Carrier on wheels (non-emergency or event, no more than 120 days); see section 4.2.
 - c. Small cell installations (new support structures or collocation) on private property or ROW; see section 4.2.
- C. Special Land Use Permit. The following uses are permitted only with a special land use permit:
 - 1. Residential.
 - a. Bed and breakfast establishment; see section 4.2.
 - b. Home occupation, with customer contact; see section 4.2.
 - c. Child care home, 5 or less; see section 4.2.
 - d. Convents or monasteries; see section 4.2.
 - e. Personal care home, 6 or less; see section 4.2.
 - f. Senior housing; see section 4.2.



- g. Short-term vacation rental.
- 2. Institutional/Public.
 - a. Cemetery, columbarium, mausoleum; see section 4.2.
 - b. Places of worship; see section 4.2.
 - c. Recreation club; see section 4.2.
 - d. School, private kindergarten, elementary, middle or high schools; see section 4.2.
 - e. Swimming pools, commercial; see section 4.2.
- 3. Commercial.
 - a. Adult daycare facility, up to 6; see section 4.2.
 - b. Child day care facility, up to 6; see section 4.2.
 - c. Kennel, noncommercial.
- 4. Communication—Utility.
 - a. Amateur radio service or antenna; see section 4.2.
- 5. Wireless Telecommunication.
 - a. New support structure from 51 feet to 150 feet; see section 4.2.
- D. Permitted Accessory. The following uses are permitted as accessory only to a principal use:
 - 1. Residential.
 - a. Accessory uses or structures.
 - b. Dwelling, single-family, accessory (guesthouse, in-law suite); see section 4.2.
 - 2. Institutional/Public.
 - a. Educational use, private; see section 4.2.
 - b. Tennis courts, swimming pools, play or recreation areas, community; see section 4.2.
 - 3. Commercial.
 - a. Fitness center.

(Ord. of 8-2-2017, § 1(2.5.2); Ord. No. 2022-06-01, § 2(Exh. A), 8-2-2022; Ord. No. 2024-02-04, § 1(Exh. A), 2-26-2024)

Sec. 2.5.3. Dimensional requirements.

Dimensional requirements for the R-100 (Residential Medium Lot-100) District shall be as provided in Table 2.2, Residential Zoning Districts Dimensional Requirements.

(Ord. of 8-2-2017, § 1(2.5.3))

Sec. 2.5.4. Site and building design standards.

Design standards and regulations to be applied in this zoning district shall be as provided in article 5 of this chapter, site design and building form standards.

(Ord. of 8-2-2017, § 1(2.5.4))



DIVISION 5. STONECREST AREA OVERLAY DISTRICT

Sec. 3.5.1. Scope of regulations.

This division establishes standards and procedures that apply to any development, use, alteration, height, density, parking, open space, and building on any lot or portion thereof which is in whole or in part contained within the boundaries of the Stonecrest Area Overlay District.

(Ord. of 8-2-2017, § 1(3.5.1); Ord. No. 2019-11-001, § 1, 11-25-2019; Ord. No. 2019-11-03, § 1, 11-25-2019)

Sec. 3.5.2. Applicability of regulations.

This division applies to each application for a permit for the development, use, alteration, or modification of any structure where the subject property is in whole or in part contained within the boundaries of the Stonecrest Area Overlay District. The procedures, standards, and criteria herein apply only to that portion of the subject property within the boundaries of the Stonecrest Area Overlay District. When the Stonecrest Area Overlay District and the underlying zoning conflict, the Stonecrest Area Overlay District regulations control absent explicit language to the contrary.

(Ord. of 8-2-2017, § 1(3.5.2); Ord. No. 2019-11-001, § 1, 11-25-2019; Ord. No. 2019-11-03, § 1, 11-25-2019)

Sec. 3.5.3. Statement of purpose and intent.

The purpose and intent of the city council in establishing the Stonecrest Area Compatible Use Zone Overlay District is as follows:

- A. To preserve, protect and enhance existing and proposed open space networks that are adjacent to or within the Stonecrest Area;
- B. To enhance the long term economic viability of this portion of City of Stonecrest by encouraging new commercial and residential developments that increase the tax base and provide jobs to the citizens of City of Stonecrest;
- C. To implement the policies and objectives of the comprehensive plan and the policies and objectives of the design guidelines for the Stonecrest Overlay District;
- D. To establish and maintain a balanced relationship between industrial, commercial, and residential growth to ensure a stable and healthy tax base in City of Stonecrest;
- E. To provide a balanced distribution of regional and community commercial and mixed- use office centers;
- F. To support high density housing in office and mixed-use centers which have the appropriate location, access, and infrastructure to accommodate it;
- G. To encourage mixed-use developments that meet the goals and objectives of the Atlanta regional commission's smart growth and livable centers initiatives;

- H. To allow flexibility in development standards in order to encourage the design of innovative development projects that set high standards for landscaping, greenspace, urban design, and public amenities;
- I. To encourage an efficient land use and development plan by forming a live-work-play environment that offers employees and residents the opportunity to fulfill their daily activities with minimal use of single-occupant automobiles;
- J. To allow and encourage development densities and land use intensities that are capable of making productive use of alternative transportation modes such as bus transit, rail transit, ridesharing, bicycling and walking;
- K. To focus and encourage formation of a well-designed, pedestrian-friendly activity centers with high-density commercial and residential development that increases vitality and choices in living environments for the citizens of the City of Stonecrest;
- L. To protect established residential areas from encroachment of uses which are either incompatible or unduly cause adverse impacts on such communities;
- M. To protect the health, safety and welfare of the citizens of the City of Stonecrest;
- N. To promote uniform and visually aesthetic architectural features which serve to unify the distinctive visual quality of the Stonecrest Area Overlay District.

(Ord. of 8-2-2017, § 1(3.5.3); Ord. No. 2019-11-001, § 1, 11-25-2019; Ord. No. 2019-11-03, § 1, 11-25-2019)

Sec. 3.5.4. District boundaries.

- A. The boundaries of the Stonecrest Area Overlay District composed of Tiers I, II, III, IV, V, and VI described in the subparagraph B below, shall be depicted on the official zoning maps entitled "Official Zoning Map, Stonecrest, Georgia, Stonecrest Area Overlay District" (the "Stonecrest Overlay Maps"). The Stonecrest Overlay Maps are to be adopted contemporaneously with this chapter, together with all explanatory information contained or referenced thereon, is hereby adopted by reference and declared to be a part of this chapter.
- B. The Stonecrest Area Overlay District shall be divided into five [six] development tiers as follows:
 1. Tier I: High-Rise Mixed-Use Zone;
 2. Tier II: Mid-Rise Mixed-Use Zone;
 3. Tier III: Low-Rise Mixed-Use Zone;
 4. Tier IV: Transitional Mixed-Use Zone;
 5. Tier V: Cluster/Village Mixed-Use Zone ; and
 6. Tier VI: Viewshed Zone

The Stonecrest Overlay Maps shall be adopted contemporaneously with this chapter in digital format and contained on a compact disk to be maintained in its original, unedited and unaltered form by the clerk to the city council. A printed copy of the compact disk's contents depicting the Stonecrest Area Overlay maps on the date of its initial adoption shall also be maintained in its original, unedited and unaltered form by the clerk to the city council.

(Ord. of 8-2-2017, § 1(3.5.4); Ord. No. 2019-11-001, § 1, 11-25-2019; Ord. No. 2019-11-03, § 1, 11-25-2019)

Sec. 3.5.5. Open space.

- A. *Open space*: Each lot may provide open space. Open space must be a minimum of 20 percent of the lot. To the extent possible, lands containing streams, lakes, 100-year floodplains, wetlands, slopes over 15 percent shall remain undisturbed and included in open space. Natural open space areas shall form an interconnected and continuous network of paths, greenways, and trails throughout the development within the Stonecrest Area Overlay District. Credit for open space areas may be transferred from one parcel to another within overall developments that remain under unified control of a single property owner or group of owners, but must demonstrate interconnectedness of public areas.
- B. *Maintenance and protection of public space*. Each applicant that chooses to provide for public space shall present as a part of the application for a building permit within the Stonecrest Area Overlay District a legal mechanism under which all land to be used for public space purposes shall be protected. Such legal mechanism may include deed restrictions, property owner associations, common areas held in common ownership or control, maintenance easements, or other legal mechanisms, provided that said legal mechanism shall be approved by the city attorney as assuring each of the following mandatory requirements:
1. That all subsequent property owners within said Stonecrest Area Overlay District be placed on notice of this development restriction through the deed records of DeKalb County Superior Court;
 2. That all public space held in common will be properly maintained and insured with no liability or maintenance responsibilities accruing to the city;
 3. That a legal mechanism exists for notice of deficiencies in maintenance of the public space held in common, correction of these deficiencies, and assessment and liens against the properties for the cost of the correction of these deficiencies by a third- party or the city;
 4. When an applicant for a Stonecrest Area Overlay District chooses to utilize a property owners association in order to comply with the requirements of subsection A above, the applicant, in addition to meeting all of said requirements, shall provide for all of the following:
 - a. Mandatory and automatic membership in the property owners association as a requirement of property ownership;
 - b. A fair and uniform method of assessment for dues, maintenance and related costs;
 - c. Where appropriate, party wall maintenance and restoration in the event of damage or destruction; and
 - d. Continued maintenance of public space held in common and liability through the use of liens or other means in the case of default.

(Ord. of 8-2-2017, § 1(3.5.5); Ord. No. 2019-11-001, § 1, 11-25-2019; Ord. No. 2019-11-03, § 1, 11-25-2019)

Sec. 3.5.6. Greenspace requirements.

- A. *Landscape strips*. Landscape strips not less than five feet in width must be provided along all side and rear property lines and on all public streets. The landscape strip along the public street must be a minimum of ten feet in width and must be planted with a row of street trees of at least three and one-half inches in caliper selected from the list of street trees species identified in the design guidelines for the Stonecrest Area Overlay District and planted not less than 75 feet on center. Continuous landscaped strips shall be constructed along public rights-of-way where surface parking lots are adjacent to such sidewalks or public right-of-way except at points of ingress or egress into the facility.

- B. *Ground cover.* Ground cover must also be provided in accordance with the design guidelines for the Stonecrest Area Overlay District in order to protect tree roots and to prevent erosion. Ground cover must consist of evergreen shrubs or groundcover plant material mulched with pine bark mulch, or other similar landscaping material.
- C. Newly planted trees must conform to the design guidelines for the Stonecrest Area Overlay District.
- D. No tree shall be planted closer than two feet from the street or sidewalk, and no closer than five feet from a fire hydrant, sign post, streetlight standard, utility pole, or similar structure.
- E. *Greenspace requirements for parking lots:*
1. Greenspace areas are required in all parking lots and must comprise at least five percent of the total lot area of parking lot.
 2. In addition, all parking lots must include at least one tree for every 12 parking spaces provided. Tree planting areas may be included in the required greenspace area. Every three inches in caliper, as measured at a height of 36 inches above the ground level, of an existing tree shall count as one newly planted tree.
 3. Greenspace areas must be at least 36 square feet in area.
 4. All greenspace areas must be properly maintained in accordance with approved landscape plans. In the event that a tree or any plant material dies, it must be replaced within a reasonable time, so as to meet all requirements of this section and to allow for planting in the appropriate planting season.
 5. All trees planted pursuant to the requirements of Section 5.4.4 shall be counted for the purpose of meeting the tree planting and tree replacement requirements imposed by this chapter.

(Ord. of 8-2-2017, § 1(3.5.6); Ord. No. 2019-11-001, § 1, 11-25-2019; Ord. No. 2019-11-03, § 1, 11-25-2019)

Sec. 3.5.7. Transitional buffer zone requirements.

Any lot within the Stonecrest Area Overlay District, that is contiguous to any lot outside of the Stonecrest Area Overlay District zoned for a residential use, must maintain a 50 foot transitional buffer zone. The transitional buffer zone cannot contain any structures, impervious surfaces, or water retention ponds and cannot be used for permanent parking, loading, or storage. Trees may not be removed from the transitional buffer zone, other than dead, decayed, dying, or hazardous trees. Additional trees and plant material may be added to the transitional buffer zone.

(Ord. of 8-2-2017, § 1(3.5.7); Ord. No. 2019-11-001, § 1, 11-25-2019; Ord. No. 2019-11-03, § 1, 11-25-2019)

Sec. 3.5.8. Street standards.

Streets within the Stonecrest Area Overlay District may be either public or private streets. Private streets must comply with requirements of public streets found in chapter 14 and all other applicable sections of the City of Stonecrest Code, with the following exceptions:

- A. Streets in the Stonecrest Area Overlay District may be constructed with travel lanes at 11 feet in width, measured inside curb and gutter.
- B. Private or public alleys are permitted to provide secondary or service access within developments consisting of at least four buildings. An alley must provide a continuous connection between two streets. Alleys shall be paved and constructed to the same standards as the connecting streets except that:

1. No alley shall be longer than 400 feet;
2. No alley shall have a slope greater than seven percent;
3. The paved width of an alley must be at least 12 feet;
4. Alleys must be constructed with flush curbs;
5. Alleys must have seven-foot-wide unobstructed shoulders constructed of grass sod or gravel on both sides; and
6. Buildings must be set back at least ten feet from the back curb of an alley.

(Ord. of 8-2-2017, § 1(3.5.8); Ord. No. 2019-11-001, § 1, 11-25-2019; Ord. No. 2019-11-03, § 1, 11-25-2019)

Sec. 3.5.9. Underground utilities.

All utilities except for major electric transmission lines and substations are required to be placed underground except where the director of planning determines that underground utilities are not feasible due to pre-existing physical conditions, such as conflicting underground structures or utilities, shallow rock, high water table, or other similar geologic or hydrologic conditions.

(Ord. of 8-2-2017, § 1(3.5.9); Ord. No. 2019-11-001, § 1, 11-25-2019; Ord. No. 2019-11-03, § 1, 11-25-2019)

Sec. 3.5.10. Streetlights.

When necessary for the use and convenience of the occupants or users of a development, streetlights are required and shall conform to the design guidelines for the Stonecrest Area Overlay District.

(Ord. of 8-2-2017, § 1(3.5.10); Ord. No. 2019-11-001, § 1, 11-25-2019; Ord. No. 2019-11-03, § 1, 11-25-2019)

Sec. 3.5.11. Interparcel access.

To the maximum extent possible, sidewalks and parking lots serving adjacent lots shall be interconnected to provide continuous driveway connections and pedestrian connections between adjoining lots and streets, except that this requirement shall not apply to lots zoned for single family or duplex residential units.

(Ord. of 8-2-2017, § 1(3.5.11); Ord. No. 2019-11-001, § 1, 11-25-2019; Ord. No. 2019-11-03, § 1, 11-25-2019)

Sec. 3.5.12. Multi-modal access plans required.

Each new application for a development permit within the Stonecrest Area Overlay District must be accompanied by a multi-modal access plan prepared at a scale not greater than one-inch equals 100 feet. The multi-modal access plan must cover the full extent of the proposed development along with public rights-of-way of adjoining streets and any other property lying between the subject property and the nearest public streets on all sides. The purpose of the multi-modal access plan is to demonstrate a unified plan of continuous access to and between all buildings in the proposed development and adjacent properties. Connections to available transportation modes, such as driveways, sidewalks, and bike paths must be shown along adjacent streets and those entering adjoining properties. Safe and convenient pedestrian ways must be provided from sidewalks along streets to each building entrance, including pedestrian access routes across parking lots and between adjacent buildings within the same development. Where an existing or planned public transportation station or stop is within 1,250 feet (straight line distance) from any boundary of the subject property, the access plan must show how pedestrians may safely travel from such station or stop to the subject property. Where an existing or planned



bike path is located within 1,500 feet of the subject property, the access plan must show how safe, continuous and convenient bicycle access shall be provided to the subject property.

(Ord. of 8-2-2017, § 1(3.5.12); Ord. No. 2019-11-001, § 1, 11-25-2019; Ord. No. 2019-11-03, § 1, 11-25-2019)

Sec. 3.5.15. Low-rise mixed-use zone (Tier III).

A. *Permitted uses and structures.* The principal uses of land and structures allowed in the Tier III: Low-Rise Mixed-Use Zone of the Stonecrest Area Overlay District are as provided below:

1. All uses authorized in the C-1 and C-2 (General Commercial) District, O-I (Office Institutional) District, O-D (Office Distribution) District, M (Light Industrial) District, and MR-2 (Medium Density Residential) District except those listed in B., below.

B. *Prohibited uses.* The following principal uses of land and structures are prohibited in Tier III: Low-Rise Mixed-Use Zone of the Stonecrest Area Overlay District:

1. Kennels.
2. Junkyard.
3. Tire retreading and recapping.
4. Sexually oriented businesses.
5. Outdoor amusement service facility.
6. Outdoor storage.
7. Automobile repair, major and minor.
8. Hotel/motel.
9. Automobile sales.
10. Temporary outdoor sales.
11. Pawn shops.
12. Liquor stores.
13. Nightclubs.
14. Late-night establishments.
15. Car wash.
16. Self-storage.



17. Funeral home.
18. Mortuary.
19. Crematorium.
20. Farm equipment and supplies sales establishment.
21. Repair, small household appliance.
22. Salvage yard.
23. Automobile service stations, except automobile service stations over 4,000 square feet with special land use permit.
24. Commercial parking lot.
25. Check cashing facility.
26. Automobile emission testing facilities.
27. Small box discount stores.

C. *Accessory uses and structures.* The following accessory uses of land and structures shall be authorized in the Tier III: Low-Rise Mixed-Use Zone of the Stonecrest Area Overlay District:

1. Uses and structures which are customarily incidental and subordinate to the permitted principal uses and structures in this district.
2. Parking lots and parking garages.
3. Clubhouses, including meeting rooms or recreation rooms.
4. Swimming pools, tennis courts, and other recreation areas and similar amenities.

D. *Building setbacks.* The following building setback requirements shall apply to all structures in the Tier III: Low-Rise Mixed-Use Zone of the Stonecrest Area Overlay District:

1. Minimum front yard setback: 15 feet from right-of-way of public street, except that front-facing garages of residential units shall be set back a minimum of 25 feet from rights-of-way.
2. Minimum interior side yard: Ten feet. There shall be a minimum of 15 feet between buildings and structures less than two stories in height and a minimum of 20 feet between any two buildings and structures when one of them is greater than two stories in height.
3. Minimum rear yard: Ten feet.

E. *Height of buildings and structures.* Maximum height, three stories



F. *Density:* No development in Tier III may exceed 30 dwelling units per acre and a combined FAR of one and a half, unless it also provides additional public space or other amenities singly, or in combination as provided in subsection G, below.

G. *Bonus density:* In exchange for providing one or more of the amenities shown in Table 3.3 an applicant may receive a density bonus as provided in Table 3.3, not to exceed a total FAR of three.

Table 3.3 Bonus FAR: Tier III

| Additional Amenity | Increased FAR |
|--|---------------|
| Increase public space to 25 percent while providing connectivity | 0.5 |
| Increase public space to 30 percent while providing connectivity | 1.0 |
| Mixed-use building that combines office-institutional with commercial or retail uses. Each mixed-use building must include one principal use and at least one secondary use. No primary or secondary use may constitute less than ten percent of the gross floor area of the building. | 0.25 |
| Mixed-use building that includes multifamily residential units constituting at least 8 units per acre of land, and constructed in the same building with office, institutional, commercial or retail uses. | 0.5 |

H. *Required parking.* Required parking may be provided through a combination of off-street, on-street, or shared parking. All required parking must be located within 700 feet of the principal entrance of the building that the parking is intended to serve. The minimum number of required parking spaces must be as provided in article 6, except as follows:

1. Retail uses, personal service uses, and other commercial and general business uses, including food stores: Minimum of four spaces per 1,000 square feet of gross floor area.
2. Office and clinic uses: Minimum of three spaces per 1,000 square feet of gross floor area.
3. Hotel and motel uses: Minimum of one space per unit.
4. Multifamily residential uses-Minimum of one and one-half spaces per dwelling unit.

I. *Parking space area requirements.* Parking space area requirements must comply with the provisions of section 6.1.3.

J. *Sidewalks.* Sidewalks must be provided on all public streets. Sidewalks must be at least five feet in width.



K. *New or used motor vehicle dealers.* New or used motor vehicle dealers are authorized in Tier III of the Stonecrest Overlay District only if they comply with the following requirements:

New or used motor vehicle dealers must be located on a parcel with a lot area of no less than three acres, and must contain at least 6,000 square feet of building floor space.

New or used motor vehicle dealers must provide vegetative screening along any automobile display areas that abut a public right-of-way. Said vegetative screening shall be located outside any guard rails or security fencing abutting such public right-of-way. Within three years of planting, the vegetative screening must be of sufficient height to screen all guard rails or security fencing abutting the public right-of-way. Planting materials shall be subject to the approval of the City of Stonecrest Arborist.

New or used motor vehicle dealers must provide screening of all maintenance areas and storage yards for automobiles stored for service. Such screening shall be sufficient to shield the maintenance areas and storage yards from visibility from any adjacent properties or public rights-of-way. Should vegetative screening be used, planting material shall be subject to the approval of the City of Stonecrest Arborist.

No overhead bay doors opening into vehicle service areas shall be visible from a public right-of-way.

(Ord. of 8-2-2017, § 1(3.5.15); Ord. No. 2018-12-01, § 1(3.5.15), 12-1-2018; Ord. No. 2019-11-001, § 1, 11-25-2019; Ord. No. 2019-11-03, § 1, 11-25-2019; Ord. No. 2019-11-05, § I, 11-25-2019)





3120 Stonecrest Blvd. • Stonecrest, Georgia 30038 • (770) 224-0200 • www.stonecrestga.gov



PLAT APPLICATION

Preliminary

Final

Application Fee: \$200.00 + \$5/Lot.
All applications must be accompanied by four (4) folded copies of the lot division survey. (All plans must be folded).

PLEASE PRINT ALL INFORMATION

PROJECT NAME: Klondike Station PROJECT LOCATION: PARCEL I.D. NO: 16 138 01 001

PROPOSED USE: Residential

DATE OF SKETCH PLAT CONFERENCE: _____

SITE ACREAGE: 11.61 # LOTS: _____ # UNITS: 79 SEWER: X SEPTIC TANK: _____

PROPERTY OWNER: William Cordell Lyons

PHONE: 301-704-5586

ADDRESS: 581 Barnes Dr

EMAIL: wclyons@glencorservices.com

CITY: Clinton STATE MD

ZIP CODE: 20735

APPLICANT: William Cordell Lyons

PHONE: 301-704-5586

ADDRESS: 581 Barnes Dr

EMAIL: wclyons@glencorservices.com

CITY: Clinton STATE _____

ZIP CODE: 20735

SURVEYOR / ENGINEER: Samuel McIntosh, P.E.

PHONE 770-756-4699

ADDRESS 2302 Parklake Dr, Suite 625

EMAIL smcintosh@civtechconsulting.com

CITY: Atlanta STATE GA

ZIP CODE: 30345

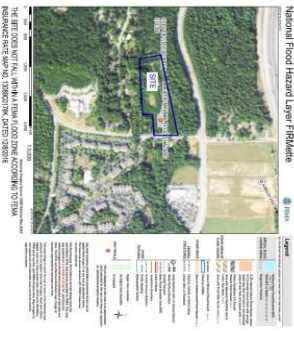
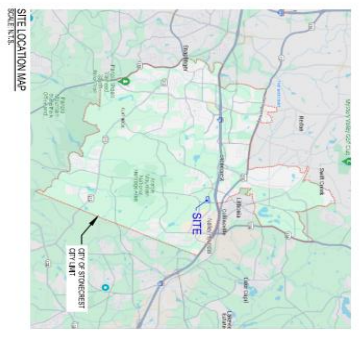
Terms & Conditions The undersigned, upon oath, states that the above information is true and correct, understands that the Permit issued is only for work as stated. This permit is granted on the express condition that the said construction shall, in all respects, conform to the ordinances of this jurisdiction including the zoning ordinance, regulating the construction and use of buildings, and may be revoked at any time upon violation of any provisions of said ordinances. Construction will begin no later than six months from the issue date of the permit. If any information is found to be false or misrepresented, the permit will be deemed invalid. I agree to indemnify and hold the city harmless from all damages, demands or expenses of every character which may in any manner be caused by construction and/or the structure.

William C. Lyons

3/1/2023

Applicant Signature (Property Owner or Owner's Rep)

Date



| PROPERTY ADDRESS | OWNER | STATUS |
|------------------|----------------------|----------|
| 2655 KILCHOURED | STONECREST, GA 30088 | RECEIVED |
| 161830101 | STONECREST, GA 30088 | RECEIVED |
| 11161 | STONECREST, GA 30088 | RECEIVED |
| 13318 | STONECREST, GA 30088 | RECEIVED |
| 13319 | STONECREST, GA 30088 | RECEIVED |
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- EXISTING UTILITIES**
1. THERE ARE NO EXISTING UTILITIES ON THE SITE.
 2. THERE ARE NO UTILITIES ON THE SITE.
 3. THERE IS NO FUTURE LAYOUT PLAN ON THE SITE.
 4. THIS PROPERTY IS LOCATED IN AN UNINCORPORATED AREA.
 5. THIS PROPERTY IS LOCATED IN AN UNINCORPORATED AREA.
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PRELIMINARY PLAT PLANS
FOR
KLONDIKE STATION
(TOWN HOMES DEVELOPMENT)
2955 KLONDIKE ROAD
STONECREST, GA 30038
Dekalb County, Georgia
Parcel ID: 16 138 01 001
Zoning: R100
(Stonecrest Overlay District Tier 3)
REVIEW/SUBMITTAL CYCLE 2 - 05/17/2024
CITY OF STONECREST FILE # SDP22-000013
DEKALB COUNTY FILE AP #3152241

DEVELOPMENT WARRANT
 THE PROPOSED SITE IS PARTIALLY DEVELOPED IN 2008, INCLUDING A CENTRAL ROADWAY, WATER LINES, SEWER LINES, AND STORM PIPES. TWO STORMWATER PONDINGS WERE ALSO INSTALLED. THE OWNER WANTS TO DEVELOP THE SITE WITH THE CONSTRUCTION OF 72 TOWN HOMES AND EXTENDED ROADWAY AND UTILITIES. THIS APPLICATION IS FOR CITY OF STONECREST TO APPROVE A PRELIMINARY PLAT, AFTER WHICH THE OWNER WILL SUBMIT THE RELATED PERMITS AND SUPPORTING DOCUMENTATION TO THE STATE OF GEORGIA TO INSTALL THE NEW INFRASTRUCTURE AND BUILD THE HOUSING UNITS.



OWNER'S REPRESENTATIVE
 CIVITECH CONSULTING, LLC
 2302 PARKLAKE DR., N.E., SUITE 625
 ATLANTA, GA 30345
 TEL: 770-756-1270
 FAX: 770-756-1270
 WWW.CIVITECHCONSULTING.COM

DESIGNER'S REPRESENTATIVE
 CIVITECH CONSULTING, LLC
 2302 PARKLAKE DR., N.E., SUITE 625
 ATLANTA, GA 30345
 TEL: 770-756-1270
 FAX: 770-756-1270
 WWW.CIVITECHCONSULTING.COM

DESIGNED BY: JM
DATE: 04/17/2024
CHECKED BY: SM
APPROVED BY: SM
SCALE: AS SHOWN
PROJECT: KLONDIKE STATION
CITY: STONECREST, GA
STATE: GEORGIA



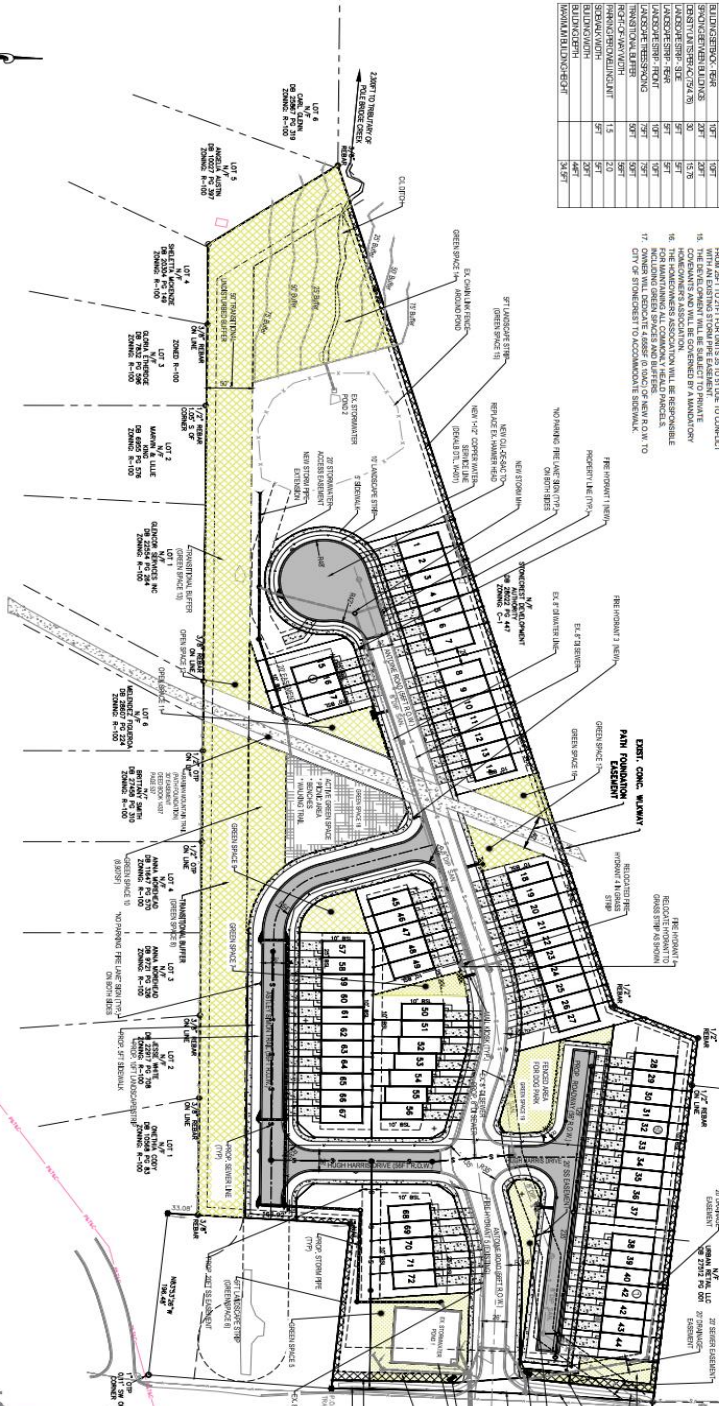
KLONDIKE STATION
2955 KLONDIKE ROAD
LITHONIA, GA, 30038

CIVITECH CONSULTING, LLC
 2302 PARKLAKE DR., N.E., SUITE 625
 ATLANTA, GA 30345
 TEL: 770-756-1270

| DATE | REV. NO. | REVISION |
|-----------|----------|-------------------------|
| 5/2/2024 | 1 | Address reader comments |
| 5/27/2024 | 2 | Address reader comments |
| | | |
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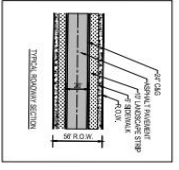
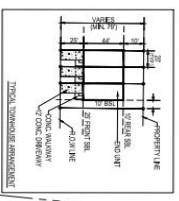
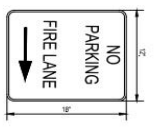
20240614 - CIVTECH CONSULTING, LLC/CHERRY CONSULTING/PROJECT 20231748 - DRAWING: 25955 STATION, 5/20/2024 12:51:11 AM



| PROPOSED SUMMARY | 25955 KLONDIKE STATION |
|------------------|------------------------|
| ADDRESS | 25955 KLONDIKE STATION |
| PARCEL ID | 25955 KLONDIKE STATION |
| OWNER/AGENCY | STONECREST |
| LOT SIZE | 11.91 AC |
| PROPOSED USE | TOWNHOMES |
| NUMBER OF UNITS | 72 |

- DEVELOPMENT NOTES**
1. THESE ARE NOT RESOURCES ON THE SITE
 2. THESE ARE STRAIGHT BUILDINGS ON THE SITE
 3. THERE IS NO CONSTRUCTION OF ZONING INCONSISTENT WITH THIS PROJECT
 4. THIS PROJECT IS SPECIAL ADMINISTRATIVE PROJECT NUMBER 25955 KLONDIKE STATION
 5. SPECIAL LAND USE PERMIT ON BOARD OF APPEALS
 6. THERE ARE NO UNAPPROVED PERMITS FOR THIS PROPERTY
 7. THERE ARE NO UNAPPROVED PERMITS FOR THIS PROPERTY
 8. EASEMENT ON THIS PROPERTY AND BARRIER
 9. THERE ARE NO UNAPPROVED PERMITS ON THIS PROPERTY
 10. ALL UTILITIES, INCLUDING ELECTRICAL SERVICE WILL BE LOCATED TO SERVE CONNECTION FOR THE SUBMISSION WILL BE CONSIDERED TO AN EXISTING SEWER WITH ASSOCIATED COSTS TO THE OWNER
 11. OWNERS WILL APPLY TO CITY OF STONECREST FOR A PERMIT TO CONSTRUCT
 12. THE SUBMITTER SHALL BE RESPONSIBLE FOR THE COSTS OF ALL UTILITIES AND ELECTRICAL SERVICE TO BE LOCATED TO SERVE CONNECTION FOR THE SUBMISSION WILL BE CONSIDERED TO AN EXISTING SEWER WITH ASSOCIATED COSTS TO THE OWNER
 13. THE SUBMITTER SHALL BE RESPONSIBLE FOR THE COSTS OF ALL UTILITIES AND ELECTRICAL SERVICE TO BE LOCATED TO SERVE CONNECTION FOR THE SUBMISSION WILL BE CONSIDERED TO AN EXISTING SEWER WITH ASSOCIATED COSTS TO THE OWNER
 14. ALL UTILITIES, INCLUDING ELECTRICAL SERVICE WILL BE LOCATED TO SERVE CONNECTION FOR THE SUBMISSION WILL BE CONSIDERED TO AN EXISTING SEWER WITH ASSOCIATED COSTS TO THE OWNER
 15. THE SUBMITTER SHALL BE RESPONSIBLE FOR THE COSTS OF ALL UTILITIES AND ELECTRICAL SERVICE TO BE LOCATED TO SERVE CONNECTION FOR THE SUBMISSION WILL BE CONSIDERED TO AN EXISTING SEWER WITH ASSOCIATED COSTS TO THE OWNER
 16. THE SUBMITTER SHALL BE RESPONSIBLE FOR THE COSTS OF ALL UTILITIES AND ELECTRICAL SERVICE TO BE LOCATED TO SERVE CONNECTION FOR THE SUBMISSION WILL BE CONSIDERED TO AN EXISTING SEWER WITH ASSOCIATED COSTS TO THE OWNER
 17. OWNERS WILL LOCATE TO CITY OF STONECREST FOR A PERMIT TO CONSTRUCT

| PERFORMANCE | PERFORMANCE |
|--------------------|-------------|
| FOOTPRINT/ACRES | 0.70 |
| STRENGTH | 0.51 |
| PERFORMANCES | 1.20 |
| OTHER IMPROVEMENTS | 4.07 AC |
| PERFORMANCES | 1.46 |
| PERFORMANCES | 0.47 |
| PERFORMANCES | 0 |
| PERFORMANCES | 0 |
| PERFORMANCES | 4.43 |
| PERFORMANCES | 6.88 |



NOTES

1. ALL UTILITIES AND ELECTRICAL SERVICE SHALL BE LOCATED TO SERVE CONNECTION FOR THE SUBMISSION WILL BE CONSIDERED TO AN EXISTING SEWER WITH ASSOCIATED COSTS TO THE OWNER
2. THE SUBMITTER SHALL BE RESPONSIBLE FOR THE COSTS OF ALL UTILITIES AND ELECTRICAL SERVICE TO BE LOCATED TO SERVE CONNECTION FOR THE SUBMISSION WILL BE CONSIDERED TO AN EXISTING SEWER WITH ASSOCIATED COSTS TO THE OWNER

APPROVED AGENT

NAME: NIKHIL KONGEYAL
 ADDRESS: 4110 W. WINDYBROOK DR., SUITE 200
 TEL: 770-248-4888
 EMAIL: nikhil.kongeyal@civtech.com

ENGINEER

NAME: CIVTECH CONSULTING, LLC
 ADDRESS: 2302 PARKLAKE DR., N.E., SUITE 625
 ATLANTA, GA 30345
 TEL: 770-756-1170
 EMAIL: info@civtech.com

SITE PLAN

Dekalb County
 PLANNING AND SUSTAINABILITY
 Approved Site Plan
 Copy: 1/2024
 Heating Date: 2/2024

| DATE | REV. NO. | REVISION |
|----------|----------|-------------------------|
| 5/2/2024 | 1 | Address review comments |
| 5/2/2024 | 2 | Address review comments |

CIVTECH CONSULTING, LLC
 2302 PARKLAKE DR., N.E., SUITE 625
 ATLANTA, GA 30345
 TEL: 770-756-1170

KLONDIKE STATION
 2955 KLONDIKE ROAD
 LITHONIA, GA, 30038

Dekalb County
 PLANNING AND SUSTAINABILITY
 Approved Site Plan
 Copy: 1/2024
 Heating Date: 2/2024



770.621.7200 (o) | Watershed Management
770.621.7271 (f) | 1580 Roadhaven Drive
DeKalbCountyga.gov | Stone Mountain, GA 30083

David E. Hayes, Director



LETTER SHOWING SEWER CAPACITY

December 29, 2022

Attention: Roger Grant
2862 Buford Hwy. #200
Duluth, GA 30096

Re: Klondike Rd. Residential Phase.1
2955 KLONDIKE ROAD
Dist. LL 16-151
Private
Honey Creek

Chief Executive Officer
Michael Thurmond

Board of Commissioners

District 1
Robert Patrick

District 2
Jeff Rader

District 3
Larry Johnson

District 4
Stephen Bradshaw

District 5
Mereda Davis Johnson

District 6
Edward "Ted" Terry

District 7
Lorraine Cochran-Johnson

Dear Roger Grant:

The DeKalb County Department of Watershed Management ("DWM") received a sewer capacity request regarding the potential availability of sanitary sewer capacity at the above-referenced location (the "Property"). **After evaluating the capacity request, it has been determined, based on the criteria set forth in DeKalb County's Modified Consent Decree (entered on September 22, 2021) and Section 4 of the incorporated Capacity Assurance Program (dated September 2020), that DWM's wastewater collection, transmission, and treatment system has adequate capacity to receive the wastewater flow contribution from your sewer service connection as documented in your sewer capacity request. As such, approval to proceed with the project is granted with regards to sanitary sewer capacity.**

Please note that the determination of available capacity expressed herein is not guaranteed as it is based upon the known conditions as of the date of this correspondence and the accuracy of the information provided in the Sewer Capacity Evaluation Request, which provided anticipated capacity needs associated with the project. This approval is conditional upon the accuracy of the information provided in that request and is valid for two years from the date of this correspondence. If the requested connection has not been made at that time, a new request for capacity must be submitted for the County's review and approval.

In the event that sewer system infrastructure improvements are required to accommodate any new flow contribution and ensure adequate sewer system capacity as a result of development on the referenced property, the developer will be responsible for the cost associated with installing any such improvements to the existing sewer system infrastructure pursuant to DeKalb County Code of Ordinances, Chapter 25, Article IV – "Sewers and Sewerage Disposal." Once installed and accepted by DeKalb County, the improvements will be owned and maintained by DeKalb County.

This information is based on currently available data and should only be used to substantiate the potential availability of sewer services as of the date of this correspondence. Circumstances are subject to change and the potential capacity indicated herein is in no way guaranteed.

Should you have any questions or concerns in reference to this response, please do not hesitate to contact the Division of Planning & Development of DWM at dataylor@dekalbcountyga.gov.

Sincerely,

Zachary L. Williams
Executive Assistant/Chief Operating Officer

Brent Zern, PE
Assistant Director, Dept. of Watershed Management



Samuel McIntosh

From: Taylor, Della A. <dataylor@dekalbcountyga.gov>
Sent: Monday, February 26, 2024 7:17 PM
To: Samuel McIntosh; Sewercapacity, Sewercapacity
Cc: Cordell Lyons; hugh@d2constructionservices.com
Subject: RE: Sewer Capacity Reequst for Klondike Station at 2955 & 2975 Klondike Rd

Hi Sam,

- This very small decrease does not need to come back in – I would consider this approved as-is.
- If you think it will start occupying within 1 or 2 years, we can grant up to a 1 year extension at a time by request (through email).

Thanks!

Della A. Taylor, PE

Engineering Manager - Planning & Development

Capacity Certification Engineer

Department of Watershed Management

178 Sams St.
Suite A2600
Decatur, Georgia 30030
dataylor@dekalbcountyga.gov

c 404.376.4124
DeKalbCountyGA.gov



[Book time with Taylor, Della A.](#)

- The approved capacity will expire in December 2024 (two years from the approval date, 12/29/2022) and it is possible that the new development will not be ready to connect by then. Is it advisable to submit for a new capacity certificate now, rather than waiting until the current approval expires in December?

If you don't mind, I will call you tomorrow to discuss our options.

Thanks,

Samuel McIntosh, P.E.
Principal Engineer
CivTech Consulting, LLC
2302 Parklake Dr, N.E., Suite 625
Atlanta, GA 30345

Tel. 770-756-4899 (c), 770-756-1270(e)
www.civtechconsulting.com



From: Samuel McIntosh <smcintosh@civtechconsulting.com>
Sent: Monday, February 26, 2024 5:16 PM
To: Sewercapacity, Sewercapacity <sewercapacity@dekalbcountyga.gov>
Cc: Taylor, Della A. <dataylor@dekalbcountyga.gov>; Cordell Lyons <wcl Lyons@glencorservices.com>; hugh@d2constructionservices.com
Subject: Sewer Capacity Reequst for Klondike Station at 2955 & 2975 Klondike Rd

Attached is a sewer capacity approval letter that was issued in December 2022 for the captioned project. This approval was based on a mix of single family, condos and townhomes with an average flow of 16,650gpd. The owner of the property is considering developing the property exclusively for townhomes of approximately 89 units with average flow of (89 x 185) = 16,465gpd.

Questions:

- Since the new expected flow will not exceed the approved flow, do we need to submit a new application, or can the approved one be transferred over to the new plan?



STANDARDS OF PRELIMINARY PLAT REVIEW:

Section 14-88 of the Stonecrest Zoning Ordinance list eight factors to be considered in a technical review of a zoning case completed by the Community Development Department and Planning Commission. Each element is listed with staff analysis.

The owner of the land where the proposed development is to occur, or his authorized agent, shall file a preliminary plat with the Director along with an application for approval. The application shall:

- (1) Be submitted with the plan set for a Land Disturbance Permit;
- (2) Be accompanied by minimum of six copies of the plans, which must be prepared by a registered civil engineer, surveyor, or landscape architect, as described in these regulations and complying in all respects with these regulations and conforming with the zoning of the property;
- (3) Be accompanied by an application fee in the amount set by the mayor and city council;
- (4) Be accompanied by a tree survey;
- (5) Include the name, address and telephone number of an agent who is authorized to receive all notices required by these regulations;
- (6) Be signed by the owner of the property, or if the application is not signed by the owner, a completed indemnification agreement signed by the owner of the property;
- (7) Be accompanied with a consent affidavit from the property owner;
- (8) Be accompanied by a small map of the City of Stonecrest depicted the subdivision location within the City;
- (9) Be accompanied by a vicinity map at a scale of 400 feet to one inch showing the location of the tract with reference to surrounding properties, streets, municipal boundaries, and streams within 500 feet of the tract show zoning districts of adjoining property;
- (10) Include the names of adjoining property owners and the zoning classifications of adjacent properties;
- (11) Include the name, address and phone of developer and engineer;
- (12) Be accompanied by a certification by the applicant that no lots plated are nonconforming or will result in any nonconforming lots;
- (13) The applicant shall obtain the approval of the DeKalb County Health Department and the DeKalb County Department for Watershed Management; and
- (14) Payment of the appropriate development review application fee.

(Ord. No. 2018-06-03, § 14-88, 6-3-2018)



STAFF RECOMMENDATION

The applicant has met the Preliminary Plat requirements stated in Section 14-88 of Chapter 14. Staff recommends **APPROVAL** of SDP24-001 with compliance to the below comments/conditions before final signatures.

1. The preliminary plat was approved by previous staff.
2. The city engineer shall review for accuracy if the prior approval is null.
3. The lot widths (20ft for SFA – taken from the MR-2 Medium Density Residential zoning category) with setbacks are illustrated with compliance to Sec. 3.5.15. - Low-rise mixed-use zone (Tier III).
4. The building spacing is compliant for 20ft but there are no elevation drawings to confirm height or story of structures.
5. The required 50' undisturbed transitional buffer to the south is in place. Though there's a residential underline zoning of the subject lot that abuts a C-1 Local Commercial zoning classification, both are within the Stonecrest OVD Tier 3 and not applicable for Sec. 3.5.7. - Transitional buffer zone requirements for (north side yard).
6. Proposed parking is within garages and driveway provided at 1.5 and .25. According to the count the development exceeds the required parking spaces of 1.5 x72 units. The .25 included in tabulation chart is noted but staff requires additional clarity.
7. The open space for overall lot is 20% (Open Space Area 11 - 2,554 and Open Space Area 12 - 984 square feet = 3,538 sq. ft. wouldn't meet 20% of the lot requirement. Greenspace is applicable to planting for landscaping and ground coverage mostly parking lot areas.
 - a. The applicant will need to clarify how they calculated the green space and open space. Update the plan with the correct calculations.



CITY COUNCIL AGENDA ITEM

SUBJECT: Ordinance for Personnel Code Amendment, 1st Read

AGENDA SECTION: *(check all that apply)*

- PRESENTATION PUBLIC HEARING CONSENT AGENDA OLD BUSINESS
 NEW BUSINESS OTHER, PLEASE STATE: Click or tap here to enter text.
-

CATEGORY: *(check all that apply)*

- ORDINANCE RESOLUTION CONTRACT POLICY STATUS REPORT
 OTHER, PLEASE STATE: Click or tap here to enter text.
-

ACTION REQUESTED: DECISION DISCUSSION, REVIEW, or UPDATE ONLY

Previously Heard Date(s): Click or tap here to enter text. & Click or tap to enter a date.

Current Work Session: Click or tap to enter a date.

Current Council Meeting: Monday, March 24, 2025

SUBMITTED BY: Leona Durden, Director of Human Resources

PRESENTER: Leona Durden, Director of Human Resources

PURPOSE: For Review and make a decision – Removal of Chapter 20

FACTS: Click or tap here to enter text.

OPTIONS: Approve, Deny, Defer Click or tap here to enter text.

RECOMMENDED ACTION: Approve Click or tap here to enter text.

ATTACHMENTS:

- (1) Attachment 1 - Ordinance Amending Chapter 20
- (2) Attachment 2 - Click or tap here to enter text.
- (3) Attachment 3 - Click or tap here to enter text.
- (4) Attachment 4 - Click or tap here to enter text.
- (5) Attachment 5 - Click or tap here to enter text.

STATE OF GEORGIA
COUNTY OF DEKALB
CITY OF STONECREST

AN ORDINANCE BY THE MAYOR AND COUNCIL OF THE CITY OF STONECREST, GEORGIA AMENDING CHAPTER 20(PERSONNEL) OF THE CITY OF STONECREST CODE OF ORDINANCES BY REMOVING AND UPDATING TEXT TO AUTHORIZE THE CITY OF STONECREST PERSONNEL POLICIES AND PROCEDURES MANUAL AS THE OFFICIAL EMPLOYMENT POLICY DOCUMENT OF THE CITY OF STONECREST, GEORGIA; TO PROVIDE AN EFFECTIVE DATE; TO PROVIDE FOR SEVERABILITY; AND FOR OTHER LAWFUL PURPOSES.

11 **WHEREAS,** the governing authority of the City of Stonecrest (“City”) is the Mayor and Council thereof; and

14 **WHEREAS,** the city council shall have the authority to adopt and provide for the execution of such ordinances, resolutions, policies, rules, and regulations, not inconsistent with this Charter and the Constitution and the laws of the State of Georgia, which it shall deem necessary, expedient, or helpful for the peace, good order, protection of life and property, health, welfare, sanitation, comfort, convenience, prosperity, or well-being of the inhabitants of the City of Stonecrest and may enforce such ordinances by imposing penalties for violation thereof.; and

22 **WHEREAS,** the purpose of the City’s Personnel Policies and Procedures Manual (“Personnel Policy”) is to provide various policies and procedures relating to employment with the City of Stonecrest; and

26 **WHEREAS,** the City desires to amend Chapter 20(PERSONNEL) of the City of Stonecrest Code of Ordinances by removing the language of the code and authorizing the Personnel Policies and Procedures Manual as the official employment policy document of the City of Stonecrest, Georgia.

31 **BE IT AND IT IS HEREBY ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF STONECREST, GEORGIA**

34 **Section 1.** The City of Stonecrest Personnel Policy is hereby adopted as the official employment policy document of the City of Stonecrest, Georgia.

37 **Section 2.** That the Personnel Policy is adopted through the provisions set forth in Exhibit A attached hereto and made a part hereof by reference. That text added to current law appears in **red and bold**. Text removed from current law appears as **red, bold and strikethrough**.

42 **Section 3.** The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

**STATE OF GEORGIA
COUNTY OF DEKALB
CITY OF STONECREST**

Section 4. To the extent any portion of this Ordinance is declared to be invalid, unenforceable, or nonbinding, that shall not affect the remaining portions of this Ordinance

Section 5. All City Ordinance are hereby repealed to the extent they are inconsistent with this Ordinance.

BE IT ORDAINED, this Ordinance shall take effect immediately.

RESOLVED this _____ day of _____, 2025.

CITY OF STONECREST, GEORGIA

Jazzmin Cobble, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM BY:

City Attorney

**STATE OF GEORGIA
COUNTY OF DEKALB
CITY OF STONECREST**

Item XIII. b.

EXHIBIT A

Chapter 20 PERSONNEL

ARTICLE I. IN GENERAL

Sec. 20-1. Personnel Policy

The Mayor and City Council of the City of Stonecrest, Georgia, hereby declares the City of Stonecrest Personnel Policies and Procedures Manual as the official employment policy document of the City of Stonecrest, Georgia.

~~Sec. 20-1. Definitions.~~

~~For the purposes of this chapter, certain terms and words are hereby defined. Where words or terms are not herein defined, but are defined in any other applicable sections of this Code or state law, now and as they may be amended hereafter, those words shall have the meaning as defined therein. As used in this chapter, unless the context otherwise indicates, the following words and terms shall have the meaning ascribed to them:~~

~~*Act or the Act or merit system act* means Georgia Laws, 1956, p. 3111 [App. B, § 1052 et seq.], as amended.~~

~~*Allocation* means assignment of a pay grade to a class of positions.~~

~~*Appeal* means a request by an employee to have a hearing pursuant to this chapter.~~

~~*Applicant* means any person who has filed an application in accordance with this chapter.~~

~~*Appointment* means the employment of an applicant for City service.~~

~~*Available* means an individual on a register for a class of positions willing to accept appointment to a particular position of that class.~~

~~*Base rate of pay* means that salary paid an employee excluding any incentive, longevity or other compensation.~~

~~*Certification* means referring a list of names of qualified applicants for appointment or promotion.~~

~~*Class* means a group of positions sufficiently similar as to the duties performed, degree of supervision exercised or required, minimum requirements of training, experience and such other characteristics that the same title, the same tests of fitness, and the same schedule of compensation may be applied to each position in the group; and which has been recognized as such in the classification plan approved.~~

~~*Classified service* means all positions under the merit system. Each position is assigned to a classification and carries that specific job code and an individual position number. Exempt positions are not in the classified service.~~

~~*Compensatory time* means that time which may be granted an employee as off time as compensation for time worked in excess of the standard workweek applicable to that employee.~~

~~*Council* means the merit system council.~~

~~*Demotion* means the reduction of a permanent or working test employee to a position of a lower class. For this purpose, a lower class means any class of positions having a maximum rate of pay lower than the maximum rate of pay for the position in which the individual is employed.~~

~~*Department* means the internal administrative unit established by formal action of the Mayor and City Council.~~

~~*Department head* means any city employee designated as the head or principal administrative officer of any department subject to the provisions of this chapter. This includes the chief executive who shall be considered the department head of department heads under the merit system.~~

~~*Director* means the director of the merit system and personnel administration department.~~

~~*Disciplinary action* means action taken for cause by the chief executive officer or department head that results in suspension, involuntary demotion or dismissal.~~

~~*Eligible* means an individual whose name appears on a register for a particular class of positions and who is not otherwise barred from consideration for appointment.~~

~~*Emergency appointment* means employment to fill an immediate need, and that regular appointment methods cannot be followed.~~

~~*Employee* means an incumbent of a position, as hereinafter defined.~~

~~*Examination* means the designated method of evaluating the knowledge, skills and abilities of applicants for purposes of ranking and selection. Such methods could include, but not limited to, written tests, oral interviews, evaluations of education and experience, etc.~~

~~*Exempt position* means a position designated as being exempt from the application of this chapter.~~

~~*Merit system* means the city merit system of personnel administration of employees covered under the act.~~

~~*Minimum qualifications* mean those training, experience and other requirements that qualify an applicant or employee to be considered for examination and appointment.~~

~~*Overtime* means time wherein an employee is directed to continue work in excess of the standard workweek for that position, as hereinafter defined.~~

~~*Part-time employee* means any employee working on a continuous basis at least 20 hours but less than the standard workweek, as hereinafter defined.~~

~~*Permanent status employee* means an employee who has successfully completed his or her probationary period and has been designated a permanent status employee by the department head and approved by the merit system director.~~

~~*Position* means the duties, tasks and responsibilities which comprise and constitute the work of an employee.~~

~~*Probation* means conditional employment; not regular; a trial or working test period.~~

~~*Promotion* means the filling of a vacancy by appointing an employee with permanent status to a position from a position of a lower class.~~

~~*Protected classes* means minorities, females, handicapped, older workers, and other classes designated by federal or state law for special employment consideration.~~

~~*Public hearings* means a meeting of the merit system council open to the public, held after at least five days' notice has been given thereof, at which time any interested party may appear and be heard.~~

~~*Public notice*, unless otherwise expressly stated, means a written notice on a bulletin board accessible to the public during business hours, and other publicity as may be deemed necessary by the merit system council.~~

~~*Qualifying service* means all periods of city employment during which an employee was eligible to accrue annual leave under this chapter.~~

~~*Reallocation* means change in the pay grade assignment of a class of positions.~~

~~*Reduction in force* means the termination of an employee due to lack of work, lack of funds, abolishment of position, or for other material changes in duties or organization, or appropriation of funds.~~

~~*Register* means an official list of persons who have successfully competed in a merit system examination for a particular class of positions.~~

~~*Roster of employees* means a listing of employees of the city government which sets forth the name of each employee, the department by which the employee is employed, the class title of the position held by the employee, and the salary range assigned to the class title of the position held by the employee.~~

~~*Salary adjustment* means any change in salary, resulting from legislative or administrative action, and not constituting a salary advancement, as hereinafter defined.~~

~~*Salary advancement* means an increase in salary based on merit and length of service within the salary range prescribed for a particular class of positions.~~

~~*Standard workweek* means that number of hours constituting the full working time for a class of positions, as determined by a department head and as approved by the Mayor and City Council.~~

~~*Standby time* means that time when employees are required to leave work at their homes or with departmental officials where they may be reached in case of an off-duty call-out.~~

~~*Temporary position* means a position created for a designated period of time not to exceed six months.~~

~~*Time-limited appointment* means employment to fill a position for a period of time designated by programs authorized by Congress or the state legislature.~~

~~*Transfer* means the filling of a vacancy by assigning a permanent or working test employee from another position of the same or a comparable class.~~

~~*Vacancy* means an unoccupied position that has been established through a job analysis and official delegation of duties, which has been properly allocated and adopted as part of the classification and pay plans, and for which funds are available.~~

~~*Waiting time* means that period of inactivity while on duty spent waiting for weather conditions to improve or contingency assignments to be made.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Sec. 20-2. Penalties for violation.~~

~~Any employee under the merit system who willfully violates any of the provisions of this chapter may be disciplined hereunder or may be required to forfeit the employee's position, subject to the appeals guidelines as set forth in article IX of this chapter.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Sec. 20-3. Applicability.~~

~~All positions, other than those exempt positions under this chapter or law, shall be filled only in accordance with this chapter. All departments under the merit system, as provided herein, shall administer their personnel in accordance with this chapter. All positions, except those listed as exempt, shall be collectively known as the classified service. Nothing in this chapter shall be construed to conflict with any state law or~~

~~regulation that provides additional qualifications, duties or compensation levels of any employee who is also subject to the provisions of this chapter.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Sec. 20-4. Exempt positions designated.~~

~~The provisions of this chapter shall not apply to any exempt position. The exempt positions are the following:~~

~~(1) *Generally.*~~

- ~~a. City Manager;~~
- ~~b. Deputy City Manager;~~
- ~~c. City Clerk;~~
- ~~d. Community Development Director;~~
- ~~e. City Planner;~~
- ~~f. Code Enforcement Supervisor;~~
- ~~g. Chief Building Official;~~
- ~~h. Accounting Manager;~~
- ~~i. Procurement Specialist;~~
- ~~j. Communications Director.~~

~~(2) *Appointed official.*~~

- ~~a. Members of appointed city agencies, boards, commissions, and councils and the employees of the offices.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Sec. 20-5. Reserved.~~

~~Sec. 20-6. Duties of merit system and personnel administration director.~~

~~The duties of the merit system director shall be to:~~

- ~~(1) Attend all meetings of the merit system council and act as secretary to the council.~~
- ~~(2) Establish and maintain a listing of all employees of the board of commissioners, including merit and non-merit, which will set forth the names of employees, their class titles, their pay grades, their salaries or pay statuses, their employment statuses and other appropriate data deemed pertinent by the director.~~
- ~~(3) Select a staff of assistants in accordance with this chapter and to assign and direct their work.~~
- ~~(4) Advise and consult with the department heads in the development of a variety of training programs to improve performance of employees at all levels as needed and to coordinate the planning and scheduling of such training programs for efficient administration.~~

- ~~(5) Assist the department heads in the development of a system of periodic performance appraisal of employees under the merit system to be administered by the department heads.~~
- ~~(6) Make annual reports and such special reports as deemed advisable regarding personnel administration under the merit system, and to make recommendations for improvement therein.~~
- ~~(7) Be responsible for the preparation and maintenance of the classification and compensation plans and, after consultation with department heads, to prepare and present to the board for adoption, class specifications and amendments thereto.~~
- ~~(8) Recommend amendments to this chapter and to cause all rules and regulations to be published and copies thereof to be given to the department heads and the board, and to maintain copies in the office of the merit system department.~~
- ~~(9) Prepare for review and approval by the chief executive, job classification and compensation, administrative procedures to be followed by employees, department heads and other officials in processing appeals and in carrying out other assigned responsibilities under this chapter.~~
- ~~(10) Prepare annual budgets covering all the costs of operating the merit system, for adoption by the board.~~
- ~~(11) Maintain all registers of eligible persons for appointment and to make certification from such registers.~~
- ~~(12) Act as custodian of all records and properties in the office of the merit system director.~~
- ~~(13) Make such regulations and other administrative memoranda as deemed necessary, not inconsistent with this chapter, relative to matters involved in the administration of this chapter.~~
- ~~(14) Be responsible for overseeing an equitable and uniform system of discipline, administering the internal grievance and appeal procedure and maintaining the centralized records and coordinating the activities associated with appeals.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Sec. 20-7. Adoption of rules, regulations.~~

~~The chief executive shall adopt uniform rules and regulations pertaining to city recruitment activities, applications for examination, qualifications of applicants, administration of examinations, and all other matters necessary to accomplish the purpose of this chapter.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Sec. 20-8. Minutes of merit system council.~~

~~The date, time and place of each meeting of the merit system council, names of the councilmembers present, all official acts of the council and the votes of each member except when the acts are unanimous and, when requested, a councilmember's approval or dissent, with the reasons, shall be recorded in the minutes. The director shall cause the minutes to be prepared and presented to the council for approval or amendment. The adopted minutes, or a true copy thereof, certified by the director, shall be open to public inspection, and copies of pertinent sections thereof made available upon request to any department head or employee affected thereby.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

Sec. 20-9. Record of appeal hearings.

~~A verbatim account of an appeal hearing will not be transcribed, unless requested by one of the parties, and paid for by the requesting party. Either party shall have the right to have the proceedings recorded by a court reporter at the party's own expense.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

Sec. 20-10. Public records, confidential records.

~~All merit system documents, records and information are the property of Stonecrest, Georgia and shall remain confidential except when disclosure is required by the Georgia Open Records Act or other law.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

Sec. 20-11. Access to records.

~~The director shall have access to all departmental personnel records, documents and papers in order to discharge the director's duties. The department heads shall have access to such records as deemed pertinent by the director to their department and the discharge of their duties. Performance rating reports shall be accessible to the department head concerned, the director, the merit system council, the Mayor and City Council and the employee involved. Such performance reports may be reviewed by other individuals only for official purposes on a need to know basis at the discretion of the director. The merit system council shall have access to all records necessary to discharge its duties. Other personnel information may be made available for official purposes at the discretion of the director. Information which is obtained by employees in the course of their official duties shall not be released or made available to anyone other than employees charged with this responsibility as part of their official duties.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

Sec. 20-12. Preservation of records.

~~(a) The following records shall be preserved in the offices of the merit system for the periods designated:~~

- ~~(1) Examination and testing records of appointees shall be kept permanently. Examination and testing records of other applicants shall be kept for one year.~~
- ~~(2) Registers of certified eligibles shall be kept for one year after expiration.~~
- ~~(3) A copy of each test form used and validation procedures employed shall be retained permanently.~~
- ~~(4) All other records related to examination and eligible lists, including correspondence, applications and examination papers, shall be kept for one year.~~
- ~~(5) The employee's permanent personnel file shall be purged each three years to remove appraisals and other documents related to performance, disciplinary actions and other materials over three years of age which are no longer needed in the operation of the merit system.~~
- ~~(6) Personnel files of terminated employees shall be kept for three years.~~

~~(b) The above retention periods may be extended if required by federal or state law.~~

~~(c) Records may be preserved in their original form or other duplicate form such as microfilm, at the discretion of the director.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Sec. 20-13. Position classification plan.~~

- ~~(a) The classification plan provides a systematic arrangement and inventory of the positions in the classified service. The plan groups the various positions into classes with an appropriate title indicative of the range of duties and responsibilities, and the types of work performed.~~
- ~~(b) The chief executive shall adopt rules and regulations for the implementation and administration of the classification plan within the budget approved by the Mayor and City Council.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Sec. 20-14. Maintenance of registers.~~

~~The chief executive shall adopt uniform rules and regulations pertaining to the maintenance of registers, including procedures for determining the adequacy of existing registers, the frequency of announcements of vacancies or examinations, the abolishment of registers, and the establishment of registers.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Sec. 20-15. Fillings of vacancies.~~

~~All vacancies under the merit system must be filled either by probationary appointment, promotion, demotion, transfer, emergency appointment, reappointment, temporary appointment or part-time appointment. No vacancy may be filled until a valid requisition is received by the director from a department head.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Sec. 20-16. Equal opportunity employment.~~

- ~~(a) The city is an equal opportunity employer. This effort will be an ongoing process. For affirmative action purposes, the director, in conjunction with the affirmative action officer, may institute voluntary programs that will facilitate this purpose and implement programs approved by the Mayor and City Council.~~
- ~~(b) There shall be no discrimination against applicants or employees on the basis of race, color, religion, sex, national origin, political affiliation or opinion, age, handicap or other non-merit factors with regard to appointment, promotion, demotion, dismissal, discipline, training or any other aspect of personnel administration. This shall not prevent the application of a particular requirement factor that is a bona fide occupational qualification.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Sec. 20-17. Political activities.~~

- ~~(a) No person shall seek or attempt to use any political endorsement in connection with any appointment to a position under the merit system.~~
- ~~(b) No person shall use or promise to use, directly or indirectly, any official authority or influence, whether possessed or anticipated, to secure or attempt to secure for any person an appointment or advantage in~~

~~appointment to a position under the merit system, or an increase in pay or any other advantage in employment in this position for the purpose of influencing the vote or political action of any person, or for any consideration.~~

~~(c) No employee under the merit system shall be a candidate for nomination or election to any elective public office, or take part in the management or affairs of any political campaign, except to exercise the right as a citizen to express an opinion privately and to cast a vote.~~

~~(d) Employees whose principal employment is in connection with an activity which is financed in whole or in part by loans or grants made by the United States or a federal agency are subject to the provisions of the Hatch Act.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Sec. 20-18. Political soliciting.~~

~~No employee under the merit system shall solicit or take part in soliciting any assessment, subscription or contribution for any political organization or purpose. Employees may make voluntary financial contributions to a political party or organization or candidate.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Sec. 20-19. Persons advocating overthrow of government prohibited from employment.~~

~~No person shall be employed under the merit system who advocates or has ever advocated, or who is or whoever has been a member of any organization that advocates the overthrow of the government of the United States by force or violence.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Sec. 20-20. Conflicts of interest.~~

~~(a) No employee covered by the provision of this chapter shall:~~

~~(1) Engage in any business or transaction or have a financial interest or other personal interest, direct or indirect, which is incompatible with the proper discharge of official duties or which would tend to impair independence of judgment or action in the performance of official duties;~~

~~(2) Engage in or accept private employment or render services for a private interest when such employment or service is incompatible with the proper discharge of official city duties or would tend to impair independence of judgment or action in the performance of official duties;~~

~~(3) Disclose confidential information concerning the property, governmental body or affairs of the city without proper legal authorization, or use such information to advance the employee's financial or other private interests or that of others;~~

~~(4) Participate in the negotiation or the making of any contract with any business or entity in which the employee has a financial interest.~~

~~(5) Solicit contributions from another employee for a gift or donation to an employee or elected official in a superior official position, or, if in a superior position, accept a gift presented as a contribution from an employee.~~

- ~~(6) Directly or indirectly solicit or accept any gift from a prohibited source or any gift given because of the employee's official position.~~
- ~~(7) Directly or indirectly give, offer, promise, demand, seek, receive, accept, or agree to receive anything of value to influence any official act.~~
- ~~(8) Except as provided by law for the proper discharge of official duties, directly or indirectly, give, offer promise, demand, seek, receive, accept, or agree to accept anything of value for or because of any official act performed or to be performed, or for or because of any testimony given or to be given before an individual or other entity, tribunal or proceeding authorized to hear evidence or take testimony.~~
- ~~(9) Accept gifts from the same or different sources on a basis so frequent that a reasonable person would be led to believe the employee is using his/her public office for private gain.~~
- ~~(10) Accept a gift in violation of any local, state or federal statute.~~
- ~~(11) Accept vendor promotional training contrary to applicable regulations, policies or guidance relating to the procurement of supplies and services for the county.~~
- ~~(b) No employee shall receive any compensation, salary or supplementation of his/her city salary, from any entity other than the city or as may be contributed by law out of the treasury of any state, county, or municipality, for his/her services to the city.~~
- ~~(c) No employee shall by his or her conduct give reasonable basis for the impression that any person can improperly influence him or her or unduly enjoy his or her favor in the performance of official acts or actions or that he or she is affected unduly by the kinship, rank, position or association with any person.~~
- ~~(d) No employee shall by virtue of his or her position with the city, directly or indirectly attempt to influence the decision of any city employee who must act to further any city procurement, policy, regulation, inspection or transaction.~~
- ~~(e) No employee shall engage in or accept employment with or render services for any private business or professional activity when such is adverse to and incompatible with the proper discharge of his or her official duties.~~
- ~~(f) Employees shall not knowingly solicit or make solicited sales to other employees who are junior in classification or position, or to the family members of such employees, within or without work hours. In the absence of coercion or intimidation, this does not prohibit the sale or lease of an employee's noncommercial personal or real property or commercial sales solicited and made in a retail establishment during non-working hours. This prohibition includes, without limitation, the solicited sale of insurance, stocks, mutual funds, real estate, cosmetics, household supplies, vitamins, and other goods or services. Both the act of soliciting and the act of selling as a result of soliciting are prohibited. In both cases, however, a solicitation is necessary for a violation to occur. While the standard prohibits a superior from making a solicited sale to a subordinate or to the subordinate's family, sales made because a subordinate approaches the superior and requests the sale to be made are not prohibited, absent coercion or intimidation by the superior. The posting of an advertisement in accordance with county policies does not constitute solicitation for purposes of this subsection.~~
- ~~(g) Where an employee knows that a particular matter involving specific parties is likely to have a direct and predictable effect on the financial interest of a member of his/her household, or knows that a person with whom he/she has a covered relationship is or represents a party to such a matter, and where the circumstances would cause a reasonable person with knowledge of the relevant facts to question his/her impartiality in the matter, the employee should not participate in the matter.~~

- ~~(h) An employee shall be disqualified for two years from participating in any particular matter in which a former employer is a party or represents a party. The two-year period of disqualification begins to run on the date the employee left the employ of the former employer.~~
- ~~(i) An employee may accept unsolicited gifts from a person or entity other than a prohibited source, having an aggregate market value of \$40.00 or less per source per occasion, provided that the aggregate market value of individual gifts received from any one source under the authority of this paragraph shall not exceed \$120.00 in a calendar year.~~
- ~~(j) Definitions.~~
- ~~(1) Covered relationship. An employee has a covered relationship with:~~
- ~~a. A person with whom the employee has or seeks a business, contractual or other financial relationship that involves other than a routine consumer transaction;~~
 - ~~b. A person who is a member of the employee's household, or who is within the third degree of relationship with of the employee;~~
 - ~~c. A person for whom the employee's spouse, parent or child is serving or seeking to serve as an officer, director, trustee, general partner, agent, attorney, consultant, contractor or employee;~~
 - ~~d. Any person for whom the employee has, within the last year, served as officer, director, trustee, general partner, agent, attorney, consultant, contractor or employee; or~~
 - ~~e. An organization, other than a political party, in which the employee is an active participant.~~
- ~~(2) Direct and predictable effect means a particular matter will have a direct effect if there is a close causal link between any decision or action to be taken in the matter and any effect on a financial interest. An effect may be direct even though it does not occur immediately. A particular matter will not have a direct effect on a financial interest, however, if the chain of causation is contingent upon the occurrence of events that are speculative or that are independent of, and unrelated to, the matter. A particular matter will have a predictable effect if there is a real, as opposed to a speculative, possibility that the matter will affect a financial interest. It is not necessary, however, that the magnitude of the gain or loss be known, and the dollar amount of the gain or loss is immaterial.~~
- ~~(3) Former employer includes any person or entity which the employee served as an officer, director, trustee, general partner, agent, attorney, consultant, contractor or employee.~~
- ~~(4) Gift includes any gratuity, favor, discount, entertainment, trip, hospitality, loan, forbearance, or other item having monetary value. It includes services as well as gifts of training, transportation, local travel, lodgings and meals, whether provided in kind, by purchase of a ticket, payment in advance, or reimbursement after the expense has been incurred. A gift does not include:~~
- ~~a. Modest items of prepared food and refreshments, such as soft drinks, or coffee and donuts, offered other than as part of a meal;~~
 - ~~b. Greeting cards and items with little intrinsic value, such as plaques, certificates, and trophies, which are intended solely for presentation;~~
 - ~~c. Loans from banks and other financial institutions on terms generally available to the public;~~
 - ~~d. Social invitations from persons or entities, other than prohibited sources. An employee may accept food, refreshments and entertainment, not including travel or lodgings, at a social event attended by several persons where the invitation is from a person or entity that is not a prohibited source and no fee is charged to any person in attendance.~~

- ~~(5) *Imputed interests* means the financial interests of the following persons will serve to disqualify an employee to the same extent as if they were the employee's own interests:~~
- ~~a. The employee's spouse/domestic partner;~~
 - ~~b. The employee's child;~~
 - ~~c. An organization or entity which the employee or his/her spouse serves as officer, director, trustee, general partner or employee; and~~
 - ~~d. A person with whom the employee is negotiating for or has an arrangement concerning prospective employment.~~
- ~~(6) *Market value* means the retail cost the employee would incur to purchase the gift. An employee who cannot ascertain the market value of a gift may estimate its market value by reference to the retail cost of similar items of like quality. The market value of a gift of a ticket entitling the holder to food, refreshments, entertainment, or any other benefit shall be the face value of the ticket.~~
- ~~(7) *Particular matter* encompasses only matters that involve deliberation, decision, or action that is focused upon the interests of specific persons, or a discrete and identifiable class of persons. The particular matters covered by this subpart include, but are not limited to, a judicial or other proceeding, application, request for a ruling or other determination, contract, claim, controversy, charge, accusation or arrest.~~
- ~~(8) *Personal and substantial* means the direct and active supervision of the participation of a subordinate in the matter. To participate substantially means that the employee's involvement is of significance to the matter. Participation may be substantial even though it is not determinative of the outcome of the particular matter. However, it requires more than official responsibility, knowledge, perfunctory involvement, or involvement on administrative or peripheral issues. A finding of substantiality should be based not only on the effort devoted to a matter, but also on the importance of the effort.~~
- ~~(9) *Prohibited source* means any person or entity who:~~
- ~~a. Is seeking official action by the employee or the employee's department;~~
 - ~~b. Does business or seeks to do business with the city or the employee's department;~~
 - ~~c. Conducts activities regulated by the employee or the employee's department;~~
 - ~~d. Has interests that may be substantially affected by performance or nonperformance of the employee's official duties; or~~
 - ~~e. Is an organization having a majority of its members as described in paragraphs (j)(9)a. through d. of this section.~~
- ~~(10) A gift is *solicited or accepted* because of the employee's official position if it is from a person other than an employee and would not have been solicited, offered, or given had the employee not held the status, authority or duties associated with his/her county position. A gift which is solicited or accepted indirectly includes a gift:~~
- ~~a. Given with the employee's knowledge and acquiescence to his/her parent, sibling, spouse, child (included adopted and step children), or dependent relative because of that person's relationship to the employee, or~~
 - ~~b. Given to any other person, including any charitable organization, on the basis of designation, recommendation, or other specification by the employee.~~

~~(11) *Third degree of relationship.* The following persons are relatives within the third degree of relationship: great-grandparent, grandparent, parent, uncle, aunt, brother, sister, child, grandchild, great-grandchild, nephew or niece.~~

~~(12) *Vendor promotional training* means training provided by any person or entity for the purpose of promoting its products or services. It does not include training provided under a county contract or by a contractor to facilitate use of products or services it furnishes under a city contract.~~

~~(h) Any employee who violates the provision of this section shall be guilty of misconduct and subject to appropriate disciplinary action, including immediate dismissal.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Sec. 20-20.1. Financial disclosure reports.~~

~~The mayor, member of city council, city manager, assistant city manager, city clerk, department heads, deputy, assistant and associate department heads/directors and economic development department personnel, shall file annually with the city clerk a report disclosing the sources of any income, whatever its nature, in excess of \$1,000.00 derived from any one source for the preceding calendar year. Such report shall be filed on or before April 30 of each year for the prior calendar year in a format determined by the director of finance. Failure of any such person to file such disclosure statement shall be reflected in the minutes of the next regularly scheduled meeting of the board of commissioners following the April 30 deadline, with a copy of the list of such persons presented to the chairperson of the Stonecrest Ethics Committee for appropriate action. The reports shall be considered public documents upon filing. Each report shall contain the following information:~~

~~(1) The source of each of the following items received or accrued during the preceding calendar year by such person reporting or his/her spouse, including the name and address of the source:~~

~~a. Any income for services rendered of \$1,000.00 or more;~~

~~b. Any interest or dividend income of \$1,000.00 or more;~~

~~c. Reimbursement for expenses of \$1,000.00 or more in each instance;~~

~~d. Honoraria from a single source in the aggregate amount of \$500.00 or more, except as otherwise reported under the state statute covering financial disclosure statements;~~

~~e. Any gift in the aggregate amount or value of \$500.00 or more from any single source received during the preceding year.~~

~~(2) The name, address and type of organization in which the person reporting or his/her spouse is an officer, director, partner, proprietor, or employee, or serves in any advisory capacity from which income of \$1,000.00 or more was derived.~~

~~(3) Each creditor, including the name and address, to whom the person reporting or his/her spouse was indebted for a period of 90 consecutive days or more during the preceding calendar year in an amount of \$7,500.00 or more, except for retail installment debt, or the purchase or sale of real property.~~

~~(4) Failure to file a financial disclosure report, as required by this section, may result in the referral of such violation to the Stonecrest Ethics Committee for punitive action, or may result in disciplinary action, including dismissal.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Sec. 20-21. Disposition of special fees and rewards.~~

~~Special fees and rewards received by any employee by reason of the performance of any act required of such employee by the city and such employee's duties, whether paid by an individual or by a public authority, shall be deemed the property of the city and no employee shall accept for private use and benefit this fee or reward.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Sec. 20-22. Full-time service; outside employment.~~

~~The city shall be entitled to the full-time services of all employees whose positions are on a full-time basis. All outside employment must be approved in advance by the department head. No outside employment which interferes with the employee's scheduled city work time shall be allowed, nor shall any outside employment be allowed which may create a conflict, or apparent conflict, between private interest of the individual and official city duties and responsibilities.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Sec. 20-23. Physical examination.~~

~~Before entering employment and as often as the head of the department may deem necessary for the performance of work assigned, an applicant or employee shall undergo a physical examination by a licensed physician to determine the physical fitness of the employee for the job sought or duty assigned. Such examination shall be paid for by the city. The standard of physical fitness requirements related to job duty shall be established by each department head with due consideration given to the duties to be performed. Before becoming effective, such physical standards shall be submitted to and approved by the director and shall be furnished to the physician conducting the physical examination. No otherwise qualified handicapped individual shall be excluded from city employment solely by reason of handicap, unless such handicap prohibits such individual from performing job-related duties or places such handicapped person or city employee in unsafe conditions likely to result in bodily injuries to the handicapped person or other city employee. If a city employee does not agree to submit to a physical examination, such refusal shall be grounds for dismissal, suspension or leave without pay.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Sec. 20-24—20-40. Reserved.~~***ARTICLE II. COMPENSATION PLAN*****~~Sec. 20-41. Salary increases.~~**

~~A salary increase shall not be considered as an automatic and routine right due an employee. All salary increases shall be based upon quality and quantity of work as reflected by performance appraisal and other recorded ratings, giving due consideration to length of service.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

Sec. 20-42. Holiday pay.

~~All full-time employees shall be paid for a normal workday for each legal holiday established by Mayor and City Council. Part-time employees shall be paid the pro rata part of a normal workday based on hours per day normally worked. Temporary employees, whether part-time or full-time, are not eligible for holiday pay. Employees required to work on a holiday shall be paid the regular day's pay. In addition, they may be given comparable time off at a subsequent date not later than 12 months following the holiday or, upon approval of the city manager or assistant city manager, may be paid for the holiday at a straight-time rate.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

Sec. 20-43. Quality pay increase.

~~A quality pay increase is a pay increase equivalent to a step increase available to permanent full-time employees whose performance is of such superior quality above that ordinarily found in the type of position concerned that special pay recognition is warranted.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

Sec. 20-44. Longevity pay.

~~Longevity pay is a benefit to employees for continued service to the city. Permanent employees shall receive additional compensation based upon satisfactory completion of successive years of service to begin after completion of eight years of service. The method of compensation, as set forth in the administrative procedures to the personnel code, shall be determined by the Mayor with approval of funding by the City Council.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

Sec. 20-45. Separation pay.

~~(a) Annual leave payout. Upon separation from employment with the city, an employee who has completed at least six months but less than ten years of qualifying service may receive pay for accumulated unused annual leave up to a maximum of 30 days at the employee's regular rate of pay. An employee who has completed at least ten years of qualifying service may, upon separation from employment with the city, receive pay for accumulated unused annual leave up to a maximum of 45 days at the employee's regular rate of pay. No payment shall be made upon separation from employment for any amount of accumulated unused sick leave.~~

~~(b) Annual leave payout; death of employee. Upon the death of a permanent employee, the beneficiary of such employee shall be paid for accumulated unused annual leave and any other final pay and allowances in the manner of other separations as indicated above.~~

~~(c) Temporary and emergency employees. The appointment of any person as a temporary or emergency employee shall be automatically terminated upon the expiration of the maximum period of time that the person can be so employed. No further payment for services shall continue beyond the termination date.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

Sec. 20-46. Hazardous duty pay.

~~Extra pay, as authorized in the city's compensation plan, shall be granted: to any employee qualified as a helicopter pilot, having appropriate and current Federal Aviation Administration licensing and medical certificates for the type of helicopters operated by the police department, and designated and serving in a position permitting active piloting duty on county-owned or county-leased aircraft; to any employee qualified as a bomb technician, having the appropriate certification from the Redstone Arsenal Missile and Munitions School and designated and serving in a position requiring active bomb disposal duty for the city; and to any employee qualified as a member of the special weapons and tactical unit, having advanced and extensive training and required certifications in the use of chemical munitions, explosive devices, automatic and specialized weapons, and related equipment.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

Sec. 20-47. Employee suggestion program.

~~The employee suggestion program is established as a benefit program to compensate employees for suggestions that improve city operations, reduce costs, improve productivity and working conditions and/or improve employee morale. Employees can earn monetary payment for suggestions that are adopted and result in tangible savings (measurable, quantifiable cost savings or increase in county revenue) or intangible savings (have an overall benefit but cannot be measured in dollars). The method of compensation, as set forth in the administrative procedures to the personnel code, shall be determined by the mayor with approval of funding by the city council.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

Sec. 20-48. Acting status pay.

~~Subject to approval by the mayor in accordance with procedures established by the mayor and city council, an employee appointed to serve in an acting status in a position with a higher pay classification shall receive compensation at the next pay step that would afford the employee at least a five percent pay increase for any time served in such acting status beyond 60 days consecutively. Acting pay shall not be paid for more than nine months without approval of mayor and city council. For purposes of this section, an employee shall be deemed to be appointed to serve in an acting status when such appointment is made in writing by the department head, is submitted through the merit system director to the mayor, and is approved by the mayor. An acting appointment may only be made to a duly established position which is vacant.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

Sec. 20-49. Reserved.**Sec. 20-50. Continuance of life, health and dental insurance while on leave of absence.**

~~City officers and employees may continue their group life, group health and dental benefits insurance, if they so desire, while on leave of absence from the employ of the city, provided that such leave of absence is granted for one of the following reasons:~~

- ~~(1) — Military leave of absence.~~
- ~~(2) — Maternity leave of absence.~~

- ~~(3) Sick leave of absence.~~
- ~~(4) Court leave of absence.~~
- ~~(5) Family and medical leave of absence.~~
- ~~(6) Approved leave of absence.~~
- ~~(7) As required by state or federal law.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Sec. 20-51. Family and domestic partnership benefits.~~

~~As part of a city officer's or employee's compensation, the city may provide for group life, group health and dental insurance benefits for an employee's legal spouse, and children, as provided for in the insurance plan documents. As part of a city officer's or employee's compensation, the city may provide for group life, group health and dental benefits for a person declared as the officer's or employee's domestic partner under Article X of this chapter. Any employee who receives insurance coverage for a domestic partner shall notify the employee benefits division within ten days of any change in or termination of the domestic partnership. Any employee who fraudulently obtains coverage for a person who is not a spouse, child, or a domestic partner, as defined under Chapter 20, Article X, shall reimburse the city for all costs involved in providing such coverage and be subjected to penalties as provided by the laws of the State of Georgia and the County of DeKalb.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Sec. 20-52. Limitation of liability for benefits.~~

~~Nothing in this chapter shall create any broader, greater, different or other benefits than that provided in the contract of insurance or group plan, and the city shall not be liable for any life, health or dental benefits beyond that provided by the insurance contract or group plan.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Sec. 20-53—20-65. Reserved.~~

ARTICLE III. CERTIFICATIONS AND APPOINTMENTS

~~Sec. 20-66. Generally.~~

~~When the department head chooses to fill a vacancy, the department head may elect to fill the position through any of the methods of making appointments established under this chapter or administrative regulations. The mayor shall adopt rules for the certification of eligibility on the register and the appointment to fill vacancies, temporary and emergency appointments to permanent positions, emergency positions and reappointment.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

Sec. 20-67. Time-limited appointments.

~~Time-limited appointments may be made to positions established for special programs or projects normally anticipated as being longer than six months but not permanent in nature. Programs or projects requiring this type of appointment will normally be mandated by a federal or state program implemented for a specific purpose such as training, retraining or rehabilitation. Appointments may be made through competitive or noncompetitive procedures according to the program requirements.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

Sec. 20-68. Review of discrimination charge.

~~Any applicant who believes unjust discrimination has been exercised in any phase of the pre-employment process because of race, color, religion, national origin, sex, political affiliation, or opinion, age, sexual orientation, or handicap may appeal to the mayor and city council. Such charge must be filed in writing within 180 days after the occurrence of the alleged discriminatory action, and must include the date, time, place, name(s) and specific charge of discrimination. The mayor and city council shall investigate the alleged discriminatory action, and the mayor and council's decision shall be binding.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

Sec. 20-69. Employment of relatives.

~~a) The employment of relatives within the same department (as defined in this Code section 20-69) wherein there is a direct or indirect supervisory/subordinate relationship is prohibited. For purposes of this Code section, direct or indirect supervisory/subordinate relationship shall mean regular assignment in the line of supervision or chain of command, and shall exclude temporary assignment of less than five consecutive business days.~~

~~b) "Department" solely for purposes of this Code section 20-69 shall mean the departments of the city, except that the following bureaus and divisions shall be considered separate "departments" for purposes of this Code section:~~

~~(1) Police bureau;~~

~~(2) Fire bureau;~~

~~(3) Emergency medical services;~~

~~(4) Animal control division;~~

~~(5) Development division;~~

~~(6) Fleet maintenance division;~~

~~(7) Roads and drainage division;~~

~~(8) Water and sewer division;~~

~~(9) Sanitation division;~~

~~(10) Any bureau or division designated by the mayor as a separate "department" for purposes of this Code section.~~

~~(c) The term "relatives" shall mean:~~

~~(1) Father, mother, daughter, step daughter, son, step son, brother and sister of the whole blood or of the half blood, grandparent, grandchild, first cousin, aunt, uncle, nephew and niece.~~

~~(2) Husband, wife, mother in law, father in law, sister in law, brother in law, son in law, and daughter in law.~~

~~These relationships shall include those arising from adoption.~~

~~(d) The limitation on employment or promotion of relatives specified in this Code section shall apply to the continued employment of persons where the referenced relationships commence subsequent to their employment. This section shall apply only to filling of vacancies by promotion, hiring, transfer from separate departments (as defined in this Code section) and reappointments made on or after the effective date of this section. If an appropriate transfer cannot be arranged, the less senior employee shall resign or will be terminated from employment unless the more senior employee chooses to transfer or resign.~~

~~(e) Seniority for purposes of this Code section shall mean total length of employment in positions covered by the City Merit System.~~

~~(f) Nothing in this Code section shall be interpreted to prohibit employment of relatives in different departments, as defined in this Code section.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Secs. 20-70—20-80. Reserved.~~

~~ARTICLE IV. VETERAN'S PREFERENCE~~

~~Sec. 20-81. Generally.~~

~~All candidates and competitors for positions under the merit system (including veterans and their spouses) must meet the minimum requirements for the position sought, and successfully pass the total examination prescribed, if any. Veteran's preference points, if any, shall not be used to raise an otherwise unqualified candidate to a qualified level, nor do veteran's preference points exempt those entitled to them from examination.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Sec. 20-82. Addition of points to rating—Able-bodied veterans.~~

~~(a) Any veteran who has served on active duty as a member of the Armed Forces of the United States for a period of more than 180 days (not counting service under an initial period of active duty for training under the six months' reserve or National Guard programs), any portion of which service occurred during a period of armed conflict in which any branch of the Armed Forces of the United States engaged, whether under United States command or otherwise, and who was honorably discharged shall be entitled to and shall have five points added to his or her passing score on any examination for employment in any position under the merit system.~~

~~(b) Notwithstanding the 180-day minimum active duty requirement of subsection (a) of this section, the five-point preference granted to veterans under said subsection shall apply to any member of the National Guard or Armed Forces Reserve who served on active duty for:~~

- ~~(1) Any length of time during any portion of the time the Armed Forces of the United States were engaged in Operation Desert Shield or Operation Desert Storm if such service occurred in an area of imminent danger as defined by the United States Department of Defense as follows:~~
- ~~a. The Persian Gulf;~~
 - ~~b. The Red Sea;~~
 - ~~c. The Gulf of Oman;~~
 - ~~d. The portion of the Arabian Sea that lies north of ten degrees north latitude and west of 68 degrees east longitude;~~
 - ~~e. The Gulf of Aden; and~~
 - ~~f. The total land area of Saudi Arabia, Kuwait, Iraq, Yemen, Oman, Bahrain, Qatar, and the United Arab Emirates; or~~
- ~~(2) Any length of time during a period of war or armed conflict in which any branch of the Armed Forces of the United States was engaged after Operation Desert Shield and Operation Desert Storm, whether under United States Command or otherwise.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Sec. 20-83. Same—Disabled veterans.~~

~~Any veteran who qualifies for a preference as provided in section 20-82 in this article and has at least ten percent service-connected disability as rated and certified by the United States Department of Veterans Affairs shall be entitled to and shall have ten points added to his or her passing score on any examination for employment in any position under the merit system. This ten point preference shall be in lieu of, not in addition to, any other similar preference accorded by this article or federal or state law.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Sec. 20-84. Spouse of disabled or deceased veteran.~~

- ~~(a) The spouse of a veteran who qualifies for a preference as provided in section 20-82 in this article shall be entitled to and shall have five points added to his or her passing score on any examination for employment in any position under the merit system if the spouse of the veteran is qualified for the merit system position sought, and if the veteran has a 100 percent disability that disqualifies him or her from employment.~~
- ~~(b) The spouse of a veteran, who if living would qualify for a preference as provided in section 20-82 of this article, shall be entitled to and shall have five points added to his or her passing score on any examination for employment in any position under the merit system if the spouse of the veteran is qualified for the position sought and the veteran is deceased.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Sec. 20-85. Appropriate consideration.~~

- ~~(a) In the event that a scored examination is not required to qualify for a particular merit system position, "appropriate consideration" may be given to all candidates and competitors for that merit system position who qualify for a veteran's preference under this article.~~

~~(b) "Appropriate consideration" means that:~~

- ~~(1) A candidate who qualifies for a veteran's preference in this article and meets the minimum requirements for the merit system position sought is entitled to have his or her qualifications presented to the relevant department head or appointing authority for consideration;~~
- ~~(2) A candidate who qualifies for a veteran's preference in this article may be given preference in appointment to a position under the merit system if his or her qualifications for the position sought are equivalent to those of the best qualified non-veteran applicant for the position.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Sec. 20-86. Extent of preference.~~

~~The veteran's preferences established by this article are confined to entrance to the city's service, and do not apply in the case of examinations for or consideration for promotions.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Sec. 20-87. Preferential appointment not mandatory.~~

~~The appointment of a candidate who qualifies for a veteran's preference is not mandatory, even if his or her qualifications are equivalent to those of the best qualified non-veteran applicant for the position.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Sec. 20-88. Appointment discretionary.~~

~~The appointment of a candidate who qualifies for a veteran's preference is within the discretion of the department head. The department head may select another qualified candidate (who is not entitled to the veteran's preference) whose name has been certified. If this occurs, the director shall return the name of the candidate who qualifies for a veteran's preference to the register for further consideration.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Secs. 20-89—20-100. Reserved.~~

ARTICLE V. PROBATIONARY STATUS

~~Sec. 20-101. Purpose.~~

~~The probationary period shall be considered an integral part of the selection process. All employees appointed or promoted to a position in the city's classified service shall be required to satisfactorily complete the probation period prior to achieving permanent status.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

Sec. 20-102. Duration.

~~The first six months of on the job service in a position to which an employee has been appointed or promoted under the provisions of article III covering appointments shall constitute the probation period. The director may fix a different length for the probation period as it applies to positions of one or more classes. The period shall not be fixed at less than three months, nor more than 12 months. The length of the probation period shall be the same for all positions in a class.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

Sec. 20-103. Time counted.

~~Only time in pay and active work status shall be counted toward completion of the probation period. Employees in probation status who are absent on leave without pay, or who are absent for reasons under workers' compensation or disability leave, shall be required to complete the amount of time on the job specified for the class to which they are appointed.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

Sec. 20-104. Conditions prerequisite to permanent status.

~~Supervisors of probationary employees should evaluate those employees periodically during the probation period. Whether formal or informal procedures are used, it is the responsibility of the supervisor to point out areas of deficiency and inform the employee in the correct and expected manner to perform the job. It shall be the responsibility of the department head to obtain a statement in writing from the proper supervisor to the effect that the services of each employee appointed for an initial appointment probation period have or have not been satisfactory and that the employee is or is not recommended to be retained. The statement shall contain an appraisal of the value of the employee's service upon the employee performance evaluation form. The department head shall obtain this statement prior to the completion of the probation period, and make a recommendation to the director. No probation employee shall be considered to have attained permanent status as an employee under the merit system until certified by the director. If the employee is not certified as a permanent status employee, the department head shall notify the employee in advance of the date on which the employee's services are to be terminated, and transmit a copy to the director.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

Sec. 20-105. Probation in promotional position.

~~The department head shall have the same responsibility to assure evaluation of employees in promotional probation status as the department head has in initial appointment probation status. If it is determined that the employee is unsuitable for the position, the department head shall return the employee to the position previously occupied if it is vacant. If not vacant, the department head shall confer with the director relative to placement of the employee in a comparable class of positions for which the employee meets the requirements. If such placement is not feasible, the employee's name shall be placed on the reemployment register. The employee shall receive written notification, prior to the action, stating the reasons for the action. A copy shall be given to the director.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Secs. 20-106—20-120. Reserved.~~

~~ARTICLE VI. PROMOTION, TRANSFER AND DEMOTION~~

~~Sec. 20-121. Procedures generally.~~

~~The city manager shall adopt administrative procedures for the filling of a vacancy by selection on a competitive basis of a permanent employee, and for transfers and demotions. Selection shall be made by the department head and reported to the director who will notify the applicant.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Sec. 20-122. Promotion.~~

~~No employee shall be promoted unless such employee has permanent status and the employee's last recorded performance appraisal is average or above. Although not eligible to qualify for a promotional position which is to be filled from present county employees only, a probation employee is eligible to apply for any city position which is being filled by open competitive examination. A probation period is required for an employee who is promoted.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Sec. 20-123. Transfer—Generally.~~

~~A vacancy may be filled by the transfer of a permanent or probation employee from another position of the same class or a comparable class subject to the limitations of this chapter.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Sec. 20-124. Same—From position of same class.~~

~~A permanent or probation employee in a position may be transferred to any vacancy of the same class. Where the employee has been placed in a position through a procedure involving selective certification, the employee shall not be transferred to any other position for which selective certification on the same basis is not justified until the employee has completed the probation period or the employee's name on the register has been reached through regular certification.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Sec. 20-125. Same—From comparable class.~~

~~A permanent or probation employee may be transferred to a comparable class if the director has certified that the minimum qualifications or training/education and experience specified for the class of the vacancy are met. If a performance test is required for regular appointment to the vacant position, and the employee to be transferred has not passed the required performance test for the class, then the employee must be certified on a test similar to and as extensive as the regular performance test.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

Sec. 20-126. Demotion—Generally.

An employee who is demoted shall retain the same employment status, except that the employee's rate of pay shall be reduced to the step in the pay range assigned to the lower position that is at least the equivalent of one step in the pay plan. If the demotion is non-disciplinary, and if the employee's present salary does not exceed the maximum of the new range, the director may, upon recommendation of the department head, approve a pay step equal to the employee's former salary.

(Ord. No. 2019-05-01, § 1, 5-13-2019)

Sec. 20-127. Same—Procedure; reasons.

A permanent or probation employee may be demoted to a lower class for which the employee meets the requirements for reasons relative to job performance. When an initial appointment probation employee is demoted, the employee shall continue the probation period as if the original appointment had been to the position of the lower class. A permanent or probation employee may request appointment to a lower class, and the department head may make the demotion subject to the limitations applicable to transfers. A department head may demote a permanent or probation employee when a shortage of work or funds, the abolition of a position, or other material change in duties or organization necessitates the action.

(Ord. No. 2019-05-01, § 1, 5-13-2019)

Secs. 20-128—20-140. Reserved.***ARTICLE VII. PERFORMANCE APPRAISAL*****Sec. 20-141. Administration of appraisal system.**

Each department head, in consultation with the director, shall develop and administer a system of performance appraisal to give a fair and objective assessment of each employee's job performance. All appraisal (evaluation) forms and procedures shall be approved by the director prior to official use.

(Ord. No. 2019-05-01, § 1, 5-13-2019)

Sec. 20-142. Performance appraisal of supervisors.

A supervisor's performance appraisal shall include an evaluation of the use of performance appraisals with employees to improve their performance. Supervisors shall be evaluated as to their effectiveness in the equal opportunity and affirmative action policies of the city.

(Ord. No. 2019-05-01, § 1, 5-13-2019)

Secs. 20-143—20-160. Reserved.***ARTICLE VIII. ATTENDANCE AND LEAVE***

~~Sec. 20-161. Hours of work.~~

- ~~(a) The standard workweek for full time employees shall generally be 40 hours; however, due to the requirements of certain positions, this standard may vary. Specific hours of work shall be set by each department head with the concurrence of the director and the approval of the city manager. In any event, specific hours of work and compensation for overtime shall be in compliance with the provisions of the Fair Labor Standards Act. Time worked in excess of the standard workweek, which is approved by the department head in advance or in cases of emergency as determined by the department head, shall be credited as overtime. In computing hours worked for overtime purposes, annual and sick leave and holidays shall be excluded. Overtime shall be accrued or compensated at the rate of one and one-half times the regular rate. Compensatory time at the rate of one and one-half hours for every hour worked in excess of the applicable standard workweek may be given to employees eligible for overtime compensation in lieu of cash compensation.~~
- ~~(b) Eligible law enforcement, emergency medical, fire and seasonal employees may accrue up to 480 hours of compensatory time before overtime compensation must be paid in cash. All other employees eligible for overtime compensation may accrue up to 240 hours. Compensatory time may be utilized by the employee with prior approval of the department head under the same procedures as apply to annual leave as set forth in section 20-165, subsection (e). For employees eligible for overtime compensation, accrued balances must be paid to the employee at termination at a rate not less than the average regular rate of pay over the last three years of employment or the final rate of pay, whichever is higher.~~
- ~~(c) Employees exempt from overtime compensation may be granted compensatory time at an hour for hour rate at the discretion of the department head. If granted, such compensatory time must be used within one calendar year of the date granted in accordance with procedures as apply to annual leave as set forth in section 20-165, subsection (e). Overtime exempt employees are not eligible to receive cash compensation for unused balances.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Sec. 20-162. Transfer of leave benefits.~~

~~When a permanent or working test employee is transferred to another department, the department receiving the employee shall assume responsibility for this employee's unused accumulated sick and annual leave.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Sec. 20-163. Sick leave.~~

- ~~(a) City employees, except temporary and emergency employees, are eligible for sick leave benefits as earned from the date of employment. Sick leave shall accrue for full time employees at the rate of one day per month or its proportional equivalent (see section 20-165 for annual leave accrual rate) and an additional one-half day's sick leave or proportional equivalent thereof (see section 20-165 for annual accrual rate) will accrue on June 30 and December 31 of each year. Part-time employees shall accrue sick leave at the rate of one-half day a month and an additional one-quarter day's leave will accrue on June 30 and December 31 of each year. An employee who starts work before the sixteenth of a month shall earn sick leave for that month, but if the employee starts work on or later than the sixteenth of the month, sick leave accrual will be determined by the hours worked by the end of the month. No sick leave shall accrue for an employee under conditions as set forth in section 20-165, subsection (b). No accrual shall be permitted for an employee on leave without pay, workers' compensation or disability leave. When an~~

~~employee shall have accumulated 30 days of sick leave by the end of the last pay period in November, such employee may be paid in cash each year by December 25 for one-fourth of that year's unused sick leave accumulated beyond the 30 days, and the other three-fourths beyond the 30 days shall be added to the sick leave accumulation of such employee. Accrued but unused sick leave shall be cumulative for succeeding years.~~

- ~~(b) Both probationary and permanent status employees who are eligible for sick leave with pay shall be granted this leave for the following reasons:~~
- ~~(1) Personal illness or physical incapacity and doctor or dentist appointments of the employee, employee's spouse, children living in the same household, or serious illness of spouse, children or parents as defined in the Family and Medical Leave Act of 1993.~~
 - ~~(2) Enforced quarantine of the employee in accordance with community health regulations.~~
- ~~(c) An employee on sick leave shall inform the employee's immediate supervisor of the fact and the reason therefor within the time established by the department head, and failure to do so may be cause for denial of sick leave with pay for the period of the absence.~~
- ~~(d) A medical certificate signed by a licensed physician may be required by the department head to substantiate a request for sick leave for any of the following:~~
- ~~(1) Any period of absence consisting of three or more consecutive days.~~
 - ~~(2) Sick leave of any duration if absence from duty recurs frequently or habitually, provided the employee has been notified in writing that a certificate will be required.~~
 - ~~(3) To support the use of family and medical leave and unscheduled annual leave when sick leave has been exhausted.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

Sec. 20-164. Holidays.

- ~~(a) The city will observe ten paid holidays per year. These are:~~
- ~~January 1, New Year's Day,~~
 - ~~Third Monday in January, Martin Luther King's birthday,~~
 - ~~Third Monday in February, George Washington's birthday,~~
 - ~~Last Monday in May, Memorial Day,~~
 - ~~July 4, Independence Day,~~
 - ~~First Monday in September, Labor Day,~~
 - ~~November 11, Veteran's Day,~~
 - ~~Fourth Thursday in November, Thanksgiving Day,~~
 - ~~Friday immediately following Thanksgiving Day,~~
 - ~~December 25, Christmas Day,~~
- ~~(b) Whenever a legal holiday occurs on Saturday, the previous Friday will be observed. Whenever a legal holiday occurs on Sunday, the following Monday will be observed.~~

~~(c) Any employee who is required to work the holiday may be allowed to take a day off at a subsequent date no later than 12 months following the holiday or, upon the approval of the chief executive or the chief executive's designee, may be paid for the holiday at a straight time rate.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

Sec. 20-165. Vacation (annual) leave.

~~(a) [Vacation accrual.] Vacation (annual) leave with pay for employees whose normal work schedule consists of a 40-hour workweek shall accrue as per the following:~~

| Qualifying Service (years) | Accrual per month (hours) | Annual accumulation (days) |
|---------------------------------------|--------------------------------------|---------------------------------------|
| Less than 5 years | 10 | 15 |
| 5 years up to 10 years | 12 | 18 |
| 10 years up to 15 years | 14 | 21 |
| 15 years up to 20 years | 16 | 24 |
| 20 years and over | 18 | 27 |

~~Those employees whose regularly scheduled average workweek exceeds forty (40) hours shall accrue vacation (annual) leave hours at a rate proportionate to the designated hours of work according to the following formula:~~

| | | | | |
|----------------------|--------------|-----------------------------|--------------|--------------------------|
| Scheduled | | Normal | | |
| Average | | accrual for | | |
| Hours | | 40 hour/week | | proportional |
| per week | | based on | | leave accrual |
| | * | years of service | = | rate |
| 40 | | | | |

~~(b) [Exceptions.] Notwithstanding the provisions of subsection (a):~~

- ~~(1) Temporary and emergency employees shall not accrue annual leave.~~
- ~~(2) Part time employees shall accrue annual leave at one half the rate shown.~~
- ~~(3) No annual leave shall accrue while an employee is on leave without pay, workers' compensation or disability leave.~~
- ~~(4) No annual leave shall accrue when, due to an unexcused absence, an employee works less than 75 percent of the scheduled hours in a pay period.~~

~~(c) [Use of accrued leave.] An employee shall not be entitled to use any part of accumulated annual leave until the employee has worked six months. Accrued but unused annual leave at the end of any year (starting with 2011) shall be accumulated for succeeding years up to a maximum per the following (based on a 40-hour workweek):~~

| Qualifying Service (years) | Annual Maximum Carryover (Days) | Annual Maximum Carryover (Hours) |
|---------------------------------------|--|---|
| Less than 10 Years | 30 | 240 |
| 10 Years and Over | 45 | 360 |

~~Employees whose regularly scheduled average workweek exceeds 40 hours shall carry over vacation (annual) leave hours at a rate proportionate to the designated hours of work in accordance with the formula in subsection (a). Annual leave accumulated over the maximum amount that may be carried over to the next year shall be converted to sick leave and added to the employee's accumulated sick leave balance for the next year.~~

- ~~(d) [Scheduling leave.] Annual leave shall be scheduled in advance and requires the approval of the department head; vacation schedules shall be arranged to provide the least possible disruption of department work programs. Annual leave can be used for emergency situations when approved by the department head. Annual leave, to the extent the purpose for such leave qualifies for leave under the Family and Medical Leave Act of 1993 (FMLA), will be counted against the employee's FMLA leave entitlement.~~
- ~~(e) [Unused sick leave.] At the beginning of each year, an employee shall be credited with one day of annual leave for each 50 days of unused accrued sick leave the employee had on December 31 of the previous year.~~
- ~~(f) Transition to new annual maximum carryover. To move employees from the 2011 carryover limits to the new 2012 carryover limits, the rollover process will be handled in two steps as follows. First, any amount of accumulated annual leave that exceeds the prior 60-day maximum at the end of 2011 shall be converted to sick leave, per previous procedures. Second, any remaining annual leave exceeding the new 2012 carryover limit shall be converted to sick leave unless the employee elected to place it into an annual leave reserve account. That election must be made in writing by the employee and received by the director no later than January 2, 2012. If an employee does not make a timely election, all of the employee's accumulated annual leave not carried over into 2012 shall be converted to sick leave. All accumulated annual leave that is converted into sick leave pursuant to this subparagraph shall be converted on an hour-for-hour basis and added to the employee's accumulated sick leave balance for 2012. Accumulated annual leave that is placed into an annual leave reserve account may be used as annual leave if the employee's accumulated annual leave is otherwise exhausted and the employee's department head authorizes such use.~~
- ~~(g) Annual leave payout for employees who have reserve account annual leave at separation.~~
- ~~(1) Payment for reserve account annual leave. An employee who has accumulated annual leave left in his/her annual leave reserve account at separation shall receive pay for such leave at the employee's last 2011 pay rate.~~
- ~~(2) Payment for accumulated unused annual leave outside the employee's reserve account; limitations on such payment. In addition to payment for any remaining reserve account annual leave, an employee may receive pay for accumulated unused annual leave outside his/her reserve account at separation, subject to the limitations in subsection 20-45(a) of this chapter and subject to the additional limitation that no employee may receive pay for more than 60 days combined total of accumulated unused annual leave under subsections (1) and (2) of this subsection (g).~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Sec. 20-166. Leave of absence without pay.~~

~~Leave of absence without pay for a period not to exceed six consecutive months may be granted to any employee with the approval of the department head. Any leave of absence for a period in excess of six consecutive months shall be at the discretion of the city manager. Valid reasons for leave without pay shall include, but not be confined to, the following: those reasons required under the Family and Medical Leave Act of 1993, educational or training enrichment, and military leave.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Sec. 20-167. Military leave.~~

~~(a) An employee who is a member of the National Guard or an organized military reserve of the United States will be allowed leave of absence with pay to participate in ordered military duty or training for a period consistent with state law.~~

~~(b) An employee, other than emergency or temporary, who leaves employment with the county for military service with the United States shall have reemployment rights upon successful completion of such service, consistent with federal law.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Sec. 20-168. Court leave.~~

~~An employee serving on a permanent, probationary or temporary basis shall be entitled to leave of absence from duties, without loss of pay or time and without effect on service rating, on all days during which the employee is subpoenaed by any court, federal, state or political subdivision thereof, to serve as a juror or witness.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Sec. 20-169. Maternity Leave.~~

~~Maternity leave shall be granted to merit system employees in compliance with applicable administrative procedures and the Family and Medical Leave Act of 1993. Time for beginning and ending of maternity leave shall be certified by the employee's doctor. Maternity leave shall consist of the following: use of any accumulated sick leave, annual leave and/or leave of absence without pay as prescribed in sections 20-163, 20-165, 20-166 and 20-170.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Sec. 20-170. Family and medical leave.~~

~~Family and medical leave shall be granted to those employees eligible and pursuant to the Family and Medical Leave Act of 1993 and the administrative procedures.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Sec. 20-171. Donation of leave time.~~

~~Any permanent employee who has been employed with the City for a minimum of 12 months and who meets the eligibility criteria set forth in the administrative procedures promulgated by the mayor and city council may donate his/her accrued annual or sick leave to other city employees who have exhausted all accrued paid leave due to serious health conditions as defined by the mayor and city council in the administrative procedures.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Secs. 20-172—20-185. Reserved.~~

- CODE OF ORDINANCES
Chapter 20 - PERSONNEL
ARTICLE IX. DISCIPLINARY ACTION AND APPEALS

~~ARTICLE IX. DISCIPLINARY ACTION AND APPEALS~~

~~Sec. 20-186. Definitions.~~

~~The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:~~

~~*Delinquency* means violation of duty to the job requirements or county regulations.~~

~~*Excessive absenteeism* means the habitual or patterned use of sick leave, or leave without pay, not supported by competent medical evidence or other proof of necessity. On a national average, employees experience two to three incidents of sick leave absence a year. Unsubstantiated absences, in excess of the following rule of thumb, may be an indication of excessive absenteeism:~~

~~(1) Two incidents in three months.~~

~~(2) Four incidents in six months.~~

~~(3) Six incidents in one year.~~

~~(An incident is a single day or consecutive series of absences.)~~

~~*Flat fee reimbursement* means a flat fee to reimburse a permanent status employee for a portion of the attorneys' fees such employee actually paid to an attorney to represent the employee in a merit system appeal, where at the end of all available appeals (including any appeals by the employee or county in court), the employee's termination or demotion is reversed. The amount of such reimbursement shall be determined by a reimbursement schedule issued in writing by the county attorney annually and approved by official action of the governing authority. Under this schedule, the flat fee amount that an employee may be reimbursed for shall be less for an appeal of a demotion than an appeal for termination.~~

~~*Incompetence* means the lack of qualities or the incapability of doing the job. Skills, knowledge and abilities are inadequate, unsuitable or obsolete to perform at minimally acceptable standards of performance.~~

~~*Inefficiency* means nonproduction, wasteful use of time, energy or material, or repeated errors and mistakes.~~

~~*Insubordination* means the unwillingness or refusal to perform assigned work, or deliberate failure to comply with written or verbal instructions from a proper supervisory authority.~~

~~*Misconduct* means mismanagement of job responsibilities and county property, intentional improper behavior on the job, or deliberate violation of county regulations.~~

~~*Negligence* means careless disregard for or lack of attention to job-related matters.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Sec. 20-187. Departmental rules.~~

~~The department head of any department may establish rules which are related to the work of that department.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Sec. 20-188. Disciplinary action.~~

~~Where the department head does not deem termination warranted, as hereinafter provided, the following disciplinary actions may be taken after due consideration has been given to the nature of the cause therefor:~~

- ~~(1)—*Suspension.* An employee may be suspended for a period of one or more full days, not to exceed 30 days in a 12-month period. An employee may be suspended for an indefinite period of time pending the outcome of an investigation of a crime involving moral turpitude during which the employee may have the option of using accrued annual leave credits until they are exhausted. A suspension may be appealed as prescribed in section 20-193.~~
- ~~(2)—*Demotion.* An employee may be demoted to a lower class in which the employee meets the minimum qualifications.~~
- ~~(3)—*Reserved.*~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Sec. 20-189. Dismissal.~~

~~A permanent status employee may be dismissed by a notice in writing giving the cause of the dismissal with sufficient particularity so that the employee may be on notice of the reason for discharge in order that the employee may fully explain the conduct if so desired. Cause for dismissal shall be as outlined in section 20-191 or for other reasons relative to job performance. Dismissal for disciplinary reasons may be instituted without prior notice. Unless a written notice of dismissal is handed to the employee personally by a supervisor or other authorized person, it shall be mailed to the employee at the last known address of such employee as shown by the employee personnel file maintained in the merit system department. It shall be the duty of each employee, and no other, to keep the merit system department informed of the employee's residence address. A permanent classified employee may appeal a dismissal, including dismissal due to reduction in force, to a hearing officer by filing a written notice of the desire to appeal with the director within ten days from the effective date of dismissal. If the notice of dismissal is not handed to the employee personally, it shall be deemed to have been delivered to the employee three days after the date of deposit in the United States mail. Copies of all dismissal notices shall be furnished to the director.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Sec. 20-190. Authority for disciplinary action and discharge.~~

~~The mayor, as the chief administrative officer of the city, shall have the authority to impose disciplinary actions and to dismiss employees as provided in this article. In addition, disciplinary action may be taken against an employee or an employee may be dismissed by the head of the department to which the employee is assigned. An employee's supervisor may propose disciplinary action or dismissal, but before the same shall become final, it must be reviewed and approved by the department head.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Sec. 20-191. Cause for dismissal or disciplinary action.~~

~~Cause for dismissal and disciplinary action shall include but not be limited to the following:~~

- ~~(1) Violation of any material provision of this chapter, or other personnel rules and regulations, and any violation of section 20-20 (conflicts of interest) and section 20-20.1 (financial disclosure forms) of this chapter.~~
- ~~(2) Substandard work quality.~~
- ~~(3) Improper use of county equipment or property.~~
- ~~(4) Selling or soliciting on county property without prior authorization.~~
- ~~(5) Unauthorized use of telephone or other city communication equipment.~~
- ~~(6) Conduct unbecoming an employee of the city while on duty.~~
- ~~(7) Leaving the work area without permission from the supervisor.~~
- ~~(8) Failure to call in when sick or absent from work otherwise without prior approval.~~
- ~~(9) Neglect, carelessness or disregard of common safety practices.~~
- ~~(10) Violation of departmental rules.~~
- ~~(11) Malicious mischief, horseplay, wrestling, or other undesirable conduct.~~
- ~~(12) Falsifying any official record or document.~~
- ~~(13) Giving a false answer or false information on application.~~
- ~~(14) Habitual unexcused tardiness.~~
- ~~(15) Loafing, neglect of duties or otherwise wasting of working time.~~
- ~~(16) Sleeping during working hours except where conditions of work authorize and warrant it.~~
- ~~(17) Possession of intoxicating beverages or controlled substances at place of work, or in official city vehicles.~~
- ~~(18) Possession of or bringing a firearm or other deadly weapon on city property or an official city vehicle, unless duly authorized by the department head.~~
- ~~(19) Reporting to work under the influence of intoxicating beverages, or drugs not prescribed by a physician.~~
- ~~(20) Fighting, threatening, intimidating, coercing or otherwise interfering with the rights of other employees.~~
- ~~(21) Gambling on county property.~~
- ~~(22) Insubordination or willful failure to carry out an official supervisory directive or job assignment.~~
- ~~(23) Acceptance of a fee, gift or service of any item of value in return for a favor.~~
- ~~(24) Loss or damage of county property through carelessness or negligence.~~
- ~~(25) Violation of a safety rule which results in personal injury or property damage; refusal to use proper safety equipment when provided.~~
- ~~(26) Failure of supervisor to enforce established safety regulations, or requiring employee to perform unsafe act.~~
- ~~(27) Excessive absenteeism.~~
- ~~(28) Exhaustion of annual leave without prior approval.~~
- ~~(29) Abuse of sick leave.~~

- ~~(30) Misappropriation of city funds or illegal sale or disposal of city property for personal gain, or deliberate falsification of official reports, employment application or misrepresentation of personnel information in order to qualify for appointment or promotion.~~
- ~~(31) Conviction of a felony crime, or a misdemeanor involving serious moral turpitude.~~
- ~~(32) Engaging in a strike, work stoppage, slowdown or act of sabotage.~~
- ~~(33) Substantial incompetence or inefficiency in carrying out work assignments.~~
- ~~(34) Failure to report for work without prior approval, except when sick leave is authorized.~~
- ~~(35) Stealing or similar conduct, including destroying, damaging or concealment of any property of the city.~~
- ~~(36) Willful damage of or attempt to damage city property.~~
- ~~(37) Threatening physical violence or striking a supervisor or subordinate.~~
- ~~(38) Operation of any city owned or city leased vehicle or equipment without proper state license or while under the influence of any medication or drug which has been prescribed by a doctor and which carries the warning not to drive or operate machinery while using same.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Sec. 20-192. Intradepartmental transfer not a disciplinary act.~~

~~An employee may be transferred to another division or facility at the discretion of the department head. The department head shall be the final arbitrator of all intradepartmental transfers and the sole judge of the need, necessity, convenience or reason for such transfer. An intradepartmental transfer shall not be construed to be a demotion unless it results in a reduction of the employee's pay.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Sec. 20-193. Review of disciplinary action (appeals).~~

~~A permanent status employee aggrieved by any suspension, demotion, or termination may appeal such aggrieved action to a hearing officer as outlined below:~~

- ~~(1) All requests for review of disciplinary actions shall be filed in writing with the director within ten days from the effective date of the disciplinary action.~~
- ~~(2) A hearing officer shall be assigned, pursuant to the administrative procedures, to hear said appeal within 45 days after it is filed, during which time said hearing will convene to afford the aggrieved employee a hearing before said hearing officer, which may be continued from time to time, to fully explain his or her conduct for which he or she was disciplined.~~
- ~~(3) The hearing officer may reverse a disciplinary action only upon a finding that it was based upon an error in fact or was motivated by a non-job-related factor.~~
- ~~(4) The hearing officer shall issue a written decision within 20 days of the hearing. The decision of the hearing officer shall be in writing, dated and signed.~~

~~The written decision shall contain the findings of fact, the conclusions and, clearly set forth the basis or grounds for the decision.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

Sec. 20-194. Review of action considered discriminatory against employee.

~~Any employee who believes unjust discrimination has been exercised with respect to any disciplinary action because of race, color, religion, national origin, sex, political affiliation, or opinion, age, sexual orientation, or disability may appeal to a hearing officer within ten days from the effective date of the action. Such appeal shall be filed with the director and set forth in detail the reasons why the employee contends the disciplinary action was based upon discrimination, including specifying the dates, times, places, and specific types of each instance of discrimination alleged. In such cases, the hearing officer may reverse the decision of the department head only on a finding that it was based on error of fact or was motivated by intentional discrimination against the employee because of membership in a protected class listed in this section. The same provisions relative to the hearing officer as outlined in section 20-193 shall also apply in the case of an employee discrimination appeal under this section.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

Sec. 20-195. Review of dismissal due to reduction in force.

~~An employee dismissed due to reduction in force may appeal to a hearing officer within ten days from the effective date of the action. This appeal request must be filed in writing with the merit system director. Such appeal shall be filed and heard in accordance with the procedures set out in this chapter; however, the right of review by the hearing officer shall be limited to whether the dismissal was in fact due to lack of work, lack of funds, lack of appropriation of funds, abolishment of the position or for other material changes in the duties of the position or the organization of the department.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

Sec. 20-196. Flat fee reimbursement for certain attorney's fees incurred by employees who successfully appeal a termination or demotion.

~~(a) — Conditions of a flat fee reimbursement. Flat fee reimbursement shall be provided only when a permanent status employee appeals the employee's termination or demotion through the merit system appeal process and, at the end of any available appeals (including any appeals filed in court by the employee or the city), the employee's termination or demotion is reversed. In no event shall reimbursement exceed the flat fee amount provided for in the city attorney's flat fee reimbursement schedule for the year that the appeal process reaches its conclusion. Flat fee reimbursement shall be available only for successful appeals of termination and demotion actions effective on or after March 1, 2016.~~

~~(b) — Timing of requests for and payment of flat fee reimbursement. An employee who seeks to be paid a flat fee reimbursement under this provision must submit to the city's finance director documentation establishing: that the termination or demotion is reversed after all available appeals have been concluded; the amount the attorney billed the employee for services representing the employee in that merit system appeal process; and the amount the employee actually paid to the attorney for those services. This documentation must be submitted to the finance director within 45 days after the employee becomes eligible to apply for the flat fee reimbursement. If the employee timely submits sufficient documentation to the finance director, the finance director shall pay the applicable flat fee reimbursement to the employee within 30 business days after such submission. If the employee fails to submit sufficient documentation to the finance director, then the finance director shall not pay the applicable flat fee reimbursement.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Secs. 20-197—20-199. Reserved.~~

~~ARTICLE X. DOMESTIC PARTNERSHIPS~~

~~Sec. 20-200. Definitions.~~

~~[The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:]~~

~~*Declaration of domestic partnership* means a form provided by the city finance department in which two people of the same gender agree to be jointly responsible for the necessities of life incurred during the domestic partnership and that all qualifications for domestic partnership are met when the declaration is signed. The form will require both partners to provide reasonable proof of their primary, regular and permanent residence address. The form must be signed under penalty of perjury and must be witnessed and notarized.~~

~~*Domestic partnership* means two people of the same gender who live together in a single home and have signed a declaration of domestic partnership in which they attest that:~~

- ~~(1) They share the same primary, regular and permanent residence and have lived together for the previous 12 months (documentation must be submitted verifying joint residency);~~
- ~~(2) They have a committed personal relationship with each other that is intended to be lifelong;~~
- ~~(3) The employee's partner is a dependent of the employee under Georgia law;~~
- ~~(4) They are not married as recognized by Georgia law to anyone or legally separated from anyone;~~
- ~~(5) They have only one current domestic partner;~~
- ~~(6) They are 18 years of age or older;~~
- ~~(7) They are competent to enter into a contract;~~
- ~~(8) They are not related by blood closer than would bar marriage in the state;~~
- ~~(9) They are each other's sole domestic partner;~~
- ~~(10) They agree to file a termination of domestic partnership within ten (10) days if any of the facts set out in this definition change;~~
- ~~(11) Any prior domestic partnership declared under this section, in which their domestic partner participated with a third party, was terminated not less than 12 months prior to the date of such affidavit and, that notice of termination was provided to the county in writing to the finance department;~~
- ~~(12) They agree that the city employee shall have the sole and exclusive right to make all benefit elections on behalf of the domestic partner;~~
- ~~(13) They agree that the city employee shall be responsible for any and all tax liability associated with any benefits provided to the domestic partner, including imputed taxable income and be subject to tax withholding or other tax treatment;~~
- ~~(14) They agree under penalty of perjury under the laws of Georgia that all information in the declaration of domestic partnership is true and correct.~~

~~*Live (d) together* means that the two people claiming domestic partnership status share the same primary, regular and permanent residence. It is not necessary that the legal right to possess the residence~~

~~be in both names. Domestic partners do not cease to live together if one leaves the shared residence for a period not to exceed six months, but intends to return. Whether the relationship between these two people is or is not sexual is in no way relevant for the purposes of determining eligibility under this article.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Sec. 20-201. Effect of declaration of domestic partnership.~~

- ~~(a) Rights and duties created. Neither this article nor the filing of a declaration of domestic partnership shall create any legal rights or duties from one of the parties to the other, except those that specifically refer to domestic partnership. Nothing in this article shall be construed to explicitly or implicitly create a marital relationship. This article does not attempt to alter or affect the laws in the state that regulate any private or civil relationships. This article shall not be construed to conflict with, alter or affect the laws of this state or the United States.~~
- ~~(b) Nothing contained in this article shall create any rights in either domestic partner that are not covered, included or created in the underlying insurance or benefits plan documents of the city.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Sec. 20-202. Establishing existence of domestic partnership.~~

- ~~(a) Generally. Domestic partners, one of whom is an employee of the city, may establish the existence of their domestic partnership by presenting an original declaration of domestic partnership to the finance department of the city. The finance department will file the declaration. The standard declaration form will be available in the finance department during normal business hours.~~
- ~~(b) Limitations. The finance department shall only accept for filing declarations of domestic partnership submitted by domestic partners at least one of whom is an employee of the city.~~
- ~~(c) Amendments to the declaration. A partner may amend a declaration of domestic partnership filed with the finance department at any time to show a change in such partner's primary residence address.~~
- ~~(d) New declarations of domestic partnership. No person who has created a domestic partnership may create another until 12 months after a notice of termination has been signed and filed with the finance department.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Sec. 20-203. Records, copies, filing fees.~~

~~Records of the city's finance department. The finance director shall keep a record of all declarations of domestic partnerships, amendments to declarations of domestic partnership, and all notices of termination. The records shall be maintained so that amendments and notices of termination shall be filed with the declaration of domestic partnership to which they pertain.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Sec. 20-204. Ending domestic partnerships.~~

- ~~(a) Termination. A domestic partnership ends when:~~

~~(1) One partner sends the other partner written notice that such partner has ended the domestic partnership;~~

~~(2) One of the partners dies; or~~

~~(3) The partners no longer meet one or more of the qualifications or conditions for domestic partnership.~~

~~(b) Notice of termination. When a domestic partnership ends, the partners must execute a notice of termination naming the partner and stating that the partnership has ended. The notice of termination must be dated and signed under penalty of perjury by at least one of the partners. The notice of termination must be filed with the finance department.~~

~~Notwithstanding any of the above, the city shall revoke a declaration of a domestic partnership if the city finds that the partners no longer meet one or more of the qualifications or conditions for domestic partnership. The effective date of such termination will be retroactive to the date that such qualifications or conditions were no longer met. The city may revoke the declaration of the domestic partnership upon recommendation of the finance director and approval of the city manager without notice or hearing to the employee or domestic partner. Nothing in this Code shall create any right to a notice or hearing concerning the termination of the domestic partnership. In all circumstances, the provisions of the city's insurance plans shall control regarding coverage, eligibility and benefits provided to domestic partners.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~ARTICLE XI. EMPLOYEE ORGANIZATIONS~~

~~Sec. 20-205. Statement of policy.~~

~~It shall be the policy of the city to communicate with employee organizations in an orderly and professional manner, listening to input from such organizations where appropriate. This policy in no way obligates the city to bargain or contract with employee organizations. Further, this policy does not authorize employee organizations or any county employees to engage in strikes, slowdowns, or other organized absences from work or their assigned work stations.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Sec. 20-206. Definitions.~~

~~For the purposes of this article, certain terms and words are hereby defined. Where words are not defined herein, but are defined in section 1-2, those words shall have the meaning as defined therein. The following words, terms, and phrases, when used in this article, shall have the meanings given to them in this section, except where the context clearly indicates a different meaning: An eligible employee is a city merit status employee who is not:~~

~~(1) A department head or other employee with actual authority to hire, fire, or discipline; or~~

~~(2) A confidential employee who works directly with and reports directly to an elected official, department head, or department director.~~

~~Employee organization means any lawful organization that eligible employees have joined for the purpose of discussing issues of common interest regarding terms and conditions of employment with the City of Stonecrest, Georgia.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Sec. 20-207. Applicability of article.~~

~~This article shall apply to employee organizations of which eligible employees are members.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Sec. 20-208. Prohibited discrimination and retaliation.~~

~~(a) There shall be no discrimination or retaliation against any eligible employee because of the fact that such employee is a member of an employee organization or has authorized a representative of an employee organization to communicate on his/her behalf in an appropriate manner regarding terms and conditions of city of Stonecrest employment. However, this section does not eliminate or limit the right to discipline employees for activities made unlawful by Georgia law or other applicable law (including, but not limited to, strikes or work slowdowns), or for conduct that violates city policy.~~

~~(b) No employee shall be required, as a condition of employment with the city of Stonecrest, to become a member of any employee organization. There shall be no discrimination or retaliation against an eligible employee because of the fact that the employee chooses not to be a member of an employee organization or otherwise chooses not to become involved in employee organization activities.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Sec. 20-209. Representative of the city.~~

~~The executive assistant shall designate a person in the human resources department to serve as the city's designated representative to meet with employee organizations when appropriate.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Sec. 20-210. Meet and confer.~~

~~When an employee organization requests a meeting with the city, the designated city representative will meet with a representative or representatives of that organization upon reasonable terms for the purpose of listening to input from the organization regarding employment terms and conditions of eligible employees the organization represents (but not for the purpose of collective bargaining or negotiating a contract). The designated city representative shall not be required to meet with a particular employee organization more often than once per month.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Sec. 20-211. Representation of eligible employees in merit system hearings.~~

~~Subject to the terms and conditions of the merit system and human resource department's written administrative procedures governing the conduct of merit system hearings, a representative of an employee organization shall be permitted to represent and assist an eligible employee who is an appellant in a merit system hearing under sections 20-193, 20-194, or 20-195 of this chapter: (1) if that representative is an attorney, or (2) if those written administrative procedures expressly authorize an appellant to designate a non-attorney to~~

~~represent him/her in a merit system hearing and specify the procedure for an appellant to designate a non-attorney representative for such a hearing.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~

~~Sec. 20-212. Employee organization activities during scheduled work hours.~~

~~No eligible employee may spend scheduled working time (excluding approved break time) away from his/her work assignment and/or work station to participate in employee organization activities, unless the employee obtains his/her supervisor's advance permission to spend that time away from his/her work assignment and/or work station. An eligible employee may spend up to one hour per calendar month of paid scheduled working time in employee organization meetings or in meetings between employee organization representatives and the designated city representative or city elected officials, if the eligible employee has advance permission from his/her supervisor to spend that time away from his/her work assignment and/or work station. With the exception of that one hour per calendar month, normal city and department rules regarding requests to take time off from work (using accrued paid leave or unpaid leave) apply to eligible employees' requests to take time away from their normal work assignments and/or work stations to participate in employee organization activities. The one hour per calendar month of paid scheduled working time that an eligible employee may spend on certain employee organization activities as described above shall not accumulate if unused during a calendar month, and no payment shall be made for any such time that is not used.~~

~~(Ord. No. 2019-05-01, § 1, 5-13-2019)~~



CITY COUNCIL AGENDA ITEM

SUBJECT: Ordinance for Financial Management Code Amendment, 1st Read

AGENDA SECTION: *(check all that apply)*

- PRESENTATION PUBLIC HEARING CONSENT AGENDA OLD BUSINESS
 NEW BUSINESS OTHER, PLEASE STATE: Click or tap here to enter text.

CATEGORY: *(check all that apply)*

- ORDINANCE RESOLUTION CONTRACT POLICY STATUS REPORT
 OTHER, PLEASE STATE: Click or tap here to enter text.

ACTION REQUESTED: DECISION DISCUSSION, REVIEW, or UPDATE ONLY

Previously Heard Date(s): Click or tap to enter a date. & Click or tap to enter a date.

Current Work Session: Click or tap to enter a date.

Current Council Meeting: Monday, March 24, 2025

SUBMITTED BY: Lakeisha Gaines, Finance Director

PRESENTER: Lakeisha Gaines, Finance Director

PURPOSE: Ordinance for Financial Management Code Amendment, 1st Read

FACTS:

OPTIONS: Choose an item. Click or tap here to enter text.

RECOMMENDED ACTION: Click or tap here to enter text.

ATTACHMENTS:

- (1) Attachment 1 - Financial Management Policy
- (2) Attachment 2 - Ordinance
- (3) Attachment 3 - Click or tap here to enter text.
- (4) Attachment 4 - Click or tap here to enter text.
- (5) Attachment 5 - Click or tap here to enter text.

Stonecrest
Financial
Management
Policy

~~(ADOPTED January 2019)~~
REVISED March 2025

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SECTION I. GENERAL BUDGET POLICIES

The budget process provides the primary mechanism by which key decisions are made regarding the levels and types of services to be provided within estimated resources. The budget policy guides this process. The budget policy also directs the City's financial health and stability.

Georgia law (e.g., O.C.G.A. 36-81-2 et seq.) provides the budget requirements for Georgia local governments. The information below provides an outline of the City's application of those laws. The City's goal will be to adopt operating budgets where current revenues equal anticipated expenditures. All departments supported by the resources of this City must function within the limits of the financial resources identified or available specifically to them. A balance must be struck between revenues and expenditures, so that the public can realize the benefits of a strong and stable government. It is important to understand that this policy is applied to budget entities over periods of time which extend beyond current appropriations. By law, budgets cannot exceed available resources, defined as revenues generated in the current period added to balances carried forward from prior years. Temporary shortages, or operating deficits, can and do occur, but they are not tolerated as extended trends.

A. SCOPE

This policy ~~applies to all budgeted funds, which are the responsibility, and under the management of the City of Peachtree Corners and its Department of Finance.~~ **Provides guidance for how local government officials and staff should approach fiscal issues and core financial decisions that affect the management and function of the City.**

B. FINANCING CURRENT COSTS

Current costs shall be financed with current revenues, including the use of authorized fund balances. The City shall avoid balancing current expenditures through the obligation of future year's resources. The City shall strive to avoid short-term borrowing to meet cash flow requirements. ~~However, the City may enter into short term borrowing should a critical need arise.~~

C. BUDGET OBJECTIVE BY TYPE OF FUND

The following budget objectives are established for the different funds the City uses:

1. General Fund – ~~The annual budget for the General Fund shall provide for general government operations of the City and maintain working capital necessary for the City's financial health and stability. Is the primary operating fund used by government entities to finance the general administrative costs and delivers basic services such as public safety, salaries, office supplies and utilities. This fund is crucial as it handles the day-to-day operational costs that maintain~~

the function of government services.

2. Special Revenue Fund(s) – ~~The City adopts annual budgets for each special revenue fund that demonstrates that any legally restricted revenue sources are used consistent with the applicable laws and/or regulations (i.e. Hotel/Motel Fund, Drug Enforcement Agency Fund, and Operating Grants Fund).~~ **Funds that are used by government entities to accumulate proceeds from certain revenue sources whose use is restricted to specific purposes or activities. Special revenue funds provide an extra level of accountability and transparency to taxpayers that their tax dollars will go toward an intended purpose.**

3. Capital Project Fund(s) – ~~The City adopts project budgets for each of its capital project funds. These adopted appropriations do not lapse at the end of a fiscal year; rather they remain in effect until project completion or re-appropriation by City Council.~~ **Funds used to account for financial resources to be used for the acquisition or construction of major capital facilities. These funds are critical for planning, financing, and tracking costs associated with large scale public infrastructure**

4. Debt Service Fund(s) – ~~The City adopts annual budgets for its debt service funds (if applicable). Any remaining fund balances from prior years plus current years projected revenues shall be sufficient to meet all annual debt service requirements.~~ **Funds established to account for the accumulation of resources for, and the payment of, general long-term debt principal and interest. These funds ensure that governments have the resources to repay debt obligations.**

5. Enterprise Fund(s) - ~~Although generally accepted accounting principles (GAAP) or Georgia statutes do not require the City to adopt budgets for enterprise funds, the City will adopt budgets for enterprise funds in order to monitor revenues and control expenses. The City will use a business approach if and when budgeting enterprise funds. Enterprise funds shall be self-supporting whenever possible and subsidized losses will be minimized when break-even is not possible. See revenue policies in Section IV~~ **These are self-supporting funds that pertain to the goods and services provided by government departments or units to the public for a fee. These funds are treated as business entities with separate accounting for their revenues and expenditures from other departmental activities. Enterprise funds include such as water and sewer.**

~~Additionally,~~ The City classifies funds as either operating funds or non-operating funds. Operating funds are those funds that include appropriations for the payment of salary **and** benefits ~~and whose maintenance & operating appropriations are necessary to continue~~ **that maintain** the daily operations of the City. The General Fund

will always be an operating fund. Non-operating funds are those funds that do not include appropriations for the payment of salary **and** benefits and whose maintenance & operating appropriations are not critical to the daily operations of the City. Examples of non-operating funds are the SPLOST Fund, and Grant Operating Fund.

OPERATING BUDGET

The operating budget ~~shall be prepared on an annual basis and include those funds detailed in Section I that are subject to annual appropriation (all funds excluding the Capital Project Funds).~~

is a financial plan that outlines all revenues and expenditures over a specific period, typically a year that guides governmental operations.

~~Prior year budget appropriations and prior year actual data will be provided as reference data, with the current year appropriation. At a minimum,~~ The City shall adopt **an** annual balanced budgets for the general fund, each special revenue fund, and each debt service fund (if applicable) in accordance with O.C.G.A. 36-81-3.

The annual proposed budget should be submitted to the governing authority while being held by the Department of Finance for public review/inspection in accordance with O.C.G.A. 36-81-3.

Public meetings will be conducted after proper advertisement prior to the City Council adopting and approving the annual budget document. (O.C.G.A. 36-81-5 and 36-81-6).

A. DEPARTMENTAL APPROPRIATIONS

The budget shall be developed based upon “line-item” expenditures within each department. This type of budget focuses on categories of expenditures such as personal services, contractual services, supplies, equipment, etc. within each department. At a minimum, each department’s appropriation in each fund shall be detailed within the budget document. (O.C.G.A. 36-81-3 and 36-81-5).

B. BUDGET PREPARATION CATEGORIES

Each department shall submit budget requests separately for:

- Current services - A current services budget is defined as that level of funding which is necessary to provide the same level of service for the upcoming year that is currently being provided. The current services budget will include replacement capital equipment.
- Expanded services - An expanded services budget includes funding requests associated with new services, additional personnel or new capital projects/equipment.

C. BALANCED BUDGET

~~The budget shall be balanced for each budgeted fund. Total anticipated revenues plus that portion of fund balance in excess of authorized reserves (see operating budget policy G below) that is designated as a budget funding source shall equal total estimated expenditures for each fund. A balanced budget is when total expected revenues are equal to total planned expenditures for each budgeted fund.~~

D. BASIS OF BUDGETING

~~Neither GAAP nor Georgia statutes address a required budgetary basis of budgeting, the City adopts budgets in conformity with GAAP for all budgeted funds. All governmental funds use the modified accrual basis of accounting and proprietary fund budgets (when applicable) use the accrual basis of accounting. The basis of budgeting refers to the recognition of expenditures and revenue in the development of the budget and in establishing and reporting appropriations. Governments use accrual basis of accounting which means that revenues are recorded when earned and expenses are recorded when liabilities are incurred.~~

E. BUDGET PROCESS

~~The budget process is a set of activities that encompass the development, implementation, and evaluation of a plan for the provision of services and capital assets.~~

~~The City Manager creates a Budget Calendar that details the timeline for the creation of the proposed budget. Department heads submit their projections and financial request for the upcoming fiscal year to the Finance Department. The Finance staff compiles the balanced revenues and expenditures into a proposed budget document that is presented to the Finance and TIPS Committees. All comments, changes and suggestions received from the Committees are made to the proposed budget which is then present to the Elected Officials and the Public. On or before a date fixed by the City Council, but no later than the first day of the eleventh month of the fiscal year currently ending, the City Manager shall, after input, review and comment by the Mayor, submit to the City Council a proposed operating budget and capital budget for the ensuing fiscal year. The budget shall be accompanied by a message from the Mayor and City Manager containing a statement of the general fiscal policies of the city, the important features of the budget, explanations of major changes recommended for the next fiscal year, a general summary of the budget, and such other comments and information as they may deem pertinent. The operating budget, capital budget, the budget message, and all supporting documents shall be filed in the office of the City Manager and shall be open to public inspection. The City Manager is required to present to the City Council a budget which is balanced in projected spending and revenues. Prior to passage to the City Council, in accordance with O.C.G.A 36-81-5 (f), the City Council~~

shall hold a special public hearing at least one week prior to the meeting at which adoption of the budget will be considered. The budget will be presented, and the public comment on the budget will be solicited. The date, time, and place of the special public hearing shall be announced no less than 15 days prior to the scheduled date for such hearing. The Mayor, Mayor Pro Tempore, and Councilmembers, as Elected Officials, shall possess fundamental oversight duties and responsibilities with respect to all operations and administration of

city government, and the City Manager shall be responsible and duty bound to facilitate the Mayor and City Council's oversight function. Once the City Council has passed the operating and capital budgets of the City, it shall be the responsibility of the City Manager to administer such budgets and to keep the Mayor, Mayor Pro Tempore, and City Council fully informed as to the City's progress against such budgets. The City Manager shall provide monthly financial updates on the budgets with year to date information, and such updates shall contain all material information necessary for the Mayor and City Council to evaluate the financial performance and condition of the City. However, once the City Council has appropriated funds in the budget and encumbered such funds through subsequent legislative action, the City Manager shall have the authority to administer such budget, including contract administration and account payables, as part of the management function. With the approval of the City Council, transfer appropriations within a department, fund, service, strategy, or organizational unit can be transferred.

F. LEVEL OF BUDGET ADOPTION AND CONTROL

All budgets shall be adopted at the legal level of budgetary control, which is the department level within each individual fund. See policy J below for amending the budget.

G. ~~BUDGET STABILIZATION RESOURCES~~ UTILIZATION OF FUND BALANCE

The City shall establish a fund balance ~~reserve in all operating funds (defined in Section I of this policy) for working capital. The purpose of working capital is to cover the cost of expenditures caused by unforeseen emergencies, cover shortfalls caused by revenue declines, and to eliminate any short-term borrowing for cash flow purposes. This reserve shall accumulate and then be maintained at all times an amount which represents no less than twenty five percent (25%) of operating and debt expenditures. which is intended to serve as a measure of the financial resources available in the operating fund. Fund balance represents the net cash after all revenues have been deposited and all expenditures have been paid resulting in a surplus or a deficit. The City shall also establish a Reserves, which are designated funds to ensure stable service delivery, meets future needs and protect against financial instability. The amount of reserves that the City shall accumulate and maintain are no less than twenty-five percent (25%) and no more than forty-five percent (45%) of operating and debt expenditures. Any amounts in the reserves that accumulate to more than the forty-five percent (45%) can be allocated to Capital Projects. A proposal shall be submitted to the City Manager, detailing the request and need for the use of the funds. Approvals of the proposals will be made after evaluating the needs and priorities of the growth of the City.~~

H. OPPORTUNITY FUND

The City shall establish a fund balance reserve in the general operating fund (defined in Section I of this policy) for future unknown projects. This reserve shall accumulate and then be maintained at all times an amount which represents no less than ten percent (10%) of operating expenditures. This policy shall not apply if the City or its component units have debt service payments.

~~I. UTILIZATION OF PRIOR YEAR'S FUND BALANCE IN BUDGET~~

~~If necessary, the City may use fund balance in excess of the reserve for working capital (see budget policy F above) as a funding source for that fund's budget. The amount of unreserved fund balance shall be estimated conservatively, taking into consideration future year needs. The minimum requirement for the reserve for working capital, equal to twenty five percent (25%) of operating and debt expenditures, must first be met before utilizing the excess fund balance as a funding source for the budget.~~

I. APPROPRIATION LAPSES AT YEAR END

All operating budget appropriations (including encumbered appropriations) shall lapse at the end of a fiscal year. Purchases encumbered in the current year, but not received until the following year, must be charged against a department's subsequent year appropriation. **Budget controls are necessary to ensure that a government does not spend more than the amount legally appropriated by its governing body. By establishing clear spending boundaries, budget controls also promote accountability and bolster trust throughout the organization.**

J. BUDGET CONTROL REPORTS

The City shall maintain a system of budgetary control reports to assure adherence to the budget. The City will prepare and distribute to departments, timely monthly financial reports comparing actual revenues, and outstanding encumbrances and expenditures with budgeted amounts.

K. AUTHORIZATION OF BUDGET ADJUSTMENTS AND AMENDMENTS

The budget is a dynamic rather than static plan, which requires adjustments and formal budget amendments as circumstances change. The City Council must approve all increases in total departmental appropriations, and increases in the personal services budgets (i.e., moving salary or employee benefit budget to other line items).

Department heads must submit budget amendment requests transferring appropriations from one line item to another, other than those prohibited above, and obtain approval by the Director of Finance and the City Manager. Adjustments from appropriations that have been obligated, committed, or reserved for a designated purpose shall not be transferred until a formal de-obligation occurs.

At the mid-point of each year, any necessary budgetary appropriations, including budgets for any projects authorized but not funded during the year, shall be appropriated through a supplementary budget ordinance. This mid-point adjustment is limited to requesting additional resources. Such supplemental appropriations shall be balanced with additional revenues for each fund. A justification for each requested change must be prepared (O.C.G.A. 38-81-3).

L. CONTINGENCY LINE-ITEM

The City shall establish an appropriated contingency of two percent (2%) of the total annual expenditure appropriation in all operating funds (defined in Section I of this policy) in order to accommodate unexpected operational changes, legislative impacts, or other economic events affecting the City's operations which could not have been reasonably anticipated at the time the budget was prepared.

Non-operating funds (defined in Section I of this policy) shall not require a contingency reserve appropriation.

This contingency reserve appropriation will be a separate line item within the budget. This amount shall be subject to annual appropriation. The approval of the City Manager is required before this appropriation can be expended. If approved, the Finance Department will transfer the appropriation from the contingency line item to the applicable line item(s) with the applicable department's budget.

M. MAINTENANCE AND REPLACEMENT OF CAPITAL EQUIPMENT

The City Council will give budget priority to requests that provide for **the** adequate maintenance of capital equipment and facilities and for their orderly replacement.

N. CONTRIBUTIONS

Unless authorized by the City Manager, outside contributions to programs operated by City departments shall be subject to the City's accounting and budgetary policies. The City welcomes both unrestricted and restricted contributions compatible with the City's programs and objectives. Any material contribution shall be appropriated by the City Manager prior to expenditure. Material contributions shall be defined as one-time contributions exceeding one percent of the department's annual maintenance and operating expenditure appropriation or \$10,000, whichever is less.

O. ADMINISTRATIVE SERVICE FEE/COST ALLOCATION

Whenever possible, the City may assess an administrative service fee from the General Fund to any other fund, based upon documentation and/or an outside independent study. This assessment will be based upon a percentage of the operating revenues, or services provided to the fund and shall be used to reimburse the General Fund for the administrative and support services provided to the assessed fund.

CASH FLOW BUDGET

For analysis and internal management purposes, the City shall prepare an annual cash flow budget in conjunction with the Operating Budget. The purpose of this document will be to provide the necessary guidelines to ensure that cash will be available to pay budget costs on a timely basis.

A. BUDGET ALLOTMENTS

Budget allocations (i.e., budget allotments) are used in the operating budget, when needed to manage cash flows. The annual appropriation may be divided into segments in order to ensure that the projected revenue streams will be adequate to fund the appropriated expenditures. The cash flow budget will provide details as to the periods in which the revenues will be collected, and thereby providing for available resources to pay obligations.

CAPITAL BUDGET

The Capital Projects Funds are used to accumulate resources available and expenditures approved for items that have an estimated life of five or more years including vehicles and large equipment. In providing additional detail on the criteria of operating vs. capital, projects that are appropriated may be continuations of previously completed projects. Projects resulting in improvements to enterprise or special revenue funds are paid directly from those funds.

The majority of the city's capital projects are financed on a pay-as-you-go basis. The financing mechanism for pay-as-you-go capital is an inter-governmental fund transfer originating from the general fund. Appropriations for the transfers are made primarily from undesignated fund balance. Additional revenue sources include State Department of Transportation funds for qualified street and highway improvements, grants, and interest earnings. As a matter of practice, the city does not customarily enter into contracts creating improvement districts for citizens whereby a re-payment is required for capital work to be completed. These types of projects customarily are qualified as the responsibility of the appropriate party.

Newly identified capital projects are accumulated throughout the year and are added to the "unfunded" project list. Each of these unfunded projects is prioritized on an on-going basis to allow for direct funding when available. The annual budget process appropriates project specific items as funding is available. When funded capital projects are completed, the remaining balance is transferred to an unallocated capital project account. Routinely, Council discussions apply unfunded budgetary appropriations to projects with the highest priority.

SECTION II. REVENUE

This section provides direction in the administration of the revenues the City receives.

The City levies, collects and records certain taxes, license and permit fees, intergovernmental revenues, charges for service, investment income, fines and forfeitures, and other miscellaneous revenues and financing sources.

A. DIVERSIFICATION AND STABILITY

All revenues have particular characteristics in terms of stability, growth, sensitivity to inflation or business cycle effects, and impact on the tax and ratepayers. A diversity of revenue sources can improve a City's ability to handle fluctuations in revenues and potentially help to better distribute the cost of providing services. The City shall strive to maintain a diversified and stable revenue structure to shelter it from short-term fluctuations in any primary revenue source. When possible, the revenue mix shall combine elastic and inelastic revenue sources to minimize the effect of economic downturns.

B. CONSERVATIVE REVENUE ESTIMATES

As part of the annual budget process, an objective analytical process will estimate revenues realistically and prudently. The City will estimate revenues of a volatile nature conservatively.

C. USER BASED FEES AND CHARGES ~~(Exchange Revenue)~~

The level of user fee cost recovery should consider the community-wide versus special service nature of the program or activity. The use of general-purpose revenues is appropriate for community-wide services, while user fees are appropriate for services that are of special benefit to easily identified individuals or groups. The City will strive to keep the revenue system simple for the taxpayer or service recipient and to decrease the occurrence of avoidance to pay. The City's revenue system will strive to maintain equity in its structure. That is, the City will seek to minimize or eliminate all forms for subsidization between entities, funds, services, utilities, and customers. However, it is recognized that public policy decisions may lead to subsidies in certain circumstances (e.g., senior citizen partial tax abatement). Fees will be reviewed and updated on an ongoing basis to ensure that they keep pace with changes in the cost-of-living as well as changes in methods or levels of service delivery. The Finance Department will forward any proposed changes to the City Council for approval. For services associated with a user fee or charge, a fee shall offset the costs of that service, where possible. Costs of services include direct and indirect costs such as operating and maintenance costs, administrative costs, and charges for the use of capital (e.g., depreciation and/or debt service).

D. ALTERNATIVE REVENUE SOURCES

The City shall seek alternative funding sources whenever possible to reduce the required revenue from non-exchange transactions (e.g., fines). Such alternative sources include private and public grants, federal or state assistance, and public and private contributions.

E. REVENUE COLLECTION

The City will follow a thorough policy of collecting revenues, consistent with state and federal laws. This policy includes charging of penalties and interest, revoking City licenses, and providing for the transferring and assignment of tax executions.

F. RATES AND CHARGES

The City Council shall approve annually, a fee schedule which includes all revenue rates, charges, and processes in association with receipted funds that are deposited by the City, in accordance with the Code of Ordinances.

CASH AND INVESTMENT MANAGEMENT

The objective of the cash and investment management policy is to maximize interest earnings within an environment that strongly emphasizes legal compliance and safety while providing cash flow liquidity to meet the City's financial obligations.

A. SCOPE

This investment policy applies to all cash and investments, both short and long-term, which are the responsibility, and under the management of the City of Peachtree Corners Department of Finance.

B. POOLED CASH/INVESTMENT MANAGEMENT

Except for cash in certain restricted and specialized funds, the City will consolidate cash balances from all funds to maximize investment earnings (if applicable). Investment income will be allocated to the various funds based upon their respective participation and in accordance with generally accepted accounting principles.

C. GENERAL OBJECTIVES

The primary objectives of investment activities shall be as follows:

1. Safety

Safety of principal is the foremost objective of the investment program. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The objective will be to mitigate credit risk and interest rate risk.

i. Credit Risk

The City will minimize credit risk, the risk of loss due to the failure of the security issuer or backer, by:

- Limiting investments to the safest types of securities (primarily obligations of the U.S. government or obligations explicitly guaranteed by the U.S. government)
- Requiring a credit rating of "A3" or better from Moody's rating agency and "A-" from Standard & Poor's.
- Pre-qualifying the financial institutions, brokers/dealers, intermediaries, and advisers with which the City will do business
- Diversifying the investment portfolio so that potential losses on individual securities will be minimized.

ii. Custodial Risk

Custodial risk, that is the risk associated with uninsured deposits, uninsured securities, or securities not registered in the City's name shall be minimized by,

- Collateralization in alignment with State of Georgia legislation equal to 110% of the deposit held in the City's name (see section F, Safekeeping and Custody, subsection 2, Collateralization);
- Securities shall be held in the City's name.

iii. Interest Rate Risk

The City will minimize the risk that the market value of securities in the portfolio will fall due to changes in general interest rates, by:

- Structuring the investment portfolio so that securities mature to meet cash requirements for ongoing operations, thereby avoiding the need to sell securities on the open market prior to maturity
- Investing operating funds primarily in shorter-term securities, money market mutual funds, or similar investment pools.

iv. Concentration Risk

The risk associated with a high concentration of government funds which are not diversified shall be reduced by:

- Limiting investments to any one issuer to less than 5% of the investment portfolio.
- Investments explicitly guaranteed by the U.S. government and investments in mutual funds, external investment pools, and other pooled investments are excluded from this requirement.

v. Foreign Currency Risk

The City will negate all foreign currency risk through investment only in instruments where exchange rates do not apply.

2. Liquidity

The investment portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated. This is accomplished by structuring the portfolio so that securities mature concurrent with cash needs to meet anticipated demands (static liquidity). Furthermore, since all possible cash demands cannot be anticipated, the portfolio should consist of securities with active secondary or resale markets (dynamic liquidity). A portion of the portfolio also may be placed in instruments offering same-day liquidity for short-term funds.

3. Yield

The investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the investment risk constraints and liquidity needs. Return on investment is of secondary importance compared to the safety and liquidity objectives described above. The core of investments are limited to relatively low risk securities in anticipation of earning a fair return relative to the risk being assumed. Securities shall not be sold prior to maturity with the following exceptions:

- A security with declining credit may be sold early to minimize loss of principal or to reduce any eminent risk as identified under Section 1, "Safety" of this policy
- A security swap which improves the quality, yield, or target duration in the portfolio
- Liquidity needs of the portfolio require that the security be sold.

D. STANDARDS OF CARE

1. Prudence

The standard of prudence to be used by investment officials shall be the “prudent person” standard and shall be applied in the context of managing an overall portfolio. Investment officer(s) acting in accordance with written procedures and this investment policy and exercising due diligence shall be relieved of personal responsibility of an individual security’s credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and the liquidity and the sale of securities are carried out in accordance with the terms of this policy. Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the ~~probably~~ **probable** income to be derived.

2. Ethics and Conflicts of Interest

Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with the proper execution and management of the investment program, or that could impair their ability to make impartial decisions. Employees and investment officials shall disclose any material interests in financial institutions which they conduct business. They shall further disclose any personal financial/investment positions that could be related to the performance of the investment portfolio. Employees and officers shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of the City.

3. Delegation of Authority

Authority to manage the investment program is granted to the Director of Finance, referred to as the investment officer in this policy. Responsibility for the operation of the investment program is hereby delegated to the investment officer, who shall act in accordance with the established written procedures and internal controls for the operation of the investment program consistent with this investment policy. Procedures should include references to: safekeeping, delivery vs. payment, investment accounting, repurchase agreements, wire transfer agreements, and collateral/depository agreements. No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the investment officer. The investment officer shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials.

E. SAFEKEEPING AND CUSTODY

1. Authorized Financial Dealers and Institutions

A list will be maintained of financial institutions authorized to provide investment services. In addition, a list also will be maintained of approved security broker/dealers selected by creditworthiness (e.g., a

minimum capital requirement of \$10,000,000 and at least five years of operation). These may include “primary” dealers or regional dealers that qualify under Securities and Exchange Commission (SEC) Rule 15C3-1 (uniform net capital rule). All financial institutions and broker/dealers who desire to become qualified for investment transactions must supply the following as appropriate:

- Audited financial statements
- Proof of National Association of Securities Dealers (NASD) certification
- Proof of state registration
- Completed broker/dealer questionnaire
- Certification of having read and understood and agreeing to comply with the City’s investment policy.

An annual review of the financial condition and registration of qualified financial institutions and broker/dealers will be conducted by the investment officer.

From time to time, the investment officer may choose to invest in instruments offered by minority and community financial institutions. In such situations, all criteria identified under above shall apply. All terms and relationships will be fully disclosed prior to purchase and will be reported to the appropriate entity on a consistent basis and should be consistent with state and local law. These types of investment purchases should be approved by the City Council in advance of their purchase.

2. Internal Controls

The City Manager is responsible for establishing and maintaining an internal control structure designed to ensure that the assets of the City are protected from loss, theft, or misuse. The internal control structure shall be designed to provide reasonable assurance that these objectives are met.

The concept of reasonable assurance recognizes that (1) the cost of a control should not exceed the benefits likely to be derived and (2) the valuation of costs and benefits requires estimates and judgments by management.

Accordingly, the investment officer shall establish a process for an annual independent review by an external auditor to assure compliance with regulatory policies and procedures including Generally Accepted Governmental Auditing Standards.

3. Delivery vs. Payment

All trades where applicable will be executed by delivery vs. payment (DVP) to ensure that securities are deposited in an eligible financial institution prior to the release of funds. Securities will be held by a third-party custodian in the City’s name, as evidenced by safekeeping receipts.

F. SAFEKEEPING AND CUSTODY

1. Investment Types

Investments (other than bond proceeds) shall be made in instruments permitted by the State of Georgia for local governments, regulated under Georgia Code, O.C.G.A. 36-83-4. Such instruments include:

- Obligations issued by the U.S. government,
 - Obligations fully insured or guaranteed by the U.S. government or by a government agency of the United States,
- Obligations of any corporation of the U.S. government;
- Prime bankers' acceptances,
- The Georgia local government investment pool (i.e., Georgia Fund I)
- Repurchase agreements, and
- Obligations of other political subdivisions of the state

In accordance with O.C.G.A. 36-82-7, investments made with unexpended bond proceeds shall be limited to:

- Bonds or obligations of the governmental entities and/or political subdivisions of the state,
- Bonds or obligations of the U.S. government which are fully guaranteed,
- Obligations of agencies of the U.S. government, bonds or other obligations of public housing agencies or municipal corporations in the United States,
- Certificates of deposit of national or state banks insured by the Federal Deposit Insurance Corporation;
- Certificates of deposit of Federal Saving and Loan Associations; and
- The Georgia local government investment pool (Georgia Fund I)

2. Collateralization

City shall require pledges of collateral from the depository institution covering at least 110% of the cash/investment. This requirement is in accordance with O.C.G.A. 36-83-5; 45-8-12; 50-17-59; and 45-8-13. Deposit-type securities (i.e., certificates of deposit) shall be collateralized at 110% of the face value. Other investments shall be collateralized by the actual security held in safekeeping by the primary agent.

3. Repurchase Agreements/Derivatives

Repurchase agreements shall be consistent with GFOA Recommended Practices on Repurchase Agreements. Investments in derivatives of the above instruments shall require authorization by the City Council and be consistent with GFOA Recommended Practices on the "Use of Derivatives by State and Local Governments".

G. USING GEORGIA FUND I

The City will utilize the State of Georgia local government investment pool (i.e., Georgia Fund I) anytime this investment tool is deemed to be in the best interest of the City. Criteria used to determine the use of this investment pool will be the same as any other investment purchase.

H. INVESTMENT PARAMETERS

1. Diversification

The investments shall be diversified by:

- Limiting investments to avoid over concentration in securities from a specific issuer or business sector (excluding U.S. Treasury securities)
- Limiting investment in securities that have higher credit risks
- Investing in securities with varying maturities, and
- Continuously investing a portion of the portfolio in readily available funds such as a the Georgia Local Government Investment Pool, money market funds or overnight repurchase agreements to ensure that appropriate liquidity is maintained in order to meet ongoing obligations.

2. Maximum Maturities

To the extent possible, the City shall attempt to match its investments with anticipated cash flow requirements. Unless matched to a specific cash flow, the City will not directly invest in securities maturing more than five (5) years from the date of purchase. The City shall adopt weighted average maturity limitations ranging from 90 days to 5 years, consistent with the investment objectives.

Reserve funds and other funds with longer-term investment horizons may be invested in securities exceeding five (5) years if the maturities of such investments are made to coincide as nearly as practicable with the expected use of funds. The intent to invest in securities with longer maturities shall be disclosed in writing to the City Council.

I. REPORTING

1. Methods

The investment officer shall prepare an investment report monthly which shall be included in the Department of Finance Financial Update Report. Information provided will include a management summary that provides an analysis of the status of the current investment portfolio and transactions made over the last month. This management summary will be prepared in a manner which will allow the City to ascertain whether investment activities during the reporting period have conformed to the investment policy. The report will be transmitted to the City Council via a consent item placed on a City Council Meeting Agenda. At a minimum, the report will include the following:

- Listing of individual securities held at the end of the reporting period with maturity dates
- Realized and unrealized gains or losses resulting from appreciation or depreciation by listing the cost and market value of securities over one-year duration that are not intended to be held until maturity
- Average weighted yield to maturity of portfolio on investments as compared to applicable benchmarks
- Percentage of the total portfolio which each type of investment represents.

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2. Performance Standards

The investment portfolio will be managed in accordance with the parameters specified within this policy. The portfolio should obtain a market average rate of return during a market/economic environment of stable interest rates. A series of appropriate benchmarks shall be established against which the portfolio performance shall be compared on a regular basis.

3. Marking to Market

The market value of the portfolio shall be calculated at least monthly and a statement of the market value of the portfolio shall be issued at least monthly.

Governmental Accounting Standards Board References:

Statement No. 3, Deposits with Financial Institutions, Investments, and Reverse

Repurchase Agreements

Statement No. 28, Accounting and Financial Reporting for Securities Lending

Transactions

Statement No. 31, Accounting and Financial Reporting for Certain Investments and for External Investment Pools

Statement No. 40, Deposit and Investment Risk Disclosures

GRANT MANAGEMENT

This policy provides direction in the application, acceptance and administration of funds awarded through grants to the City from other local governments, the state or federal government, nonprofit agencies, philanthropic organizations and the private sector.

A. GRANT APPLICATIONS

The City Manager and/or his/her designee is/are responsible for the submission of all grant applications on behalf of the City of Stonecrest. Departments who wish to submit grant applications must work in conjunction with the City Manager and/or his/her designee. Once a grant opportunity has been identified, the City Manager and/or his/her designee must notify the Department of Finance of the application, the financial reporting requirements, and any required matching funds or other City resources needed to meet the grant requirements. Prior to the acceptance of the grant, the Finance Department, in cooperation with the submitting/receiving department shall complete an analysis of financial requirements to ensure the City can meet the grant program's financial requirements and the City can fulfill the applicable obligations required by the grant. All grant revenues and expenditures, including matching requirements, must be appropriated, either in the current budget or included for appropriation in the subsequent budget. The City Manager shall approve grant applications and

submissions that allow both the submission of the grant application and the acceptance of the grant award.

B. GRANT ADMINISTRATION

The City Manager and/or his/her designee is/are responsible for fulfilling the financial reporting and accountability requirements of each grant the City accepts. The City Manager and/or his/her designee and receiving departments are responsible for adhering to the grant program requirements and tracking all applicable expenditures for reporting purposes. The Department of Finance is responsible for accounting for grant transactions according to the Accounting, Auditing, and Financial Reporting Policy and in compliance with Generally Accepted Accounting Principles (GAAP). The City Manager and/or his/her designee is/are responsible for maintaining the following records for each grant award.

- a. Copy of Grant Application
- b. Resolutions authorizing application **and acceptance of Grants**
- c. Notification of Grant Award
- d. Financial reporting and accounting requirements
- e. Schedule of funding needs
- f. Programmatic Reporting**
- g. Other documentation related to expenditures related to the Grant**

C. AUDITING

The Finance Department shall comply with all local, state, and federal requirements with respect to the auditing of information as they pertain to the acceptance of grant funds. This includes the Single Audit Act with any future revisions or additional that may be applicable to City Grant Projects.

SECTION III. EXPENDITURE

This section provides guidance on authorized expenditures for all departments under the authority of the Mayor and City Council. This section shall cover those costs incurred for normal business operations. Operating guidelines and procedures for procuring goods and services shall be issued under separate cover(s) as they do not constitute nor necessitate the City Council approval.

A. APPROPRIATION

In conjunction with the annual budget process, the City Council shall authorize departments appropriations consistent with the annual adopted operating and capital budgets. Departments shall not incur expenditures unless an appropriation is available.

B. EXPENDITURE APPROVAL

City of Stonecrest Financial Management Policy. **When the Grant has a match requirement, prior approval is needed from the Council to use City funds for the required match.**

All expenditures relating to City operations shall be processed consistent with procurement/purchasing guidelines. Once the Finance Department receives the proper documentation from the incurring departments, the execution of payment shall occur. The Finance Department shall only process transactions for payment based upon the proper approval for the dollar amount of the expenditure, including adequate documentation, received either electronically or in writing.

C. SETTLEMENT OF DISPUTE

The Department of Finance shall review expenditure documents for compliance and appropriateness with all City policies and procedures. Expenditure documents that are not in compliance with these policies and procedures shall be returned to the originating department with Finance Department recommendations for changes (e.g., travel issues, cellular phone use). In the event the department does not agree with the Finance Department's recommendations, the City Manager shall make the final decision.

D. ELECTED OFFICIALS ALLOCATION

During the annual budget process, an appropriation will be allocated to each elected official to be used at his/her discretion for the benefit of the City (e.g., travel costs incurred at the annual GMA conference). The amount appropriated will be dependent upon the approval during the budget process.

E. PROFESSIONAL SERVICES

Professional services are those services considered to be "professional" in nature, i.e. technical or unique functions performed by independent contractors or consultants whose occupation is the rendering of such services. Examples include but are not limited to, Architects, Attorneys, Engineers, Accountants, Appraisers, etc... These types of services are awarded based on open competitive negotiations and demonstrated competence and qualifications for the type of services required at a fair and reasonable price rather than on "low-bid". When federal assistance or funding is being utilized all professional services awards shall be conducted in accordance with any mandatory applicable federal law or regulation (**refer to the Procurement Policy**). ~~The City follows the policies of the Brooks Act and procures all consultant professional services using the Qualification Based Selection (QBS) Process as required by the Brooks Act with regards to Federal Contracts~~

TRAVEL AND MEAL EXPENDITURE POLICIES

~~This section provides guidance on authorized expenditures for all departments under the authority of the Mayor and City Council. This section shall cover those costs incurred for travel and meal expenses by any elected official, City employee, or board member who travels on City related business. Operating~~

~~guidelines and procedures for procuring travel and meal expenses shall be issued under separate cover(s) as they do not constitute nor necessitate City Council approval (Refer to the Travel Policy).~~

A. APPROPRIATION

In conjunction with the annual budget process, the City Council shall authorize department appropriations for travel and meal expenses consistent with the annual adopted operating budgets. Departments shall **(refer to the Travel Policy)** ~~not incur travel expenditures unless an appropriation is available, or budget amendment has been completed.~~

B. EXPENDITURE APPROVAL

(Refer to the Travel Policy). ~~All expenditures relating to travel and meals shall be processed consistent with procurement/purchasing guidelines. Once the Finance Department receives the proper documentation from the incurring departments, the execution of payment shall occur. The Finance Department shall only process transactions for payment based upon the proper approval for the dollar amount of the expenditure, including adequate documentation, received either electronically or in writing.~~

C. SETTLEMENT OF DISPUTED REIMBURSEMENT CLAIMS

The Department of Finance shall review expenditure documents for compliance and appropriateness with all City policies and procedures. Expenditure reimbursement requests that are not in compliance with these policies and procedures shall be returned to the originating department with Finance Department recommendations for changes (e.g., travel issues, cellular phone use). In the event the department does not agree with the Finance Department's recommendations, the City Manager shall make the final decision regarding whether to authorize the reimbursement.

D. TRAVEL EXPENSES

Refer to the Travel Policy

~~The City shall reimburse/pay expenses incurred by elected officials and employees for travel relating to official City business. Official business shall be deemed that which has been approved prior to the expenditure being incurred.~~

~~1. Lodging: hotel/motel charges shall qualify for reimbursement when they exceed a 50-mile radius of the employee's place of work. All traveling personnel shall minimize the expense associated with hotel/motel costs by procuring a government rate for qualified stays. Lodging expense shall be benchmarked against the U.S. General Services Administration (GSA) approved per-diem rate of reimbursement. When the GSA rate is exceeded by 20% or more, additional justification shall be required from the traveler. When traveling in the State of Georgia, all travelers must use the hotel/motel tax-exempt status form. Sales and occupancy taxes charged for lodging within the State of Georgia do not qualify as eligible reimbursable travel expenses under this policy. Per diem rates can be found in the personnel policy adopted by the Mayor and City Council. Hotel accommodations for travel less than a 50-mile radius from Stonecrest must be approved by the employee's direct supervisor. Elected officials, the City Manager, Department Directors, and members of Management of~~

~~the City shall be allowed hotel accommodations for travel less than a 50-mile radius from Stonecrest, based upon meeting schedules and attendance needs.~~

~~2. Transportation: approved modes of transportation include vehicle, air, rail, or taxi and public transportation. The method selected by the traveler shall be subject to the most economically feasible, taking into consideration the value of time. If a City vehicle is available, it should be used in lieu of a personal vehicle. Generally, the City will not reimburse for the use of a personal vehicle within 10 miles of an employees official headquarters and/or residence.~~

~~i. Mileage: miles traveled in personal vehicles shall be reimbursed at the rate designed by the Internal Revenue Service. Mileage shall be calculated using the employee's place of work as the origination point, so long as the employee reported to work prior to departing to the destination. In the event the employee does not report to work prior to traveling to the destination, mileage shall be reimbursed from the employee's origin, less their normal commute to the workplace. Expenses associated with employee's vehicles such as fuel, oil, tires, etc. (deemed normal wear and tear) shall not be subject to reimbursement and will be the responsibility of the traveler. Miles traveled in City owned vehicles shall not be subject to reimbursement to the traveler. However, expenses associated with the travel in City vehicles such as fuel, oil, tires, etc. shall be the responsibility of the City, and necessary purchases should follow the guidelines administered by the City Manager.~~

~~ii. Rental Cars: Expenses associated with rental cars, i.e. rental expense and fuel will be paid at cost, with receipts provided. Employees shall rent mid-size or smaller vehicles, or an appropriate vehicle size based upon the number of employees needing transportation. Expenses associated with exceeding this car class will be the responsibility of the traveler. Employees should decline additional insurance coverage offered by rental car companies since the City's insurance coverage is applicable to car rentals.~~

~~iii. Air/Rail: transportation provided by major airlines or railroads shall be paid at cost to the traveler. Travel will be limited to coach/economy classes of service. In the event the traveler chooses a class higher than coach/economy (business or first class), the difference of the expense shall be the responsibility of the traveler.~~

~~iv. Taxi/Shuttle: expenses associated with local transportation will be deemed eligible expenses as long as receipts are provided with point to point explanations for this mode of transportation. Such documentation should accompany receipts.~~

~~3. Meals/incidentals: expenses associated with meals (breakfast, lunch and dinner) and incidentals (snacks, tips, miscellaneous) shall be administered on a per diem basis by city. Per diem amounts will be derived from the U.S. General Services Administration (GSA), which can be found at <http://policyworks.gov/org/main/mt/homepage/mtt/perdiem>. Per diem will be advanced to the employee prior to travel and therefore, the City's procurement cards should not be used to pay for meal or incidental expenses. Receipts will not be required on incidental or meal expenses. Overages of meal expenses will be the responsibility of the employee, while any savings may be retained by the employee. Alcoholic beverages are not allowable reimbursable expenses, and will not be reimbursed pursuant to~~

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~~the City's Drug and Alcohol Policy. Expenses incurred for meals when travel has not included overnight stay shall be reimbursed under Section E of this policy. Refer to the Travel Policy~~

~~4. Program/Seminar/Conference Fees: charges relating to the traveler's attendance to the particular event (training, conference, seminar, etc) shall be paid by the corresponding department, subject to the provisions identified for expenditures in the City's Expenditure and Purchasing Policies.~~

~~5. Telephone/Long Distance: telephone, fax, long distance, Internet, and communication expenses (including postage) shall be reimbursed when relating to the traveler's employment. Expenses for business communication shall be limited to \$10.00 per day.~~

~~E. NON-TRAVEL MEALS~~

D. NON TRAVEL MEALS

Expenses related to the furnishing of meals, snacks, or food should be limited to the following circumstances:

1. Meetings hosted by the City Council or City Manager;
2. A meeting during regularly scheduled business hours required by law or authorized by a department director which is anticipated to last more than two (2) hours and which, is scheduled through normal meal times;
3. A business meal with someone other than another City official or employee in order to discuss a specific item of City business;
4. Meals that are an integral part of a scheduled meeting at which the individual is required to attend;
5. A business meal with another City employee or official in order to discuss City business as called by an elected official, the City Manager, a Department Director, or management of the City or other persons to be reasonably determined by the City Manager, Department Director, or Management of the City. Receipts provided for meals within this category should detail the nature of the meeting and the people who were present for discussion.

F. SUBMISSION OF EXPENSES

All expenses relating to travel shall be submitted to the Finance Department no later than 10 days after return from the trip (**Refer to the Travel Policy**). Non-travel meals shall be submitted no later than 7 days from the date of occurrence.

G. EMPLOYEE BREAK ROOMS

City facilities equipped with break rooms shall be furnished with portable water, coffee, tea, hot cocoa, creamer, sugar, and cups/stirrers at the expense of the City.

H. EXCEPTIONS

E. EXCEPTIONS

Reasonable business expenses associated with an employee’s travel, not to exceed \$1,000.00, shall be reimbursable upon approval by the City Manager.

Expenses exceeding \$1,000.00 will require Mayor and City Council approval.

PURCHASING AND CREDIT CARDS

A. Purpose

~~The purpose of this policy is to set requirements and standards for the City of Stonecrest Purchasing/Credit Card Program. The policy is not intended to replace current State of Georgia statutes but is intended to comply with such state laws and establish more efficient guidelines for elected officials and employees of the City using such purchasing and credit cards. At no time should a city issued purchasing card or credit card be used for personal purchases regardless of the circumstances. Utilizing the purchasing card or credit card for personal use or for any item or service not directly related to such official’s public duty may result in disciplinary action including, but not limited to, felony criminal prosecution. All purchases utilizing a government purchasing card or government credit card must be in accordance with these guidelines and with state law.~~

B. Public Inspection

~~In accordance with O.C.G.A. § 36-80-24(b) any documents related to purchases using government purchasing cards or government credit cards incurred by elected officials shall be available for public inspection.~~

C. Transaction Limits

~~Transaction limits are hereby established to insure compliance with state purchasing laws, maintain proper budgetary controls, and to minimize excessive use of any individual credit line. Individual monthly card limits cannot exceed those established by the municipal governing authority. The established single transaction limit for each card must be less than \$1,000.00. Any single purchase above \$1,000.00 must be approved by the City Manager. The established monthly card limit is based upon the city’s budgetary constraints and is not to exceed \$10,000 per month. Any exceptions to the standardized limits must have express written approval by the municipal governing authority and must be added to this policy by amendment or addendum.~~

F. Purchasing Restrictions

1. ~~Elected Officials and employees of the City may not use a government purchasing card or government credit card for the following (refer to the Purchasing Card Policy)~~
 - a. ~~Any purchases of items for personal use.~~
 - b. ~~Cash refunds or advances.~~

- ~~c. Any transaction amount greater than the transaction limits set for by this policy.~~
 - ~~d. Items specifically restricted by this policy, unless a special exemption is granted by the municipal governing authority.~~
 - ~~e. Purchases or transactions made with the intent to circumvent the city purchasing policy, transactional limits, or state law.~~
- ~~2. Elected Officials and employees of the City may use government purchasing cards or government credit cards to purchase goods and/or services not prohibited by this policy or state law. Such purchases include, but are not limited to:~~
- ~~a. Purchases of items for official city use which fall within the transactional restrictions of this policy.~~
 - ~~b. Purchase of fuel, food, education and training materials while on city business and all items described in the travel and meal expenditure policy.~~
 - ~~c. Emergency purchases necessary to protect city property.~~

G. Administrator

~~The city designates the office of Finance, as the program administrator of government purchasing cards or government credit cards. Such administrator shall: (refer to the Procurement Policy)~~

- ~~1. Serve as a liaison between the city's cardholders and the issuers of such cards.~~
- ~~2. Maintain the cardholder agreement for all cardholders.~~
- ~~3. Provide instruction, training, and assistance to cardholders~~
- ~~4. Maintain account information and secure all cardholder information.~~
- ~~5. Keep cardholders up to date on new or changing information~~
- ~~6. Upon receipt of information indicating fraudulent use or lost/stolen cards immediately report it to appropriate parties, including the issuer.~~
- ~~7. Ensure all card accounts are being utilized properly as set forth by state law and this policy.~~
- ~~8. Define the city's policy and procedures for proper documentation and storage of receipts, logs, and approvals required under this policy.~~

- ~~9. Identify any changes to named persons authorized to use a government purchasing card or government credit card.~~
- ~~10. Any other duties assigned by the municipal governing authority.~~
- ~~11. Maintain a log for a general credit card that may be used by staff. The log must contain the staff members name, date of use, description of item(s) being purchased, and amount of item(s). Staff must follow all policy requirements when using the general credit card.~~

~~H. Accounting and Auditing~~

~~A. Accounting and Auditing~~

The Administrator, in an effort to ensure compliance with city policy and state law, will conduct monthly/quarterly reviews and audits of all government purchasing card or government credit card transactions. The review is designed to ensure compliance, identify non-compliance issues and misuse, and through corrective measures assist the city with improving compliance. The monthly/quarterly review and audit should happen within 15 days of the start of a new month/quarter. After completing the monthly/quarterly audit the Administrator shall notify cardholders of any violations or questions the Administrator has that occurred within that previous month/quarter. Depending on the severity of the violation, the Administrator may suspend or revoke the use of the government purchasing card or government credit card after notification to the cardholder and to the municipal governing authority, but only after consultation with the city attorney. Any unresolved violations should be reported to the municipal governing authority and the city attorney in writing within 15 business days.

~~I. Violations~~

~~B. Violations~~

The use of a government purchasing card or government credit card may be suspended or revoked when the Administrator, after consultation with the city attorney, determines that the cardholder has violated the approved policies or state law regarding the use of the government purchasing card or government credit card. The government purchasing card or government credit card shall be revoked whenever a cardholder is removed from office with the city and shall be suspended if such elected official has been suspended from office.

DEBT ISSUANCE AND MANAGEMENT

The goal of the City's debt policy is to maintain a sound fiscal position; thereby only utilizing long term debt to provide resources to finance needed capital improvements, buildings and equipment while accumulating adequate resources to repay the debt. In addition, it is the City's goal to maintain and improve its credit rating through strong financial administration. The City acknowledges that failure to meet the demands of growth may inhibit its continued economic viability, but also realizes that excess outstanding debt may have detrimental effects on the ability of the City to meet its continuing operational needs.

Issuing debt commits the City's revenues several years into the future, and may limit its flexibility to respond to changing service priorities, revenue inflows, or cost structures. Adherence to this debt policy helps ensure that the City issues and manages its debt prudently in order to maintain a sound financial position and protect its credit rating.

Credit ratings are the rating agencies' assessment of the City's ability and willingness to repay debt on a timely basis. Credit ratings are an important indicator in the credit markets and can influence interest rates a borrower must pay. Each of the rating agencies believes that debt management is a positive factor in evaluating issuers and assigning credit ratings. Therefore, implementing debt management practices will be viewed positively by the rating agencies and could influence the City's credit rating and ultimately lower borrowing costs.

A. CONDITIONS FOR ISSUING LONG-TERM DEBT

Debt financing for capital improvements, buildings, and equipment will be generally used when at least one of the following conditions exist:

1. When one-time, non-continuous projects (those not requiring annual appropriations) are desired;
2. When the City determines that future users will receive a benefit from the capital improvement that the debt financed;
3. When the project is necessary to provide basic services to the City residents;
4. When total debt, including debt issued by overlapping governments (e.g., the county), does not constitute an unreasonable burden to the taxpayers; and
5. Exhaustion of the use of all other possible revenue sources provides no alternative funding for capital projects.

The City will limit its short-term borrowing to cover cash flow shortages through the issuance of tax anticipation notes.

B. SOUND FINANCING OF DEBT

When the City utilizes debt financing, the following will occur to ensure that the debt is soundly financed:

1. Analysis of the financial impact, both short-term and long-term, of issuing the debt;
2. Conservatively projecting the revenue sources that the City will use to repay the debt;
3. Insuring that the term of any long-term debt the City incurs shall not exceed the expected useful life of the asset the debt financed;

4. Maintaining a debt service coverage ratio (i.e., for revenue secured debt) that ensures that the revenues pledged for the repayment of the outstanding debt will be adequate to make the required debt service payments.

C. DEBT RETIREMENT

Generally, borrowings by the City should be of a duration that does not exceed the economic life of the capital improvement, building, or equipment that it finances and where feasible, should be shorter than the projected economic life. To the extent possible, the City should design the repayment of debt so as to recapture rapidly its credit capacity for future use.

D. DISCLOSURE

The City shall follow a policy of full disclosure in financial reporting and with the preparation of a bond prospectus.

E. LEGAL COMPLIANCE

When issuing debt, the City shall comply with all legal and regulatory commission requirements, including the continuing disclosure requirements. This compliance includes adherence to local, state and federal legislation and bond covenants.

More specifically, the Director of Finance is responsible for maintaining a system of record keeping and reporting to meet the arbitrage rebate compliance requirements of the federal tax code. This effort includes tracking investment earnings on bond proceeds, calculating rebate payments in compliance with tax law, and remitting any rebate able earnings to the federal government in a timely manner in order to preserve the tax exempt status of the City's outstanding debt issues. Additionally, general financial reporting and certification requirements embodied in bond covenants are monitored to ensure that all covenants are complied with.

The City will comply with Amended SEC Rule 15c2-12 (the "Rule") by providing secondary market disclosure for all long-term debt obligations, which are subject to the Rule. As required, the City will submit annual financial information to all nationally recognized municipal securities repositories.

F. CREDIT RATINGS

The City Manager and Director of Finance are responsible for maintaining relationships with the rating agencies that assign ratings to the City's various debt obligations. This effort includes providing periodic updates on the City's general financial condition along with coordinating meetings and presentations in conjunction with a new debt issuance.

G. DEBT SERVICE COVERAGE RATIO

To assure the City follows sound financing of debt, the City may not exceed a twenty-five percent (25%) debt service coverage ratio of operating funds of the City and its component units for each fiscal year.

H. OTHER POLICIES

All bond issue requests shall be coordinated by the Department of Finance. Requests for new bonds must be identified during the Capital Improvement Program (CIP) process. Opportunities for refunding outstanding bonds shall be communicated by the Department of Finance.

Annual budget appropriations shall include debt service payments (interest and principal) and reserve requirements for all debt currently outstanding.

Long-term borrowing shall be incorporated into the City's capital improvement plan (see above).

PURCHASING POLICIES

~~Purchasing Code of Ethics (refer to the Procurement Policy)~~

~~The public must have confidence in the integrity of its government. The purpose of this purchasing policy is to give guidance to all City employees so that they may conduct themselves in a manner that will be compatible with the best interest of the City.~~

~~Proper purchasing procedure requires that:~~

- ~~• Actions of City employees be impartial and fair.~~
- ~~• Government decisions and policies are made in the proper channels of government structure.~~
- ~~• Public employment is not to be used for personal gain. City employees may not solicit, accept, or agree to accept any gratuity for themselves, their families or other that would or could result in personal gain. Purchasing decisions must be made impartially. The following are examples of items not considered gratuities:~~
 - ~~Discounts or concessions realistically available to the general population;~~
 - ~~Items received that do not result in personal gain;~~
 - ~~Samples to the City used for general City use.~~

~~The City of Stonecrest is a Georgia certified City of Ethics under the Georgia Municipal Association City of Ethics Program. Whereas the governing authority of the City of Stonecrest, Georgia, adopted the ethics principles approved by the GMA Board and conducts the City's affairs in accordance with the City's Ethics Ordinance.~~

~~A. SYSTEM ESTABLISHED~~

~~The City has established a centralized purchasing system to be used for all purchases of goods and procurements of services by the municipal government.~~

~~B. ROLES OF THE CITY MANAGER OR HIS DESIGNEE~~

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The City Manager shall be responsible for ensuring adherence to all rules and regulations for the centralized purchasing system. The Finance Director or his designee shall oversee the day to day processing of all purchases and procurements made through the system.

C. INITIATING PURCHASES; REQUIRED FORM

In order to initiate a purchase, an employee must submit in writing a purchase request form. The completed purchase request form must include a cost for each product or service noted on the form; where the exact cost is not known, estimates may be provided. The purchase request form must be signed by the department head and submitted to the Finance Department for approval. The department head must identify and annotate the accounting code (budget line item) for this expenditure as part of the request. In determining where to purchase products and services based on competitive prices and costs incurred in obtaining the purchase, the City shall purchase locally when all of these requirements are equal.

D. DEPARTMENTAL LIMITS ON PURCHASES

Should the cost or estimated cost of the requested good or service being processed in accordance with paragraph C above be at least \$500.00, but below \$10,000, the department head must submit the purchase request to the Finance Director accompanied by at least two (2) quotes from vendors providing the good or service being ordered. These quotes may be in the form of verbal, phone or email quotes, but nevertheless, be identified by the department head in writing and attached to the request. If the department head chooses to use the more expensive of the quotes obtained, he or she must attach a brief statement to the requisition form justifying that decision. The Finance Director shall then process such requests in accordance with all other requirements of the centralized purchasing system.

Should the cost or estimated cost of the requested good or service being processed in accordance with paragraph 2.3 above be at least \$10,000.00, but not more than \$50,000.00, the department head must submit the request directly to the City Manager's office accompanied by at least three (3) written quotes from vendors providing the good or service being requested. The City Manager shall review the request and quotes and determine whether or not the request should be approved. The City Manager shall typically approve such requests, but may issue a denial where he or she determines; a) that additional vendor quotes should be obtained; b) the good or service being requested does not reasonable relate to the line item identified by the department head; c) the cash flow in the fund from which the purchase would be made is low or otherwise inadequate; or d) a bona fide problem exists in the management of the requesting department's budget. This section shall not apply to professional services.

E. PURCHASES EXCEEDING THE CITY MANAGER'S SPENDING LIMITS

Should the cost or estimated cost of the requested good or service being processed in accordance with paragraph C above be more than \$50,000.00, the City Manager shall ensure that: a) at least three (3) written quotes from vendors have been obtained are attached to the request; b) the request is accompanied by a written determination of whether the request was anticipated in the budget;

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~~c) compliance with Section I of this policy has been met in the case of the non-budgeted requests; and d) the need for a budget amendment does or does not exist. This section shall not apply to professional services.~~

~~F. PURCHASES EXCEEDING \$50,000~~

~~All purchases with an estimated total cost exceeding \$50,000 require formal approval by the Mayor and City Council. This section shall not apply to professional services.~~

~~G. PROFESSIONAL SERVICES~~

~~All purchases for professional services including, but not limited to architects, engineers, and other professional services require the approval of the City Manager and must be appropriated in the budget.~~

EMERGENCY PURCHASES

A. PROCESS

~~There are certain functions and purchases that may be performed without prior Mayor and Council approval. The emergency repair of city infrastructure and clearing of blocked streets and roads resulting from washouts or similar natural or man-made disasters. However, if such exceeds the \$50,000.00 City Manager limitation, the City Manager shall report the situation to the Mayor and Council within 48 hours following such repairs.~~

SECTION IV. INTERNAL CONTROLS

The City shall maintain a system of financial monitoring, control, and reporting for all operations and funds in order to provide an effective means of ensuring that financial integrity is not compromised. In addition, such practices shall provide City officials with the necessary resources in order to make sound financial decisions.

A. SCOPE

This policy applies to all accounting records that are the responsibility and under the management of the City's Department of Finance. **The scope of internal controls include the following components and principles:**

Control of Environment

Risk Assessment

Control Activities

Information and Communication

Monitoring

Charge Controls

Audit Trails

B. GENERALLY ACCEPTED ACCOUNTING PRINCIPLES (GAAP)

The City will establish and maintain a high standard of accounting practices. Accounting standards will conform to generally accepted accounting principles of the United States as promulgated by the Governmental Accounting Standards Board (GASB). The City also will follow the Financial Accounting Standards Board's pronouncements, as applicable.

The City will maintain the minimum number of funds consistent with legal compliance and sound financial administration. The City will adhere to the mandatory fund structure included in the Georgia

Department of Community Affairs' (DCA) chart of accounts (see below). Funds shall be classified in conformity with GAAP. Further, all funds shall be reported within the annual financial statements.

D. CHART OF ACCOUNTS

The Georgia General Assembly passed the Local Government Uniform Chart of Accounts and Reporting act in 1997 (House Bill 491). This law requires the DCA to prepare and issue a standardized chart of accounts for Georgia governments. It shall be the policy of the City to implement and utilize the account classifications as the chart of accounts prescribes.

CASH MANAGEMENT POLICY

A. Procedures for Cash Collection Points

The following list of procedures is required for the operation of cash collection points:

- All cash received must be recorded through a computerized accounting system with computer generated official City receipts or official City temporary cash receipts. When a cash collection point with a computerized accounting system uses temporary cash receipts, those temporary receipts must be converted over to computerized receipts as soon as possible. If the conversion cannot be accomplished within 48 hours, the cash should be deposited into the department's primary operating account and tracked in detail until it is recorded on the computerized accounting system. The customer must be presented an official City receipt form with a duplicate record being retained by the receiving department. All numbered receipts must be accounted for, including the original of voided receipts.
- The cash collection point must maintain a clear separation of duties. An individual should not have responsibility for more than one of the cash handling components: collecting, depositing, disbursement, and reconciling.
- The funds received must be reconciled to the computerized accounting system cash report or to the total of the temporary receipts at the end of the day or at the end of each shift. Cash must be reconciled separately from checks, credit cards, and money orders by comparing actual cash received to the cash total from the cash report or to the sum of the cash sales from the manual receipts.
- All cash must be protected immediately by using a cash drawer, safe or other secure place until they are deposited. A secure area for processing and safeguarding funds received is to be provided and restricted to authorized personnel.
- Checks must be made payable to City of Stonecrest, and must be endorsed promptly with a restrictive endorsement stamp payable to City of Stonecrest. The endorsement stamps must be ordered through the Finance Department.
- Checks or credit card transactions will not be cashed or written for more than the amount of purchase.
- Collections must be deposited to the City Depository within 24 hours.

- All cash must be deposited intact and not intermingled or substituted with other cash.
- Refunds or expenditures must be paid through the appropriate City bank account on a signature City generated check.
- Each Department will use only depository issued deposit slips for reconciliation of the supporting documentation to the deposit and to the monthly statements of account.

B. Cash received in person

- A receipt must be issued for each payment received. At a minimum, manual prenumbered receipts must include the date, mode of payment (cash, check or credit card), and the identification of the department and the person issuing the receipt. Machine generated receipts must contain all information required by the accounting system to properly credit and track the payment.
- All checks must be endorsed immediately with a restrictive endorsement stamp payable to City of Stonecrest.
- All voided transactions are to be approved and initialed by the area supervisor.
- Only one cashier is allowed access to a specific cash drawer during a single shift.
- Cash must be kept in a safe or a secure place.

C. Cash received Through the Mail

- The mail must be opened with two people present and all checks must be endorsed immediately with a restrictive endorsement stamp. All cash must be listed on a "Daily Mail Collection Report".
- If the cash is not credited directly into the appropriate City account or receipted through a computerized accounting system, a list of the checks, credit card transactions and or cash should be prepared in duplicate. The list should include the customer's name, amount received, check number and any other information available that may assist in proper allocation of the funds. The envelope should also be retained as part of the records. An official City temporary receipt should be prepared, the original going to the customer, one copy should be kept in the area, one should accompany any deposit processed thru the Finance Department, and a copy left intact in the receipt book and returned to the Finance Department.
- Cash must be stored in a safe or other secure place approved by the Auditor's Office until it is deposited.
- Unidentified receipts must be deposited to a depository account approved for such. All reasonable attempts should be made to identify the correct account and transfer the funds.

D. Balancing of Cash Receipts

- All funds collected must be balanced daily, by mode of payment, by comparing the total of the cash, checks and credit cards to the computerized accounting reports, to the pre-numbered receipts totals, and to the totals of the money received by mail.
- Over/short amounts must be separately recorded, and investigated and resolved to the extent possible as set out in the over/short portion of this policy.

E. Preparation of Deposits

- Checks must be made payable to City of Stonecrest, A double calculator tape of the checks should be included with the checks bundled together.
- Cash must be recorded on the deposit slip in the appropriate space.
- Attach a copy of the Transmittal Batch showing transaction totals for credit card receipts.
- Only Depository issued deposit slips including the appropriate account number(s) and sub-code(s) are to be used.
- Someone not involved with collecting the cash, opening the mail or reconciling the deposit must verify the deposit.
- The deposit must be delivered to the Depository by way of Code Enforcement.
- Locking deposit bags are available at the Depository.

E. Reconciliation of Cash Collected

- Balance all cash receipts daily to the accounting system and supporting documentation (daily deposit slip, system receipts, and system reports) and resolve all discrepancies.
- Balance the total monthly receipts to the monthly bank account statements and accounting system monthly reports and resolve all discrepancies.

F. PRE-NUMBERED RECEIPTS

Official City temporary pre-numbered receipt books are issued by the Finance Department

G. EXCEPTIONS

The City Manager must approve any exception to these procedures. For example, in cases where there is not enough staff available to maintain complete separation of duties, an alternate process to safeguard City funds must be established and approved by the City Manager.

G. RECORD RETENTION

All cash receipts and related documents must be maintained in accordance with Record Retention schedules. Accounting reports, deposit slips, credit card receipts, copies of manual cash receipts, etc. should be kept for seven years.

AUDITING

Georgia Law on Local Government Audits, O.C.G.A. Section 36-81-7, requires an independent annual audit for the City. The annual independent audit shall be conducted in accordance with generally accepted auditing standards (GAAS) and generally accepted governmental auditing standards (GAGAS). In addition, the City shall comply with the requirements of the General Accounting Office (GAO) and the Office of Management and Budget (OMB) when audits are conducted relating to federal funding, consistent with the 1996 (and any future) amendments to the Single Audit Act.

A. SCOPE

The scope of auditing involves several key components, including objectives, materiality, timing, coverage, and resources. Government audits play a crucial role in ensuring transparency, accountability, and efficiency within public sector operations. This policy applies to all funds that are the responsibility and under the management of the City of Stonecrest and its Department of Finance.

B. AUDITOR QUALIFICATIONS

~~A properly licensed Georgia independent public accounting firm shall conduct the audit~~ **Independent Auditors should perform their audits in accordance with the audit standards promulgated in the U.S. Government Accountability Office's Government Auditing Standards (GAGAS), provide a higher level of assurance with regard to internal control than Generally Accepted Audit Standards (GAAS), which are fully incorporated into GAGAS.**

C. CHOOSING THE AUDIT FIRM

When necessary, the City will issue a request for proposal to choose an audit firm for a period of five years with two five year renewal options. The City will request two proposals from qualified public accounting firms. One proposal shall contain the firm's costs and a second will contain the firm's qualifications. The cost proposals shall only be opened after three qualified firms are determined. When awarding the contract for the independent audit, not less than 70% of the decision will be based upon technical qualifications rather than cost.

D. AUDITING AGREEMENT

The agreement between the independent auditor and the City shall be in **the** form of a written contract or an engagement letter. The contract or engagement letter shall include the request for proposal as an appendix to the written document and all issues addressed in the request for proposal shall be required as part of the contract or engagement letter.

E. INTERNAL AUDIT

The City shall work towards developing and maintaining a strong internal audit function, whereby applying financial practices and policies to transactions. The City shall develop accounting practices and

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procedures, which will be documented for use in internal control evaluation.

Item XIII. c.

F. MALFEASANCE AND EMBEZZLEMENT

Any employee will be prosecuted to the **fullest** extent of the law in any instance where the employee is proven to have committed an illegal act such as theft.

FINANCIAL REPORTING

The Department of Finance shall develop and maintain an ongoing system of financial reporting to meet the information needs of the government, authorities, and regulatory agencies. In addition, the City Manager, Mayor, Council, Department Heads and the public shall have access to reports to allow them to monitor, regulate, and to use as a basis for future financial decisions.

A. **COMPREHENSIVE** ANNUAL COMPREHENSIVE FINANCIAL REPORT

In conjunction with the annual independent audit, the City shall work towards preparing and publishing a **Comprehensive** Annual **Comprehensive** Financial Report (**CAFR ACFR**). The City shall prepare the **CAFR ACFR** in conformity with GAAP and the Government Finance Officers Association's (GFOA) program requirements. Annually, the City will submit its **CAFR ACFR** to the GFOA to determine its eligibility to receive the GFOA's "Certificate of Achievement for Excellence in Financial Reporting." The City shall make this report available to the elected officials, bond rating agencies, creditors and citizens. All financial statements and schedules contained within the **CAFR ACFR** shall be audited, with the purpose to effectively communicate the complete financial affairs of the City to all interested readers.

B. ANNUAL BUDGET DOCUMENT

The City shall prepare and publish an annual budget document in accordance with the policies contained within this document. This budget shall measure the annual funding and forecast the financial position of the City for the two subsequent fiscal years.

C. FINANCIAL REPORTING TO THE CITY COUNCIL

On a monthly basis, the Finance Department shall prepare and present a summarized "Statement of Revenues and Expenditures" to the City Council for all of the City's operating funds. This report shall detail prior year comparisons to provide data for analysis.

D. FINANCIAL REPORTING TO THE ADMINISTRATION

In addition to the external reporting detailed above, the Finance Department shall coordinate the reporting needs of each department in order to design and implement those reports which the departments need to make sound business decisions. At a minimum, departments will receive reports detailing monthly department financial activity including expenses, any personnel costs in excess of the approved budget, and recommended budget line-item reallocations.

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E. EXTERNAL FINANCIAL REPORTING

The City shall report in conformity with O.C.G.A Section 36-81-7. A copy of the City's annual audit (i.e., the ~~CAFR~~ **ACFR**) shall be submitted to the Georgia Department of Audits and Accounts within 180 days of year- end, as required.

INTERNAL AUDIT

Government managers are responsible for designing and implementing effective internal controls to ensure that assets are safeguarded; records are reliable; reports on operations are sufficient and fairly presented; fraud, waste, and abuse are deterred; and programs, functions, and activities are conducted economically, efficiently, and effectively. Audits help provide reasonable assurance that local governments are operating in accordance with laws, rules, regulations, and policies; responding to citizen needs; and functioning economically, efficiently, and effectively.

By independently reviewing and reporting on programs, functions, activities, and organizations, auditors provide the public, elected officials, and government managers with a fair, objective, and reliable assessment of local government performance.

A. SCOPE

This policy applies to all departments, offices, boards, commissions, agencies, or other activities under the authority of the City Manager, Mayor and City Council. It applies to all internal operations of those entities or activities, as well as contracts, agreements, and all other transactions between the City and external entities (e.g., other federal, state, or local government entities and private sector entities).

B. AUDIT SCHEDULE

Scheduling of audits will be a continuous and dynamic process and provide adequate coverage of the City's programs and operations. Managers are encouraged to work with the Finance Director or Independent Auditor ~~Contractor~~ by suggesting areas or programs for audit or requesting other assistance (e.g., reviewing proposed contract terms and conditions, analyzing alternative approaches, conducting investigative work). Potential audits or other requests will be prioritized based on potential risks, City management requests for coverage in specific areas, public interest in a particular area, and achieving an acceptable mix of audit coverage for all of the City's operations.

C. ACCESS TO EMPLOYEES, RECORDS, AND PROPERTY

All officers and employees of the City shall furnish the Finance Director or Independent Auditor ~~Contractor~~ with unrestricted access to employees, information, and records (including automated data) within their custody regarding powers, duties, activities, organization, property, financial transactions, contracts, and methods of business needed to conduct an audit or otherwise perform audit duties. In addition, they shall provide access for the Finance Director or Independent Auditor ~~Contractor~~ to inspect all property, equipment, and facilities within their custody. In addition, all contracts, subcontracts, or other agreements between the City and any outside entity (public or private) shall provide for auditor

access to all revenue, expense, and other financial records; performance-related records; and property, equipment, or other purchases paid for in whole or in part with governmental funds and facilities.

D. REPORTING

A final draft audit report will be forwarded to the audited department, office, board, commission, agency, or other activity and the City Manager for review and comment regarding factual content before it is released. The audited entity must respond in writing and specify agreement with audit findings and recommendations or reasons for disagreement with findings and/or recommendations, plans for implementing solutions to issues identified, and a timetable to complete such activities. The response must be forwarded to the Internal Auditor within 30 calendar days or as otherwise specified by the Finance Director or Independent Auditor **Contractor**. The final report will include the audited entity's response. If no response is received, the final report will note that fact. Final audit reports, along with a report summary, will be transmitted to the Mayor and City Council and will be made available to the public upon request.

EQUITY POLICY

A. FINANCIAL RESPONSIBILITY

The City will live within its means. All departments supported by the resources of this City must function within the limits of the financial resources identified or available specifically to them. A balance must be maintained between revenues and expenditures, so that the public can realize the benefits of a strong and stable government. It is important to understand that this policy is applied to budget entities over periods of time which extend beyond current appropriations. By law, budgets cannot exceed available resources, defined as revenues generated in the current period added to balances carried forward from prior years. Temporary shortages, or operating deficits, can and do occur, but they are not tolerated as extended trends. The City will not develop a legacy of shortages or a legacy of mixing one-time resources and expect the continued delivery of services, the very reason for which it exists.

B. BUDGET STABILIZATION RESOURCES

~~The City shall establish a fund balance assignment in the General Fund for working capital purposes. The purposes of working capital is to eliminate cash flow issues, cover the cost of expenditures caused by unforeseen emergencies, cover shortfalls caused by revenue declines, and to eliminate any short term borrowing for cash flow purposes. This assignment shall accumulate and then be maintained at an amount, which represents the equivalent of approximately twenty five percent (25%) of operating and debt expenditures, including transfers to other funds (i.e. approximately 25% of budgeted General Fund expenditures). Refer to Section I~~

SECTION V. FIXED ASSETS POLICY

A. Fixed Asset Criteria

A fixed asset is defined as a financial resource meeting all of the following criteria:

1. It is tangible in nature.
2. It has a useful life of greater than two years.
3. It is not a repair part or supply item.
4. It has a value equal to, or greater than, the capitalization threshold of \$5,000.

Keeping an accurate record of the City's fixed assets is important for a myriad of reasons. Some of the most important reasons that the City needs to keep a good record of fixed assets are: for financial statement information, for insurable values, for control and accountability, for maintenance scheduling and cost analysis, for estimating and accounting for depreciation, for preparation of capital and operating budgets, and for debt management.

B. General Policy

1. The Finance Department is responsible for the proper recording, acquisition, transfer, and disposal of all assets city wide. *City property may not be acquired, transferred, or disposed of without first providing proper documentation.* A fixed asset information form must accompany each step. Each Department Head is ultimately responsible for reporting all changes in a timely manner to the Finance Department.

2. Recording of Fixed Assets

Unless otherwise approved by the Finance Officer, all recordable fixed assets must be recorded within 30 calendar days after receipt and acceptance of the asset.

A fixed asset form must be attached to the purchase order before submitting request for payment.

Assets will be capitalized at acquisition cost, including expenses incurred in preparing the asset for use.

Donated assets shall be recorded at fair market value as determined by the Department Head. Fair market value may be defined as, but is not limited to, an average of documented prices for equivalent items from three separate vendors.

The City will recognize acquisition costs based on individual unit prices. Assets should not be grouped. For example, in acquiring equipment, if three pieces of identical equipment items were acquired simultaneously at \$5,000 each, this would not be an asset of \$15,000 consisting of 3 pieces of equipment. Instead, it would be 3 separate acquisitions of \$5,000. Each item would be recorded as a separate controllable item.

For equipment purchases, title is considered to pass at the date the equipment is received. Similarly, for donated assets, title is considered to pass when the asset is available for the agency's use and when the agency assumes responsibility for maintaining the asset.

Constructed assets are transferred from the construction in progress account to the related building, improvements other than buildings, or equipment accounts when they become operational. Constructed buildings, for example, are assumed to be operational when an authorization to occupy the building is issued, regardless of whether or not final payments have been made on all the construction contracts.

3. Acquisition of Fixed Assets

There are various methods by which assets can be acquired. The asset acquisition method determines the basis for valuing the asset. Fixed assets may be acquired in the following ways:

- New purchases
- Donations
- Transfers from other City departments
- City surplus
- Internal/external construction
- Lease purchases
- Trade-in
- Forfeiture or condemnation

4. Lease Purchases

Assets may be lease-purchased through installment purchases (an agreement in which title passes to the City) or through lease financing arrangements (an agreement in which title may or may not pass).

Departments considering a lease purchase must consult with the City Administrator.

5. Transfer of Fixed Assets

A transfer between departments will be treated as a transfer rather than sale. That is, the asset is recorded under the new Department with original acquired date and funding amount.

A fixed asset form must be sent to the Finance Department for all transfers.

6. Sale of Fixed Assets

Sale of fixed assets by a department must be to the highest, responsible bidder and must be conducted by sealed bid or by auction. The sale must be publicized in accordance with state laws.

7. Disposal of Fixed Assets

When an asset is disposed of, its value is removed from the financial balances reported and from inventory reports; however, the asset record, including disposal information, remains on the master file for three years, in the City's Finance Department, after which time it is purged from the system according to general accepted accounting principles. This preserves an audit trail for disposed items, and facilitates departmental comparisons between actual or historical useful life information with useful life guidelines. Such comparisons permit a more precise definition of an asset's useful life than those provided by the Internal Revenue Service (IRS) or other guidelines initially used.

A disposal action is appropriate only when certain conditions occur resulting in an asset no longer being in the possession of the agency. Assets no longer in use, which remains in the possession of the department, are considered surplus property and not a disposal.

Fixed assets may be disposed of in any one of six ways:

- a. Sale or trade-in
- b. Abandonment/Retirement
- c. Lost or stolen
- d. Transfer
- e. Cannibalization (taking parts and employing them for like uses within the department, such as is often the practice in computer or vehicle maintenance).
- f. Casualty loss

Only when the asset is no longer in possession of the department, due to one of the six reasons listed above, is disposal action appropriate.

Assets are "abandoned" or "retired" when there is no longer any use for them in the Department, they are of no use to any other City department, and they cannot be repaired, transferred, cannibalized, sold, or traded-in. Thus meaning that, there is no safe and appropriate use for the abandoned goods to the City or for others.

Stolen items must be reported to the City Manager and a police report filed. A copy of this report must accompany the disposal record.

Casualty losses must be documented within 24 hours of loss and reported to the Finance Department immediately for follow-up with the City's insurance carrier.

Cannibalized items are considered surplus and are disposed of by noting cannibalization on the disposal record. Ideally, this method will allow departments to look at cannibalized items on the disposal report and assess what surplus parts may be available. Departments will send documentation of items cannibalized to the Finance Department, and all remaining costs and accumulated depreciation will be removed from appropriate asset accounts in the general fixed asset fund.

All assets no longer in the possession of the department, due to one of these six qualifying conditions and after submission of all appropriate documentation to the Finance Department, will be removed from the master departmental asset file and considered disposed.

Department management is responsible for reviewing disposal reports, evaluating causes and trends leading to disposals, and implementing procedures to more effectively manage and control disposals when the dispositions represent problems, inefficiencies, and/or the incurrence of unnecessary cost.

The Peachtree Corners Public Works Department will not take City property for disposal without the accompaniment of proper documentation.

8. Physical Inventory

An annual physical inventory of all fixed assets will be performed by the Finance Department in conjunction with each department. The inventory will be conducted with the least amount of interruption possible to the department's daily operation. A full report of the results of the inventory will be sent, within 30 days of completion, to all departments for verification and acceptance.

STATE OF GEORGIA
COUNTY OF DEKALB
CITY OF STONECREST

AN ORDINANCE BY THE MAYOR AND COUNCIL OF THE CITY OF STONECREST, GEORGIA AMENDING CHAPTER 2 (ADMINISTRATION) ARTICLE VI. (FINANCE) OF THE CITY OF STONECREST CODE OF ORDINANCES TO REVISE THE TITLE OF THE CITY OF STONECREST PURCHASING POLICY AND TO ADOPT THE CITY OF STONECREST FINANCIAL MANAGEMENT POLICY AS THE OFFICIAL FINANCE POLICY DOCUMENT OF THE CITY OF STONECREST, GEORGIA; TO PROVIDE AN EFFECTIVE DATE; TO PROVIDE FOR SEVERABILITY; AND FOR OTHER LAWFUL PURPOSES.

WHEREAS, the governing authority of the City of Stonecrest (“City”) is the Mayor and Council thereof; and

WHEREAS, the city council shall have the authority to adopt and provide for the execution of such ordinances, resolutions, policies, rules, and regulations, not inconsistent with this Charter and the Constitution and the laws of the State of Georgia, which it shall deem necessary, expedient, or helpful for the peace, good order, protection of life and property, health, welfare, sanitation, comfort, convenience, prosperity, or well-being of the inhabitants of the City of Stonecrest and may enforce such ordinances by imposing penalties for violation thereof.; and

WHEREAS, the purpose of the City’s Financial Management Policy is to provide guidance to elected officials and staff on fiscal issues and core financial decisions that affect the management and function of the City; and

WHEREAS, the City desires to amend Chapter 2 (Administration) Article VI. (Finance) of the City of Stonecrest Code of Ordinances to revise the title of the City of Stonecrest Purchasing Policy and to adopt the City of Stonecrest Financial Management Policy as the official finance policy document of the City of Stonecrest, Georgia.

BE IT AND IT IS HEREBY ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF STONECREST, GEORGIA

Section 1. That Chapter 2 (Administration) Article VI. (Finance) of the City of Stonecrest Code of Ordinances is hereby amended to revise the title of the City of Stonecrest Purchasing Policy and to adopt the City of Stonecrest Financial Management Policy as the official finance policy document of the City of Stonecrest, Georgia (Finance Amendments).

Section 2. That the Finance Amendments are adopted through the provisions set forth in Exhibit A attached hereto and made a part hereof by reference. That text added to current law appears in **red, bold and underlined**. Text removed from current law appears as **red, bold and strikethrough**.

**STATE OF GEORGIA
COUNTY OF DEKALB
CITY OF STONECREST**

46 **Section 3.** The preamble of this Ordinance shall be considered to be and is hereby
47 incorporated by reference as if fully set out herein.

Section 4. To the extent any portion of this Ordinance is declared to be invalid, unenforceable, or nonbinding, that shall not affect the remaining portions of this Ordinance

Section 5. All City Ordinances are hereby repealed to the extent they are inconsistent with this Ordinance.

BE IT ORDAINED, this Ordinance shall take effect immediately.

RESOLVED this _____ day of _____, 2025.

CITY OF STONECREST, GEORGIA

Jazzmin Cobble, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM BY:

City Attorney

**STATE OF GEORGIA
COUNTY OF DEKALB
CITY OF STONECREST**

Item XIII. c.

EXHIBIT A

ARTICLE VI. FINANCE

DIVISION 1. GENERALLY

Sec. 2-172. Fiscal year.

The fiscal year of the city shall be set by ordinance of the city council.

(Ord. No. 09-05, § 2-172, 9-18-2017)

Sec. 2-173. Finance director.

- (a) The functions of the city accountant and city treasurer shall be performed by the finance director or his designee within the finance department under the direction of the finance director.
- (b) The finance director shall perform at least the following duties:
 - (1) Managing, planning, directing, and maintaining the city's financial operations, including serving as chair of the city finance department, if such a department is established;
 - (2) Directing and supervising the work of personnel involved in performing the accounting, utility billing, property tax, payroll, and purchasing functions for the city;
 - (3) Providing technical leadership in budgeting, overseeing, and directing investment opportunities and debt administration, as well as ensuring proper record retention policies are strictly followed; and
 - (4) The council may require the finance director to perform other duties.
- (c) The city may contract with a third-party to serve as finance director.

(Ord. No. 09-05, § 2-173, 9-18-2017)

Sec. 2-174. City tax collector.

- (a) The mayor shall nominate a city tax collector, subject to ratification by the council. The city tax collector also may serve as the city treasurer, city accountant, and city finance director.
- (b) The city may contract with a third-party, including the tax commissioner of DeKalb County, Georgia, to serve as city tax collector.
- (c) The city tax collector shall perform at least the following duties. The mayor and council may require the city tax collector to perform other duties:
 - (1) Managing, planning, and directing the collection of all city taxes.
 - (2) Notifying delinquent taxpayers of their status in accordance with state law.

(Ord. No. 09-05, § 2-174, 9-18-2017)

Sec. 2-175. Audits.

- (a) The city council shall appoint an internal auditor to audit the financial records and expenditures of city funds and to report the results of such audits in writing to the city council at times and intervals set by the city council, but no less than quarterly. Such audit reports shall, at a minimum, identify all city expenditures and other financial matters that the internal auditor either determines are not in compliance with or cannot conclusively be determined to be in compliance with the provisions of the Charter, the applicable city budget, applicable ordinances, resolutions, or other actions duly adopted or approved by the city council.
- (b) The city council shall appoint an auditor to perform an annual independent audit of all city accounts, funds, and financial transactions by a certified public accountant selected by the city council. The audit shall be conducted according to generally accepted accounting principles. Any audit of any funds by the state or federal government may be accepted as satisfying the requirements of this Charter. Copies of all audit reports shall be available at printing cost to the public. As a minimum, all audits and budgets of the city shall satisfy the requirements of O.C.G.A. § tit. 36, ch. 81, relating to local government audits and budgets.

(Ord. No. 09-05, § 2-175, 9-18-2017)

Sec. 2-176. Interest assessed under Code.

Unless specifically provided otherwise, all interest assessed under the provisions of this Code shall be at an annual rate of 12 percent per annum. Where penalties are specified, such penalties shall be assessed, in addition to specified interest charges, at the rate of ten percent of the amount due for failure to file, negligence or disregard of rules or regulations; an additional penalty of 25 percent of the amount due shall be assessed for any fraud or intent to evade.

(Ord. No. 09-05, § 2-176, 9-18-2017)

Sec. 2-177. Delegation of authority to set fees charged by the city.

- (a) The city manager or his designee shall have the authority to set such fees for permits, licenses, or other permissions required of the city.
- (b) Any change to any license fee, permit fee, or other fee charged by the city and set by the city manager shall not take effect unless and until the process required by section 2-178 shall be completed.
- (c) The city council shall retain the authority to rescind any fee set by the city manager or his designee upon passage of a resolution of the council rescinding such fee or setting a different fee amount.
- (d) The city manager is directed to take into account the costs associated with the application process and enforcement of the licensing or permitting scheme in determining an appropriate fee to be charged.

(Ord. No. 09-05, § 2-177, 9-18-2017)

Sec. 2-178. Administrative process for altering or setting fees charged by the city.

- (a) The city manager or his designee shall:
 - (1) Post any proposed change to the city fee schedule at city hall and on the city's website at least 45 days before the change is to take effect, including a calculation of the effective date of such change.
 - (2) Notify the mayor and city council by paper or electronic communication and by announcement at the next regular meeting of the city council of the proposed change.

(Supp. No. 4)

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- (3) All communications or postings of proposed changes to the city fee schedule shall include a justification for the needed change, which may include an analysis of the costs associated with the application, permit or license, costs of enforcement and investigation incurred by the application, permit or license, and such other facts or circumstances deemed relevant to the need for the change to the fee schedule.
- (b) Persons impacted by the proposed change shall have 30 days from the posted communication to make objections known to the city manager, in writing or by electronic communication, who shall then forward such objections to the city attorney and the mayor and city council. If oral objections are communicated, the objector shall be informed of the opportunity to provide feedback in writing.
- (Ord. No. 09-05, § 2-178, 9-18-2017)

Sec. 2-179. Effective date of changes to city fee schedule.

- (a) Any proposed change to the city fee schedule initiated by the city manager shall take effect no sooner than 45 days from the date first posted or first communicated to the mayor and council, whichever is later.
- (b) No change to the city fee schedule shall be applied retroactively to any application, permit, license or other city fee.
- (Ord. No. 09-05, § 2-179, 9-18-2017)

Sec. 2-180. Execution of checks or financial instruments.

- (a) All orders, checks, instruments, and warrants for payment of money may be signed by the mayor, mayor pro tempore, city manager, or finance director, provided that the amount thereof does not exceed \$25,000.00, and provided further that such signature is otherwise authorized by law. However, to safeguard public funds and ensure the integrity of financial transactions, all orders, checks, instruments, and warrants for payment of money in the amount of \$25,000.00 or greater shall require the signature of two duly authorized signers.
- (b) Within 90 days of appointment, all elected officials, employees, and contractors of the city who are authorized signers pursuant to subsection (a) hereof shall obtain and at all times maintain a surety bond in an amount to be established by policy, naming the City of Stonecrest as the obligee. The city may pay any costs or fees associated with obtaining and maintaining the surety bond required herein.
- (c) Notwithstanding the provisions of subsection (a) hereof, the city council may temporarily suspend or permanently revoke the check signing authority of any person upon evidence of misuse, theft, or misappropriation of city funds or upon evidence of unauthorized transactions or any activity that jeopardizes the safety and security of city funds. If the city council suspends or revokes a person's check signing authority, the city manager shall promptly notify the city's banking institutions and take whatever steps necessary to ensure that the city council's decision is effectuated immediately.

(Ord. No. 2021-06-01, § 1(Exh. A), 6-17-2021)

Secs. 2-181—2-259. Reserved.

DIVISION 2. PURCHASING

Sec. 2-260. Purchasing policy.

1. The Mayor and City Council of the City of Stonecrest, Georgia, hereby amend and restate the **Financial Management Policies** Purchasing Policy of the City of Stonecrest, Georgia, as contained in Exhibit "A" attached to Ordinance No. 2022-09-02, and incorporated herein by this reference.
2. The Mayor and City Council of the City of Stonecrest, Georgia, hereby readopt the **Financial Management Policies** Purchasing Policy of the City of Stonecrest, Georgia, as contained in Exhibit "A" attached to Ordinance No. 2022-09-02, and incorporated herein by this reference.

(Ord. No. 09-05, § 2-260, 9-18-2017; Ord. No. 2018-04-03, §§ 1, 2, 4-16-2018; Ord. No. 2022-05-03, §§ 1, 2, 5-23-2022; Ord. No. 2022-09-02, §§ 1, 2, 10-10-2022)

Sec. 2-261. Purchasing card policy.

1. The Mayor and City Council of the City of Stonecrest, Georgia, hereby adopts the Financial Management Policies Purchasing Card Policy of the City of Stonecrest, Georgia, as contained in Exhibit "A" attached to Ordinance No. 2022-09-01, and incorporated herein by this reference.

(Ord. No. 2022-09-01, § 1, 10-10-2022)

Secs. 2-262—2-273. Reserved.***DIVISION 3. TRAVEL POLICY AND PROCEDURES*****Sec. 2-274. Established.**

The Mayor and City Council of the City of Stonecrest, Georgia, hereby adopt the City of Stonecrest, Georgia, Travel Policy and Procedures as contained in Exhibit "A" attached to Ord. No. 2018-07-03, and incorporated herein by this reference.

(Ord. No. 2018-07-03, § 1, 7-16-2018)

Secs. 2-275—2-289. Reserved.***DIVISION 4. FINANCIAL MANAGEMENT*****Sec. 2-276. Financial Management Policy.**

The Mayor and City Council of the City of Stonecrest, Georgia, hereby adopts the City of Stonecrest Financial Management Policy as the official policy document that provides guidance to elected officials and staff on fiscal issues and core financial decisions that affect the management and function of the City.



CITY COUNCIL AGENDA ITEM

SUBJECT: Community Development Block Grant (CDBG)Acceptance

AGENDA SECTION: *(check all that apply)*

- PRESENTATION PUBLIC HEARING CONSENT AGENDA OLD BUSINESS
 NEW BUSINESS OTHER, PLEASE STATE: Click or tap here to enter text.

CATEGORY: *(check all that apply)*

- ORDINANCE RESOLUTION CONTRACT POLICY STATUS REPORT
 OTHER, PLEASE STATE: Grant Acceptance

ACTION REQUESTED: DECISION DISCUSSION, REVIEW, or UPDATE ONLY

Previously Heard Date(s): Click or tap to enter a date. & Click or tap to enter a date.

Current Work Session: Click or tap to enter a date.

Current Council Meeting: Monday, March 24, 2025

SUBMITTED BY: Lakeisha Gaines, Finance Director

PRESENTER: Lakeisha Gaines, Finance Director

PURPOSE: To accept funding for the CDBG Grant.

FACTS:

OPTIONS: Choose an item. Click or tap here to enter text.

RECOMMENDED ACTION: Click or tap here to enter text.

ATTACHMENTS:

- (1) Attachment 1 - CDBG FY 2024 Letter
- (2) Attachment 2 - Click or tap here to enter text.
- (3) Attachment 3 - Click or tap here to enter text.
- (4) Attachment 4 - Click or tap here to enter text.
- (5) Attachment 5 - Click or tap here to enter text.

**STATE OF GEORGIA
COUNTY OF DEKALB
CITY OF STONECREST**

RESOLUTION NO. _____

A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF STONECREST, GEORGIA TO ACCEPT COMMUNITY DEVELOPMENT BLOCK GRANT (“CDBG”) FUNDING ADMINISTERED BY DEKALB COUNTY IN AN AMOUNT NOT TO EXCEED FIVE HUNDRED THOUSAND DOLLARS AND ZERO CENTS (\$500,000.00) FOR THE FAIRINGTON ROAD SIDEWALK PROJECT; TO EXECUTE ANY NECESSARY GRANT AGREEMENTS OR SUPPORTING DOCUMENTATION FOR ACCEPTANCE OF THE CDBG FUNDS; AND FOR OTHER LAWFUL PURPOSES.

WHEREAS, the duly elected governing body of the City of Stonecrest, Georgia (the “City”) is the Mayor and Stonecrest City Council (“City Council”); and

WHEREAS, Section 1.03(b)(42) of the City Charter grants the City the power to exercise and enjoy all other powers, functions rights, privileges, and immunities necessary or desirable to promote or protect the safety, health, peace, security, good order, comfort, convenience, or general welfare of the city and its inhabitants; and

WHEREAS, the DeKalb County (the “County”) administers Community Development Block Grant (“CDBG”) funding to develop “viable urban communities” principally benefiting low-to-moderate income individuals and neighborhoods; and

WHEREAS, the City desires to develop a walkable community and provide pedestrian access to the public throughout the City; and

WHEREAS, the City has identified sidewalks and trails that are viable in providing alternate travel and access to critical public transport that are missing sidewalk sections; and

WHEREAS, the sidewalk along Fairington Road is one of the priority projects for the City that has ten bus stops and a popular walking path for pedestrians (“Fairington Road Sidewalk Project”); and

WHEREAS, the County submitted its 2024-2028 Consolidated Plan to include the 2024 Annual Action Plan and funding for the Fairington Road Sidewalk Project; and

WHEREAS, staff applied for CDBG funding and proposes that the City accept grant funding for the Fairington Road Sidewalk Project; and

WHEREAS, the total CDBG funding is FIVE HUNDRED THOUSAND Dollars and zero cents (\$500,000.00); and

WHEREAS, the City seeks approval from the City Council to accept the CDBG funds.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF STONECREST, GEORGIA, that the mayor, city manager or designee is hereby authorized to execute any necessary grant agreement or supporting documentation with DeKalb County for acceptance of the Community Development Block Grant Funds for the Fairington Road Sidewalk Project in an amount not to exceed FIVE HUNDRED THOUSAND Dollars and zero cents (\$500,000.00).

BE IT FURTHER RESOLVED: All resolutions and parts of resolutions in conflict with this resolution are hereby waived to the extent of the conflict.

BE IT FINALLY RESOLVED: The City Manager or her designee, in consultation with the City Attorney, is directed to prepare all appropriate documents.

SO RESOLVED, this _____ day of _____, 2025.

[SIGNATURES ON THE FOLLOWING PAGE]

CITY OF STONECREST, GEORGIA

Jazzmin Cobble, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney



DeKalb County
GEORGIA

404.371.2727 (o)
DeKalbCountyGa.gov

Community Development
178 Sams Street, Suite A-3500
Decatur, GA 30030

Item XIII. d.

Chief Executive Officer
Michael L. Thurmond

Board of Commissioners

District 1
Robert Patrick

District 2
Michelle Long Spears

District 3
Nicole Massiah

District 4
Steve Bradshaw

District 5
Mereda Davis Johnson

District 6
Edward "Ted" Terry

District 7
Ladena Bolton

January 6, 2025

Honorable Jazzmin Cobble,
Mayor
City of Stonecrest
3120 Stonecrest Blvd.
Stonecrest, GA 30038

SUBJECT: Community Development Block Grant Funding (CDBG) – FY 2024

Dear Mayor Cobble:

It is my pleasure to inform you that the City of Stonecrest has been selected as a recipient of DeKalb County's 2024 CDBG funding.

On July 22, 2024, the County submitted its 2024-2028 Consolidated Plan to include the 2024 Annual Action Plan. The budget includes a funding amount of \$500,000 for the Farrington Road Sidewalk Project. Community Development staff, Byron Campbell will contact you to work with your staff to move forward with the contract process.

The County applauds Stonecrest for the work that you do in addressing the needs of low-to-moderate income individuals and neighborhoods. We look forward to your participation in the CDBG program. If you have any questions regarding this award please contact Byron Campbell, Grants Manager at (404) 371-2467.

Sincerely,

Allen Mitchell
Director



JAZZMIN RANDALL COBBLE
MAYOR

April 8, 2024
Allen Mitchell
Director
Community Development Department
750 Commerce Drive
Decatur, GA 30030

RE: Letter of Request for Community Development Block Grant (CDBG) Funding 2024

Dear Mr. Mitchell:

The City of Stonecrest is pleased to submit this letter of Request for 2024 Community Development Block Grant (CDGB) funding. Because the primary purpose of the CDBG Program is to develop “viable urban communities”, principally benefiting low-to moderate-income persons, the existing demographics of the City of Stonecrest make it an ideal recipient for CDBG funding. Our primary focus is to develop a walkable community and provide pedestrian access to the public throughout the city.

The city recently completed Bicycle, Pedestrian Trail Plan identifies sidewalks and Trails that are viable in providing alternate travel mode, provides critical access to public transport and missing sidewalk sections. The sidewalk along Fairington Road is one of the priority projects for the City of Stonecrest. Fairington Road has ten MARTA Bus Stops and has only Apartments along the southside and I-20 on the northside. Residents of these Apartment walk along the unsafe shoulder to take MARTA bus to work and for shopping. There are several accidents within this stretch of Fairington Road including one fatality.

The City has an active contract with a Consultant to complete the engineering design of this section of the Sidewalk. The Design is near completion and in the process of applying for a GDOT Encroachment permit and coordinating with MARTA on the Bus Stop Concrete pads for Bus Shelter and Bench installation. The city is seeking \$500,000 from the 2024 CDBG Funding. The city of Stonecrest will match the required additional funding to complete the construction of this section of Sidewalk,

We look forward to working with you to provide additional information needed. Thank you for your consideration of this request.



JAZZMIN RANDALL COBBLE
MAYOR



Sidewalk Begins



Sidewalk Ends



CITY COUNCIL AGENDA ITEM

SUBJECT: Transportation Alternative Program (TAP) Application

AGENDA SECTION: *(check all that apply)*

- PRESENTATION PUBLIC HEARING CONSENT AGENDA OLD BUSINESS
- NEW BUSINESS OTHER, PLEASE STATE: [Click or tap here to enter text.](#)

CATEGORY: *(check all that apply)*

- ORDINANCE RESOLUTION CONTRACT POLICY STATUS REPORT
- OTHER, PLEASE STATE: [Click or tap here to enter text.](#)

ACTION REQUESTED: DECISION DISCUSSION, REVIEW, or UPDATE ONLY

Previously Heard Date(s): [Click or tap here to enter text.](#) & [Click or tap here to enter text.](#)

Current Work Session: [Click or tap to enter a date.](#)

Current Council Meeting: Monday, March 24, 2025

SUBMITTED BY: Hari Karikaran, PE, City Engineer

PRESENTER: Lakeisha Gaines, Finance Director

PURPOSE: Seeking Approval to apply for Transportation Alternatives Program (TAP) Grant with Georgia Department of Transportation (GDOT).

FACTS: The Georgia Department of Transportation (GDOT) is seeking Transportation Alternatives Program (TAP) Grant application from Georgia Municipalities. Eligible projects include on-road and off-road trail facilities for pedestrians and bicyclists and other non-motorized form of transportation. Staff proposing to apply for a Grant to construct a Shared use path along Thomson Mill Road from Winding Grove Drive to the City Limits at Snapfinger Creek Bridge. Total estimated cost of the project is \$3,800,000. Proposed grant funding is \$3,040,000 and City match funding is \$760,000. Match funding is proposed to come from SPLOST II Revenues.

OPTIONS: Table, Deny, Approve, Approve with Modifications [Click or tap here to enter text.](#)

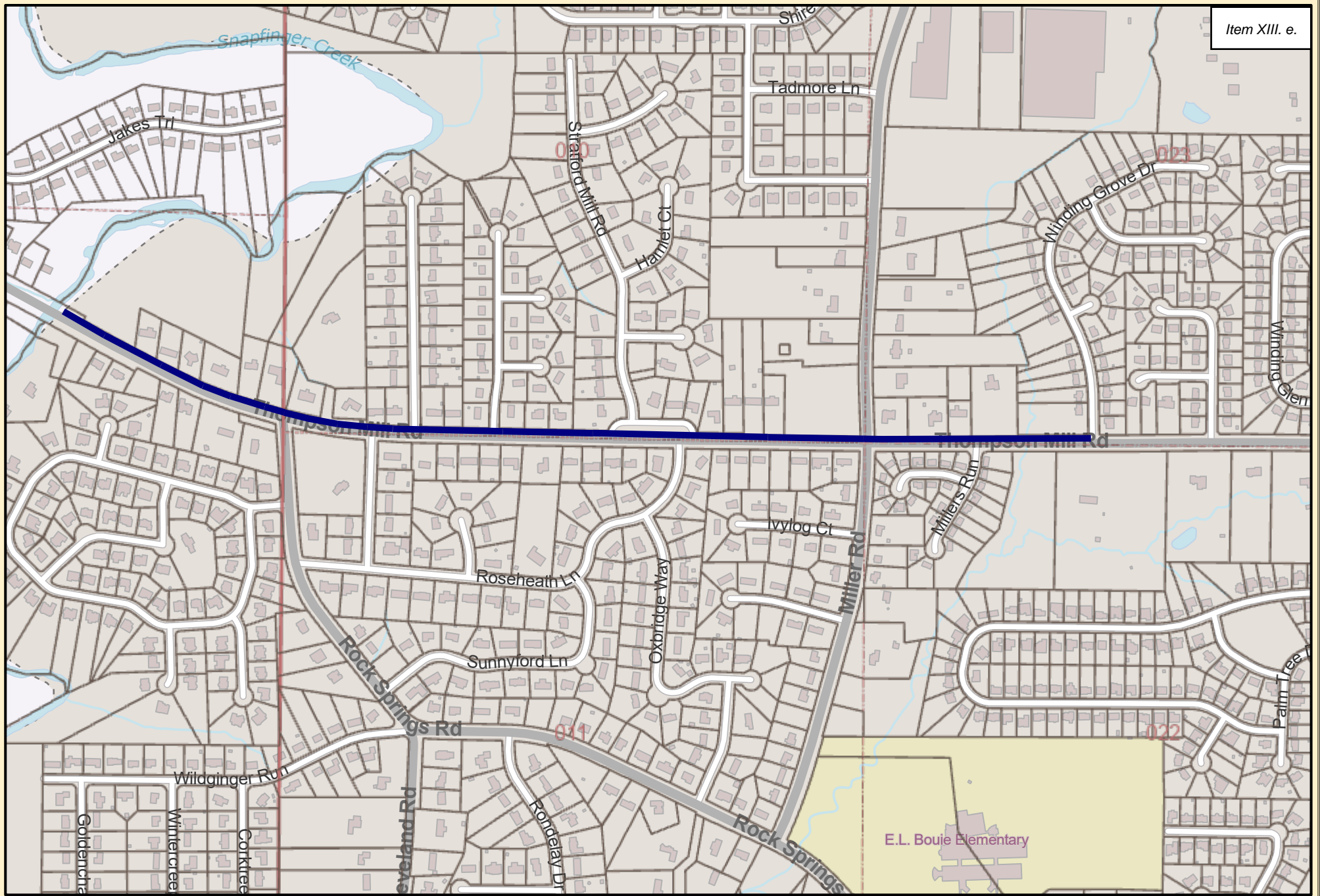
RECOMMENDED ACTION: Recommends approval of applying for TAP Grant for the amount of \$3,040,000. Match Funding to come from future SPLOST II Revenue.



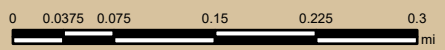
CITY COUNCIL AGENDA ITEM

ATTACHMENTS:

- (1) Attachment 1 - Thomson Mill Road Shares use path Map
- (2) Attachment 2 - Bicycle Pedestrian Trail Plan Thompson Mill Road
- (3) Attachment 3 - Thompson Mill Road ROW TAP
- (4) Attachment 4 - Resolution
- (5) Attachment 5 - [Click or tap here to enter text.](#)



DeKalb County Parcel Map



Date Printed: 2/28/2025



DeKalb County GIS Disclaimer

The maps and data, contained on DeKalb County's Geographic Information System (GIS) are subject to constant change. While DeKalb County strives to provide accurate and up-to-date information, the information is provided "as is" without warranty, representation or guarantee of any kind as to the content, sequence, accuracy, timeliness or completeness of any of the database information provided herein. DeKalb County explicitly disclaims all representations and warranties, including, without limitation, the implied warranties of merchantability and fitness for a particular purpose. In no event shall DeKalb County be liable for any special, indirect, or consequential damages whatsoever resulting from loss of use, data, or profits, whether in an action of contract, negligence, or other actions, arising out of or in connection with the use of the maps and/or data herein provided, and data are for illustration purposes only and should not be relied upon for any reason. The maps and data are not suitable for site-specific decision-making nor construed or used as a legal description. The areas depicted by maps and data are approximate, and are not necessarily accurate to surveying or engineering standards.

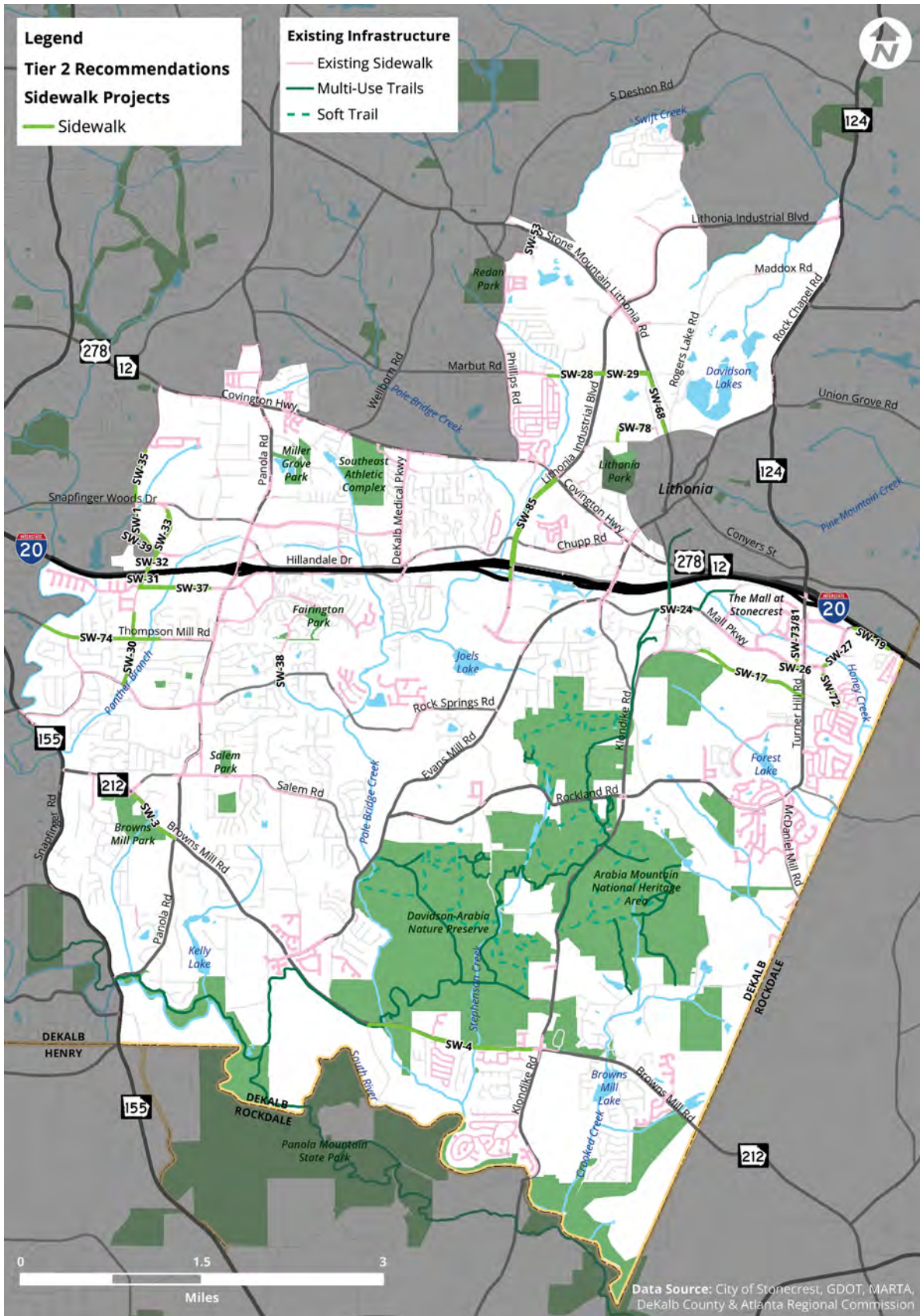
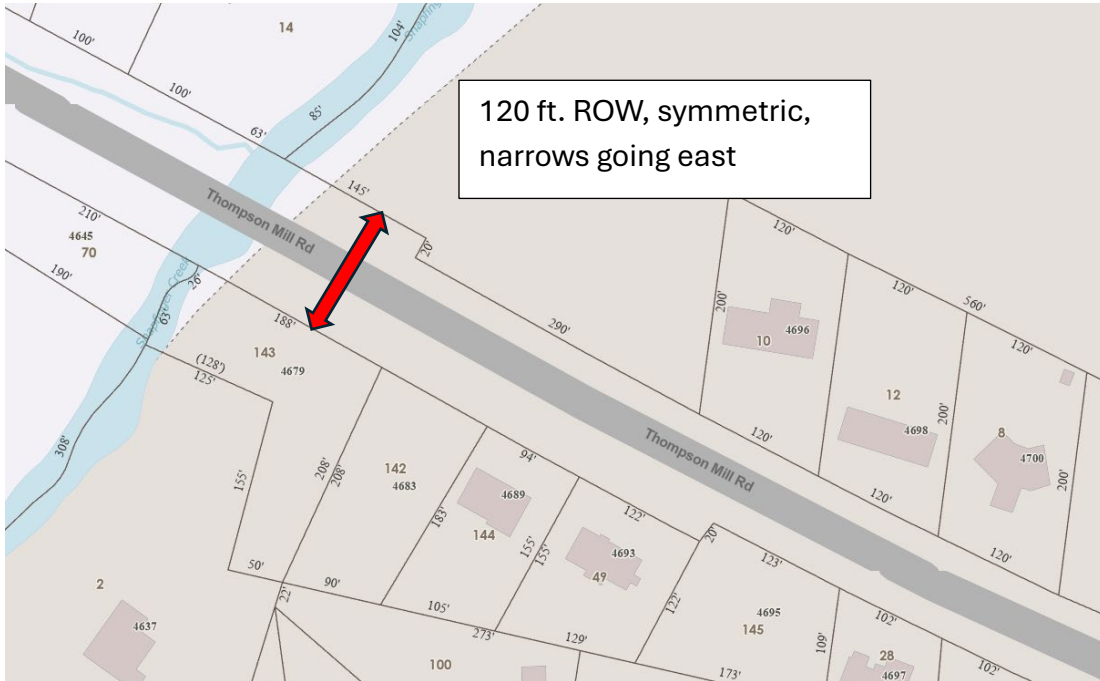


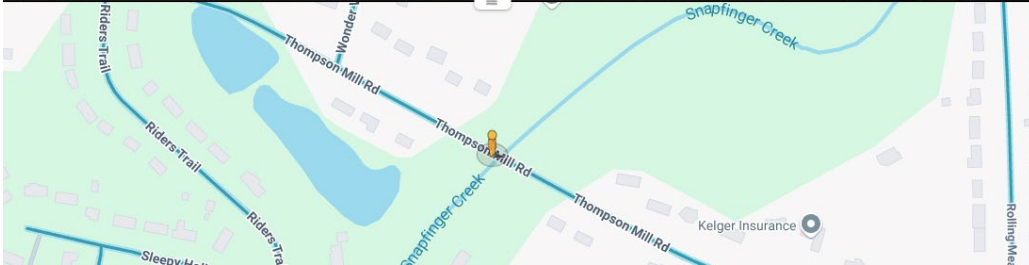
Figure 43. Tier 2 Sidewalk Project Recommendations

THOMPSON MILL ROAD AT SNAPFINGER CREEK



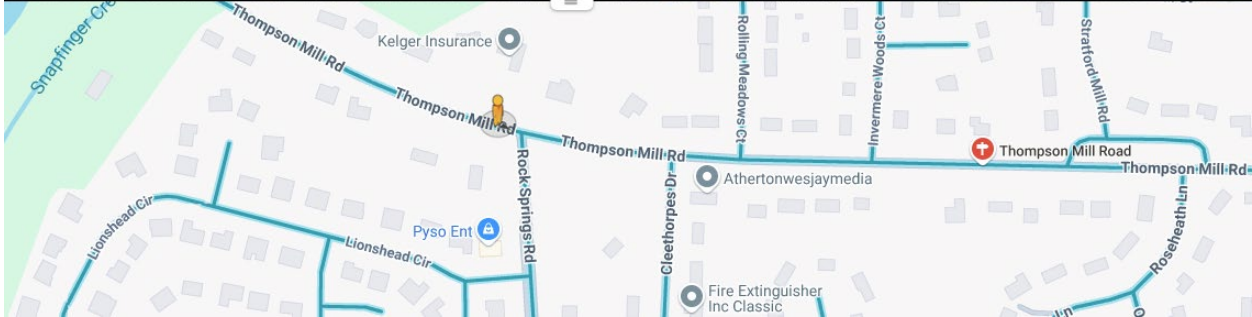
<https://maps.app.goo.gl/7iNdAKj9TkPN9MCk9>

4660 Thomas Mill Road looking east into City of Stonecrest

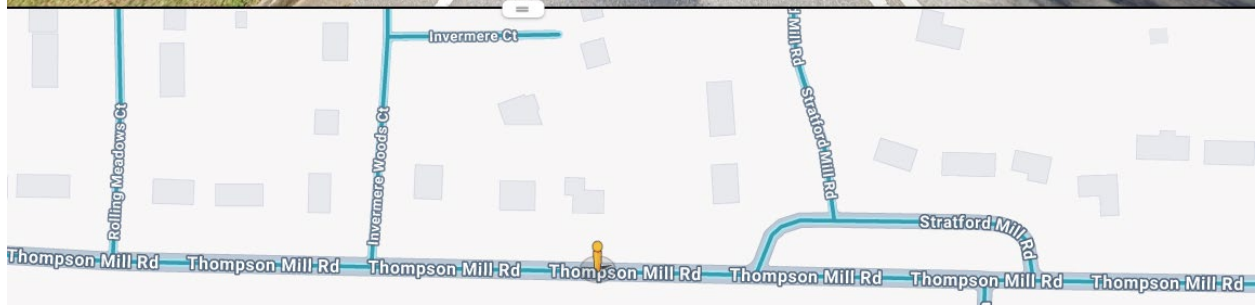


<https://maps.app.goo.gl/9XAvev4MFEhUbzAm8>

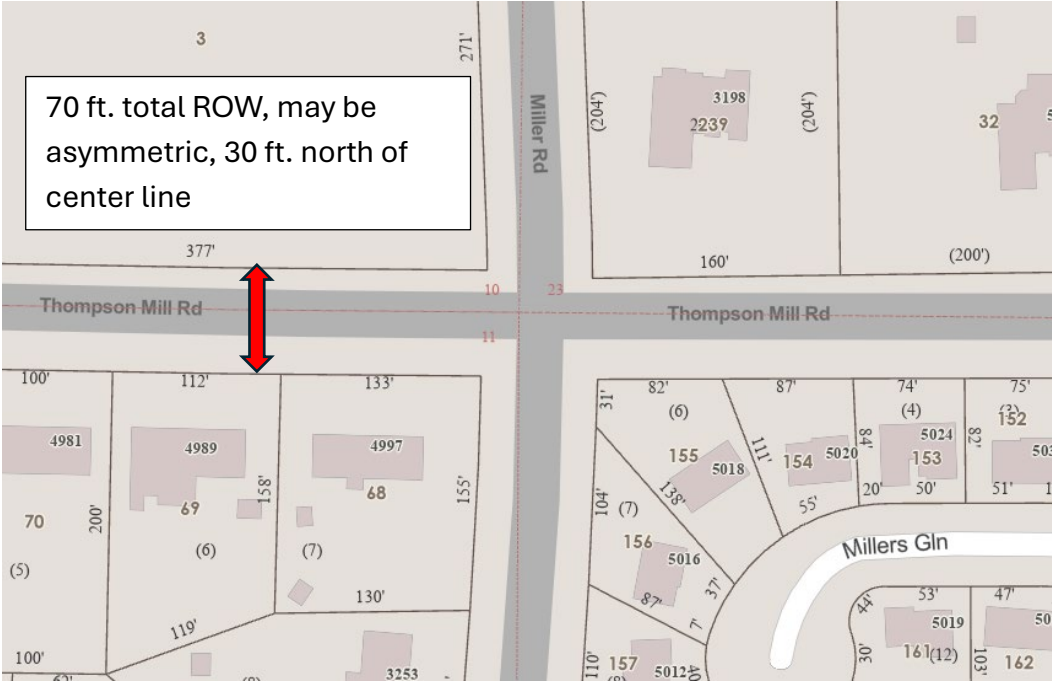
4756 Thomas Mill Road looking east



4854 Thomas Mill Road looking east



THOMPSON MILL ROAD AT MILLER ROAD



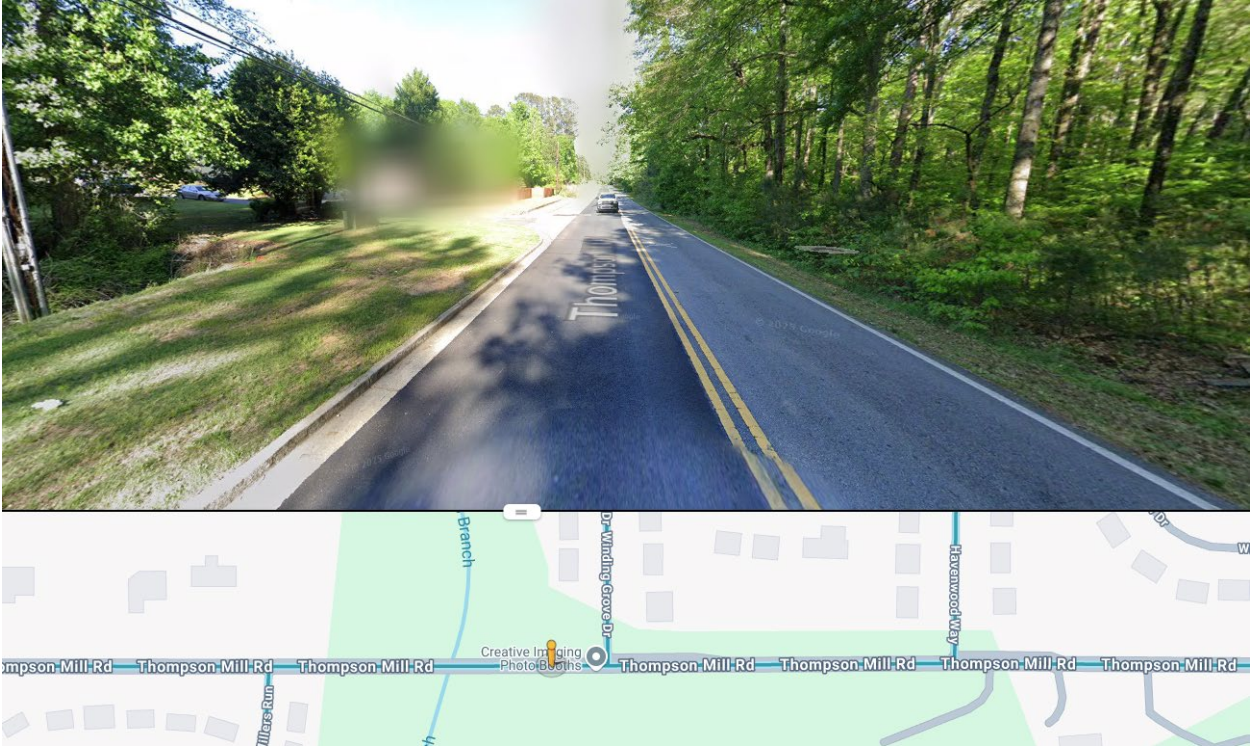
<https://maps.app.goo.gl/b6a45JXwERHkeVAR6>

4989 Thomas Mill Road looking east



<https://maps.app.goo.gl/cjg1GFzz6uxANDWw8>

5055 Thomas Mill Road looking east



**STATE OF GEORGIA
COUNTY OF DEKALB
CITY OF STONECREST**

RESOLUTION NO. _____

A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF STONECREST, GEORGIA TO AUTHORIZE THE MAYOR, CITY MANAGER OR DESIGNEE TO APPLY FOR THE TRANSPORTATION ALTERNATIVES PROGRAM (“TAP”) GRANT ADMINISTERED BY THE GEORGIA DEPARTMENT OF TRANSPORTATION (“DOT”) IN PARTNERSHIP WITH THE FEDERAL HIGHWAY ADMINISTRATION (“FHWA”) IN AN AMOUNT NOT TO EXCEED SEVEN HUNDRED SIXTY THOUSAND DOLLARS AND ZERO CENTS (\$760,000.00); AND FOR OTHER LAWFUL PURPOSES.

WHEREAS, the duly elected governing body of the City of Stonecrest, Georgia (the “City”) is the Mayor and Stonecrest City Council (“City Council”); and

WHEREAS, Section 1.03(b)(42) of the City Charter grants the City the power to exercise and enjoy all other powers, functions rights, privileges, and immunities necessary or desirable to promote or protect the safety, health, peace, security, good order, comfort, convenience, or general welfare of the city and its inhabitants; and

WHEREAS, the Georgia Department of Transportation (“DOT”) in partnership with the Federal Highway Administration (“FHWA”) administers the TRANSPORTATION ALTERNATIVES PROGRAM (“TAP”) GRANT to provide the opportunity for local governments to improve the quality of life for citizens in communities across the state by pursuing projects that might not otherwise be possible.; and

WHEREAS, Eligible projects include on-road and offroad trail facilities for pedestrians and bicyclists and other non-motorized form of transportation; and

WHEREAS, staff proposes that the City apply for a TAP Grant to construct a shared use path along Thompson Mill Road from Winding Grove Drive to the city limits at Snapfinger Creek Bridge (the “Project”); and

WHEREAS, the total estimated cost of the Project is THREE MILLION EIGHT HUNDRED THOUSAND Dollars and zero cents (\$3,800,000.00) with proposed grant funding of THREE MILLION FORTY THOUSAND Dollars and zero cents (\$3,040,000.00) and City match funding of SEVEN HUNDRED SIXTY THOUSAND Dollars and zero cents (\$760,000.00); and

WHEREAS, match funding is proposed to come from SPLOST II Revenues; and

WHEREAS, the City seeks support, approval and authorization to apply for TAP.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF STONECREST, GEORGIA, that the mayor, city manager or designee is hereby authorized to prepare and submit an application for the TRANSPORTATION ALTERNATIVES PROGRAM GRANT administered by the Georgia Department of Transportation in partnership with the Federal Highway Administration.

BE IT FURTHER RESOLVED: That the TAP grant funds shall be used to construct a shared use path along Thompson Mill Road from Winding Grove Drive to the city limits at Snapfinger Creek Bridge.

BE IT FURTHER RESOLVED: The TAP grant is a matching grant program requiring the City to pay a total amount not to exceed SEVEN HUNDRED SIXTY THOUSAND Dollars and zero cents (\$760,000.00) with proposed TAP grant funding of THREE MILLION FORTY THOUSAND Dollars and zero cents (\$3,040,000.00).

BE IT FURTHER RESOLVED: All resolutions and parts of resolutions in conflict with this resolution are hereby waived to the extent of the conflict.

BE IT FINALLY RESOLVED: The City Manager or her designee, in consultation with the City Attorney, is directed to prepare all appropriate documents.

SO RESOLVED, this _____ day of _____, 2025.

CITY OF STONECREST, GEORGIA

Jazzmin Cobble, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney